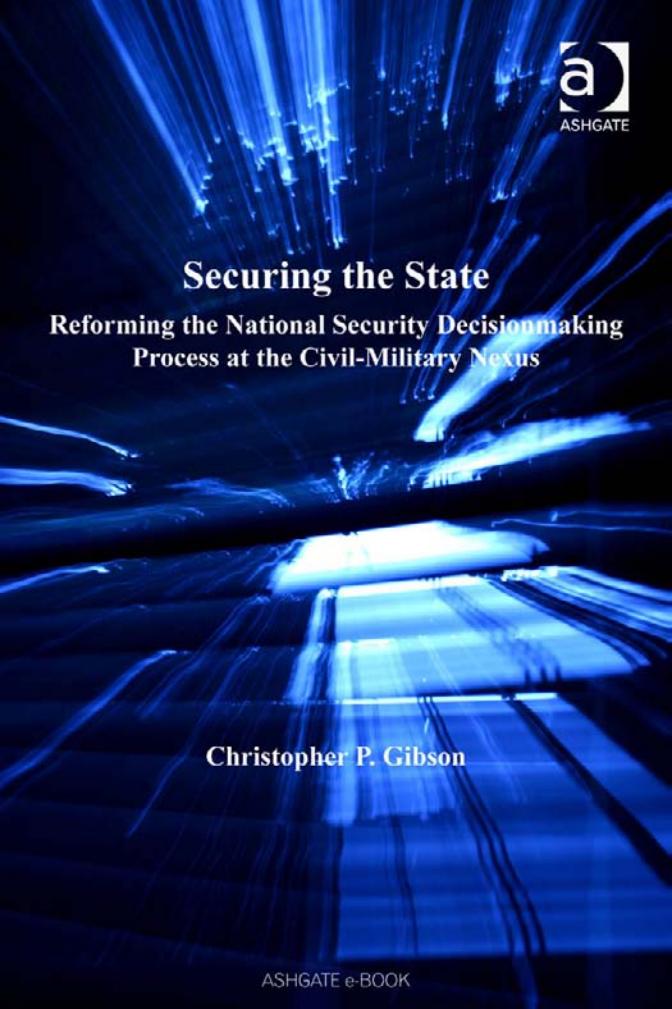
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Securing the State

Reforming the National Security Decisionmaking Process at the Civil–Military Nexus

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ASHGATE

Published by
Ashgate Publishing Limited
Gower House
Croft Road
Aldershot
Hampshire GU11 3HR
England

Ashgate Publishing Company
Suite 420
101 Cherry Street
Burlington, VT 05401-4405
USA

Ashgate website: http://www.ashgate.com

British Library Cataloguing in Publication Data
Gibson, Christopher P. (Christopher Patrick)
Securing the state : reforming the national security decisionmaking process at the civil-military nexus. - (military strategy and operational art)
1. Civil-military relations - United States 2. Civil supremacy over the military - United States 3. Government consultants - United States 4. United States - Armed Forces - Management 5. United States - Politics and government - 2001- 6. United States - Politics and government - 20th century
I. Title
322.5'0973

Library of Congress Cataloging-in-Publication Data
Gibson, Christopher P. (Christopher Patrick)
Securing the state : reforming the national security decisionmaking process at the civil-military nexus / by Christopher P. Gibson.
p. cm. -- (Military strategy and operational art)
Includes bibliographical references and index.
ISBN 978-0-7546-7290-6
1. Civil-military relations--United States. 2. Civil supremacy over the military--United States. 3. Government consultants--United States. 4. United States--Armed Forces--Management. 5. United States--Politics and government--2001- 6. United States--Politics and government--20th century. 7. Military policy--Decision making. I. Title.

Jf195.G528 2007
322'.50973--dc22

2007027829

ISBN-13: 9780754672906

Printed and bound in Great Britain by MPG Books Ltd, Bodmin, Cornwall.

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Acknowledgments

The researching and writing of this book has been a tremendously challenging intellectual journey for me that simply would not have been accomplished without the substantial help of others. I could not possibly recognize all of those who have influenced my thought or helped make this project possible, but appreciate this opportunity to express my gratitude to some of the most influential. First, I thank the Hoover Institution of Stanford University, especially the Directors of the National Security Affairs Program Dr. David Brady and Ms. Joy Kelley, for graciously hosting and supporting me and my family in my year in residency as a War College Fellow (2006–07) where I worked on this research project. I also thank Colonel Mike Meese and the Department of Social Sciences at West Point for including me in the Author's Workshop/2007 Senior Conference on US civil–military relations which provided an especially helpful venue to exchange ideas and receive feedback on my argument. I thank all the organizers and participants of that conference including retired Army Colonel Dr. Don Snider, Army Colonel Cindy Jebb, Army Lieutenant Colonels Suzanne Nielsen and Ike Wilson, Army Majors Scott Taylor, Dave Dudas, Jason Dempsey, Darrell Driver, Colonel Matthew Moten, Drs. Richard Kohn, Michael Desch, Risa Brooks, Williamson Murray, Richard Betts, Nadia Schadlow, David Segal, James Burk, Peter Feaver and Erika Seeler for expanding my knowledge and understanding in this field. Likewise, I appreciated the insights and friendship from the members of the Military Studies Group at Stanford, including Dr. Elizabeth Sherwood-Randall, *New York Times* National Security Correspondent Mr. Eric Schmitt, and the Hoover National Security Affairs Fellows: Air Force Lieutenant Colonel Scott Murray, US Marine Corps Colonel David Aumuller, Navy Commander Mark Williamson, and State Department Representative Jason Davis. In addition, for their helpful comments and suggestions reviewing earlier drafts of this work I thank, my Hoover Advisor the Honorable Edwin Meese, my Army War College Advisor Retired Army Colonel Dr. Doug Johnson, Colonel James Klingaman, Dr. Don Snider, Hoover Fellow Dr. Victor Davis Hanson, Army Colonel John Kem, Dr. Elizabeth Sherwood-Randall, Dr. Marybeth Ulrich, Professor Richard Kohn, Dr. Bob Oster and Mr. Colin Forth – although none of these sages can be blamed for any of its errors or shortcomings. I also thank Riley Siebel for research assistance. Moreover, I convey my deepest gratitude to Ms. Kirstin Howgate, Ms. Margaret Younger, Ms. Aimée Feenan, and Dr. Howard Hensel of the Ashgate Publishing Company for the opportunity to be included with their exciting new series on Military Strategy and Operational Art. This past year at Hoover also has been a blessing in that it has provided me with ample time to be with family and we have certainly made the most of it! I express here my love and admiration for my wife, Mary Jo, and our children Kathleen, Margaret and Connor. Their abiding love and support has made writing this book so much more enjoyable.

This book is dedicated to Lieutenant Colonel Joseph J. Fenty, the former Commander of 3-71 Cavalry of the 10th Mountain Division. Joe was a truly exceptional officer and commander universally admired and revered by superiors, peers and subordinates alike. He lived his life at one with virtue. Completely dedicated to his country, the Army and the soldiers he led, Joe's life was marked by excellence in all endeavors. He was a devoted husband and father. He was my best friend. Joe died along with nine other 10th Mountain Division troopers in a Chinook helicopter crash in Afghanistan on 5 May 2006. We will always remember …

Chapter 1

The Civil–Military Dynamic: A Relationship Adrift[1]

In recent years as the US has struggled to help the Iraqi government stabilize their country and address basic needs, there has been widespread and contentious domestic debate over what went wrong, who should be held accountable, and what course correction was needed to prevail.[2] Various writers have already offered a series of explanations and narratives.[3] Among the reasons why the US has experienced such difficulty in Iraq have been core issues of civil–military relations.[4]

Functional civil–military relations do not guarantee successful policy outcomes, but dysfunction in this critical area is sure to produce incomplete options and ineffective outcomes. This book will highlight the advantages of employing a more balanced approach to civil–military relations at the Pentagon. Different (although not necessarily new) thinking is necessary if the US is to reform its civil–military relations. The "Madisonian approach" is a call for top-level civilian and military leaders at the Pentagon to form a partnership to assist and advise the nation's elected leaders as they execute their constitutional responsibilities to direct and control the military in pursuit of national security objectives and the common defense.

Indeed, behind America's elected leaders stands the *civil–military nexus* – the top civilian and military advisers to the President and Congress who offer strategic analysis, develop options, and convey recommendations. This decision-support

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1 The views expressed in this work are mine alone and are not those of the Army War College, Department of the Army, Department of Defense or any other governmental agency.

2 The Iraq war was the number 1 issue important to voters in the 2006 US election, according to exit polling data. See, for example CNN exit polling at http://www.cnn.com/ELECTION/2006/ special/issues/.

3 See especially, Michael R. Gordon and General Bernard E. Trainor, *COBRA II: The Inside Story of the Invasion and Occupation of Iraq* (New York: Pantheon Books, 2006), Thomas E. Ricks, *Fiasco: The American Military Adventure in Iraq* (New York: Penguin Books, 2006), and Bob Woodward, *State of Denial: Bush at War, Part III* (New York: Simon & Schuster, 2006).

4 The Iraq Study Group, comprised of 10 leading former statesmen of both parties, also came to this finding. Recommendation No. 46 of their report states, "The new Secretary of Defense should make every effort to build healthy civil–military relations, by creating an environment in which the senior military feel free to offer independent advice not only to the civilian leadership in the Pentagon but also to the President and the National Security Council, as envisioned in the Goldwater-Nichols legislation." *Report of the Iraq Study Group* (Washington, DC: US Government Printing Office, 2006), p. 77.

activity is critical to the process, and as will be shown, is not always effectively carried out. A balanced (vice dominating) approach would ensure that elected leaders have access to *strategic analysis, options, and advice* from both political appointees and the top general officers who represent the profession prior to making weighty decisions in national security-related matters.

In Chapter 3, it will be demonstrated that in the lead up to the Iraq war a dominating rather than balanced approach to US civil–military relations at the Pentagon contributed to the development of an incomplete war plan (specifically the under-development and under-resourcing of the post-hostilities phase). Indeed, that war planning proceeded with politically appointed advisor-dominated options and analysis. In fact, the tenures of Defense Secretary Donald Rumsfeld and Joint Chiefs Chairman, General Richard Myers can be generally characterized as the domination of the latter by the former.[5] The nation's very highest ranking military officers, especially the Chairman of the Joint Chiefs of Staff and the Combatant Commander responsible for Iraq War planning, General Tommy Franks, were jointly culpable for this flawed process. Accountability on this score proceeds with precision in Chapter 3.

As it turns out, the US did not learn the lessons of history as this wasn't the first time dominating methods of civilian control were practiced by political appointees at the Pentagon. Forty years earlier, Defense Secretary Robert McNamara employed similar strategies to achieve his agenda with not surprising negative impacts on policy effectiveness.[6]

Why didn't the US learn from history? In part, it was a lack of imagination. The US does not have an effective normative construct or model from which to organize and arrange civil–military relations. Ultimately guidance for arranging the civil–military relationship should come from the nation's elected leaders.[7] Although it has been done in the past, the Secretary of Defense is not the right individual

---

5 Rumsfeld's dominance extended well beyond his relationship with General Myers and included among others, his interactions with CENTCOM Commander General Tommy Franks. This is clearly the conclusion of a series of books critical of the administration's handling of the Iraq War, including those sources cited in Footnote 3, but interestingly, Rumsfeld's actions in putting the military in their place, superimposing his views on the war planning process and transformation efforts at the Pentagon is also the central theme of Rowan Scarborough's, *Rumsfeld's War* (Washington, DC: Regnery Books, 2004), which by the author's own description in the conclusion, is meant to be read as a very favorable endorsement of the Defense Secretary's tenure. The same argument is made in this book in Chapter 3.

6 H.R. McMaster, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam* (New York: HarperCollins Publishers, 1997), pp. 300–322.

7 Military leaders look to their civilian superiors for guidance as the relationship is forged. When explicit guidance on roles and expectations is not forthcoming, cues are sought. However reliance on cues increases the possibility of misunderstanding. The consequences of misinterpretation can be serious or at least a source of friction during early interactions. Much (although certainly not all) of this ambiguity and awkwardness could be lessened by the adoption of a framework or guide for interactions in the civil–military nexus at the outset of a new administration.

to issue formative guidance for the civil–military relationship because that person along with the nation's top general officers is a servant or "agent" for the nation's elected leadership, the President and Congress, who by constitutional design share the duty to lead and control the military. Along these lines, and contrary to what other scholars may assert, it is not appropriate for top generals to shape the relationship either.[8] Subordinates can not arrange and categorize interactions.

Scholars could play an important role in helping elected leaders with foundational normative theory – a coherent and well developed set of *structure* and *norms* to guide key civil–military relationships. Presently elected leaders have a dearth of options to choose from when it comes to organizing their relationships with the national security establishment *and they need more help*. Therefore, this book is also a call to academia to generate more options, additional normative models.

The topic of civil–military relations has taken on greater saliency in the public discourse over the past year and as national leaders (including 2008 presidential candidates) grapple with developing their philosophy towards "civilian control of the military" and what exactly that would mean in practice a reasonable place to turn for advice would be the community of scholars who have devoted much of their professional life to studying these questions. As a professional soldier, I am not a full-time member of this scholarly community but I've admired the work produced by it over the years and believe it can bring to the debate well considered arguments if so focused. Towards that end, this book introduces the "Madisonian approach" for US civil–military relations to help stimulate the discussion. Reactions, corrections, criticisms and alternative proposals are welcomed and encouraged.

In the prevailing literature there are really only two fully developed options as it relates to arranging civil–military relationships: 1) subjective control, the type employed by McNamara and Rumsfeld, and 2) objective control, a method first advanced by Harvard Professor Samuel Huntington in the 1950s with great promise, but ultimately ridden with faulty assumptions about the nature of the civil–military nexus, where options are generated, analyzed, and then conveyed along with advice to elected leaders.[9]

Upon closer examination it will be revealed that objective control is really a false choice because it fails to provide insights on the preponderance of civil–military interaction – the nexus where top-level civil and military leaders share responsibilities of helping elected leaders with understanding the strategic environment and sorting through issues and options prior to making weighty decisions. This leaves subjective

8 For another view see Richard H. Kohn, "The Huntington Challenge: Maximizing National Security and Civilian Control of the Military," West Point Senior Conference Paper, June 2007. Kohn asserts that the military should take responsibility for shaping the civil–military dynamic.

9 Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil–Military Relations* (Cambridge, Mass: Harvard University Press, 1957) and Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: The Free Press, initially published in 1960). Post-Cold War reprises were Richard H. Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002): 9–59, and Eliot Cohen, *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime* (New York: The Free Press, 2002), respectively.

control as the only fully developed model. However, because micromanaging a profession with political appointees who generally have lesser practical experience could result in reduced levels of effectiveness, most presidents have eschewed the subjective control approach.

More often than not, Presidents have operated without an established method or normative civil–military relations construct and that has posed a different set of challenges.[10] The confusion and ambiguity associated with this choice (no method) has contributed to criticisms at different times that one or both parties to the relationship has not performed their duties fully and effectively or that one side has overreached into the sphere of the other.[11] *But without clearly established expectations and standards, without an agreed upon framework, what constitutes dereliction or inappropriate behavior?* Such are the circumstances today with subjective control freshly repudiated; elected leaders are without a method to organize civil–military relations. Scholars must answer this calling with models that help shape solutions.

The Present Struggle

The US is engaged in a difficult struggle against a determined enemy who publicly declares his strategic aim the establishment of a caliphate in the Middle East and the ultimate destruction of the West.[12] Now, in concert with allies and friends the list of whom the US should be endeavoring to expand, America is involved in a wide ranging conflict that spans across the dimensions of power (including diplomatic, economic, informational, and military instruments) to stop *al-Qaeda* and other declared extremists – the aim is to win.[13]

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10 Some Presidents in the past have worked effectively with the military despite not having a conscious/established normative framework and the Madisonian Approach incorporates "best practices" from some of these positive examples. The larger point on the need for a conscious method is that while any relationship should be sufficiently flexible and practical to deal with unexpected developments, establishing clear expectations up front in the form of a model, agreement or framework helps guide the relationship, especially in times of crisis, and provides the foundation for accountability, efficiency, and effectiveness.

11 Richard H. Kohn, "Out of Control: The Crisis in Civil–Military Relations," *National Interest*, No. 35 (Spring 1994): 3–31.

12 William McCants, editor and project director, *Militant Ideology Atlas*. Report from the Combating Terrorism Center, West Point, NY, November 2006. Paul Eedle, "Broadband Jihad Television: Filmmaker looks at the role of the internet and television in contemporary journalism," *London Financial Times*, 6 November 2006. Michael Scheuer, "al-Qaeda Doctrine for International Political Warfare," *Terrorism Focus* (31 October 2006), Vol. III, No. 42.

13 Books on strategy, particularly military strategy, abound. See for example, Thomas Philips, *Roots of Strategy: A Collection of Military Classics*, Vols. 1 and 2 (Harrisburg, PA: Stackpole, 1985). However, rare is it that a book on the practical contributions in the economic sphere of grand strategy is published. For an excellent recent account see, John Taylor, *Global Financial Warriors* (New York: W.W. Norton, 2007). In this work Taylor describes in detail how the US Government worked with other nations to freeze the financial assets of al-Qaeda in the months after the 9–11 attacks. When the 9–11 Commission Report was published in 2004 it cited these activities as the most successful counter-terrorist efforts to date.

Although this study is not about that topic directly, what is presented is very germane and foundational to that overall effort. It is about how the US prepares for conflict and take decisions that shape national security – at its core are questions of civil–military relations.

Civil–military relations is defined as the delineation of duties among top-level civilian and military leaders as found in existing US legal *structure* (provisions in the US Constitution and US statutes) and in the *norms* that guide behavior in view of how these leaders contribute individually and collectively to the national security decisionmaking process, and in all efforts to provide for the common defense. The foundation for US civil–military relations comes from the Constitution, which provides clear provisions for the relationship – simply put: elected leaders control the armed forces.

Article II bestows upon the President the powers of Commander-in-Chief. As such, the President directs military forces in pursuit of stated objectives and presides at the top of the chain of command. Other key provisions state that the President commissions officers and appoints generals for top-level positions with the advice and consent of the Senate, and when called into federal service, the President also commands the National Guard (militia in original constitutional language).[14]

Article I gives the power to "declare war" to the Congress. It also provides the legislative branch with the responsibility to "raise and support armies, maintain navies" – authority often referred to as the "power of the sword." Since the Congress appropriates all monies to support the federal government, the legislative branch is responsible for approving (with authority to modify) all military-related budget proposals submitted by the executive branch. Also importantly, the Congress is responsible for writing the regulations for the armed forces and maintains Title 10 and Title 32 of the US code which covers the active duty formations and National Guard, respectively, which means that the legislative branch has original jurisdiction on matters of *expert knowledge*, that is, codifying the areas for which the armed forces will develop competency.[15] Of course, any proposed changes to these laws must be signed by the President (or enacted over presidential veto by 2/3 majorities of both Houses). The Senate also confirms the nominations made by the President for promotion and key positions. Finally the Congress, as it does with all facets of federal government efforts, serves in an oversight capacity of the executive branch in fulfillment of its power to legislate and appropriate on behalf of the American people.[16]

There are two points immediately clear from the foregoing. First, the Founders intended for the responsibility to take the country to war to be shared between the

14 US Constitution, Article II. To read the Constitution or learn more about it visit the National Archives website at http://www.archives.gov/national-archives-experience/charters/constitution. html.

15 US Code, Titles 10 and 32 can be viewed at the following website: http://www.access.gpo.gov/ uscode/uscmain.html.

16 US Constitution, Article I, Section 8.

legislative and executive branches of government.[17] Second, the Founders intended for there to be civilian control of the military and for that responsibility to be shared as well. So at the outset, there will be unmistakable demarcations between the roles of civilians and the military. The elected civilian leadership will make the most important decisions on matters of war and peace and the military will execute operations to accomplish political objectives when so directed by constitutionally empowered civilian authorities. However, when examining the sum of national security interactions very few fall into the categories of purely civilian (pertaining to elected leaders) or military actions. *Nearly all national security related interactions occur at the civil–military nexus of responsibilities that which is the domain of strategic analysis, course of action development and conveyance of recommendations.* The civil–military nexus covers all facets of policy, programs, plans, and operations. It is at this intersection that alternatives are prepared for decision by the country's elected leaders (both the President and Congress). Of particular note, included in this overlapping domain is the statutory requirement for the conveyance of advice from both top-level political appointees and military officials. Indeed, *the advisory process*, a key component of decisionmaking support activities, also resides in the civil–military nexus.[18]

It is important to make these distinctions at the outset because much is made in the prevailing literature (and for good reason) about the requirement for "civilian control of the military" and the military's requirement to comply with it. Military officers universally affirm this principle. Yet as will be shown later, what precisely is the meaning of "civilian control" presently lacks clarity and consensus among the key participants in the civil–military nexus. Indeed, part of the problem in preparing for Iraq was that top generals involved in war campaign planning development process interpreted their requirement to comply with "civilian control of the military" to mean that once Defense Secretary Rumsfeld decided on matters, disagreement and dissent had to cease. But is that the right interpretation? "Civilian control" as outlined in the Constitution clearly provides for the nation's elected leaders to direct, supervise, and control the military. Political appointees, like top generals, assist elected leaders in matters of national security, but these officials possess no final authority to control the military per the Constitution. This book hopes to stimulate the public debate on the topic of "civilian control of the military" in an effort to reach

17 For a recent article on this topic see, Keith Perine, "As Debate Over the Conduct of War Heats Up, Scholars Differ on Balance of Power," *Congressional Quarterly Today – Defense*, 19 January 2007.

18 The civil–military nexus defined includes predominantly those activities between and among political appointees, career civil-servants, and the uniformed military within the Department of Defense, but also includes interactions among other governmental officials of the US government (e.g. Departments of State, Homeland Security, Energy, OMB, National Security Council and CIA to name some of the most prominent entities) and the uniformed military across the inter-agency process. That stated; this project is primarily focused on activities and relationships at the Pentagon.

clarity and consensus on meaning – a meaning true to Constitutional language and Founder intent.[19]

The Criticality of Structure and Norms in Shaping the Civil–Military Nexus

The civil–military nexus is shaped by structure and norms.[20] Group norms are heavily influenced by the worldview of their members, particularly formal and informal leaders in a given group.[21] As such, this study will also put emphasis on *professional preparation* (as defined by educational achievements and assignment histories) and self-conceptions of what civilian control of the military means to particular key officials, both civilian and military. Professional preparation influences one's capacity and potential to influence the processes at the civil–military nexus.[22] Self-conceptions and norms point to how one approaches their professional responsibilities at the civil–military nexus during the national security decisionmaking process and

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19 For more on the treatment of civilian control in the prevailing literature see, Dale Herspring, *The Pentagon and the Presidency: Civil–Military Relations From FDR to George W. Bush* (Kansas: University of Kansas Press, 2005), Chapter 1.

20 By emphasizing the critical role that structure and norms have on decisionmaking processes this study is aligned with a comprehensive body of scholarly literature which has come to be called "new institutionalism." For more on this approach see, James March and Johan Olsen, "New Institutionalism: Organizational Factors in Political Life," *American Political Science Review*, Vol. 78 (1984): 734–749; Stephen Krasner, "Approaches to the State: Alternative Conceptions and Historical Dynamics," *Comparative Politics*, Vol. 16 (January 1984): 223–246; Karen Orren and Stephen Skowronek, "Beyond the Iconography of Order: Notes for New Institutionalism," in *The Dynamics of American Politics: Approaches and Interpretations*, Lawrence Dodd and Calvin Jillson (eds) (Boulder, Co: Westview Press, 1993); and Theda Skocpol, *Protecting Soldiers and Mothers* (Cambridge: Harvard University Press, 1993).

21 The prevailing sociological literature on culture, groups, group behavior and norms is enormous. Although ample respect is given to this exhaustive body of literature, this book is most influenced on this topic by the ancient Greek philosophers: Socrates, Plato and Aristotle. See, for example, Plato, *Republic*, Books III, V, and VI in John Cooper (ed.), *Plato: Complete Works* (Indianapolis, Indiana: Hackett Publishing Company, 1997), pp. 1022–1052, 1077–1132 and Aristotle, *Nicomachean Ethics*, Book II in Jonathan Barnes (ed.), *The Complete Works of Aristotle* (Princeton, NJ: Princeton University Press, 1984), pp. 1742–1752. In these passages the authors provide robust and developed arguments regarding how societies should be organized and shaped to reflect virtue and facilitate a flourishing way of life (or in their words an *eudemonic* form of life). Contained therein are cogent arguments pertaining to how individuals learn and become good citizens. All of this provides a rigorous philosophical framework that helps one understand group behavior and the role of leaders in shaping group norms.

22 There is a positive correlation between levels of professional preparation (as measured by education and prior job-related experiences) and practical reasoning/judgment. Obviously there are exceptions particularly when factoring in the inter-personal realm, but generally more professional preparation is better. For more see, Christopher P. Gibson and Don M. Snider, "Civil–Military Relations and the Potential to Influence: A Look at the National Security Decisionmaking Process," *Armed Forces & Society*, Vol. 25, No. 2 (Winter 1999): 193–218.

the degree to which one has the desire and will to fulfill potentialities.[23] All of this is relevant to the civil–military dynamic.

The National Security Establishment and the American Social Contract[24]

What do the American people expect of their national security establishment and the profession of arms? In its most parsimonious form two things. First, the American people *expect to win* in times of war, and otherwise to protect the homeland and advance the interests of the US.

Second, Americans expect to win and to have security *at the right cost* (broadly defined in terms of casualties, financial expenditures, and restrictions on freedom). When the survival of the country is perceived to be at stake the American people will tolerate almost any burden. But these situations actually have been very rare in US history, arguably only three times: the American Revolution which gave birth to the nation, the Civil War when the Union was temporarily torn asunder and World War II when the homeland was attacked and Japan and Germany declared war on the US. The first two are complicated by the fact that up to a third of the Colonists did not want to break from England and a sizeable portion of the country did not equate keeping the Union together with national survival. Still, by reasonable standards these three fall in the category of wars for national survival. World War I was a traumatic and challenging experience for the US, but it was fought exclusively "over there" and the existence of the US was never really in doubt even as American forces fought to make the world safe for democracy. The Cold War is an interesting case. Although it did not include major combat operations with the Soviet Union, the scope, length, and stakes associated with the long struggle with communism had the

23 Periodically throughout the study there will be reference to professions in general, and the specific profession of arms, and the role that professions play in society. Professions develop, refine, and apply expert knowledge to serve society. They also inculcate new members with the values, history, knowledge, and expectation of the profession. These points transcend the profession of arms and apply to all professions. The book that has most recently influenced the subfield of civil–military relations on professions is, Andrew Abbott, *The System of Professions* (Chicago, IL: University of Chicago Press, 1988). The book that has most influenced my thought on the profession of arms is Don M. Snider and Lloyd J. Matthews, project director and editor, *The Future of the Army Profession*, 2nd edition (New York: McGraw Hill Companies, Inc., 2005), see in particular, pp. 3–38.

24 The term "social contract" refers to the formal and informal relationship between the leaders of a state and those governed as found in the writings of Renaissance writers, John Locke, *Two Treatises of Government*, Thomas Hobbes, *Leviathan*, and J.J. Rousseau, *On the Social Contract*. For one source that provides comprehensive treatment of all three of these works see, Christopher W. Morris (ed.), *The Social Contract Theorists* (Lanham, Maryland: Rowman & Littlefield, 1999). Although Hobbes, Locke and Rousseau have different perspectives on the social contract, among the ideas they share is that the chief responsibility of government is to provide security and preserve law and order for its citizens. Reducing vulnerability through collective security arrangements provided by the state enables more advanced forms of life to grow and flourish.

feel of a war of national survival and the willingness of the American people to bear the costs associated with it reflected that.[25]

The rest of American wars have been fought to *advance interests* and the US experience with limited wars has been mixed. The War of 1812, War with Mexico in 1846, War with Spain in 1898, Korean War, Vietnam War, Invasions of Grenada and Panama, and the First Persian Gulf War, just to name a few, have varied significantly in outcomes, popularity, and in how much the American people were willing to endure in terms of the costs to secure publicly stated objectives.[26] Of course costs are not only measured in blood and treasure – civil liberties matter too. Particularly in the absence of an existential threat, Americans expect wars and national security to have limited effects on the liberal-democratic way of life. Still, in both wars for national survival and limited wars to advance interests once engaged, Americans expect their national security establishment and the profession of arms *to win*, what differs is what they are willing to pay to achieve victory. All of this is relevant to the civil–military dynamic because there are often trade-offs between *security* and *freedom* and recommendations to alter the American social contract are usually approached with healthy scepticism and concern, with good reason.[27]

So it is with this background that the study moves forward. After extensive research, specific historical examples were selected (and discussed in Chapter three). In total four historical examples are employed: two cases where the national security establishment successfully delivered (using the definition aforementioned) and two when it did not. These cases were examined to determine to what degree dominating and balanced civil–military relations arrangements (as viewed through the lens of structure and norms and with consideration of the degree to which both participants in the civil–military nexus had access to the elected leadership to convey strategic

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25 For an excellent history on how Americans have paid for wars, see Robert D. Hormats, *The Price of Liberty* (New York: Times Books, 2007). To illustrate the willingness of the American people to endure massive costs in the face of an existential threat consider that during World War II 38 per cent of the US GDP went to pay for the war whereas the War in Iraq accounts for about 1 per cent (total Defense spending in 2006 was less than 4 per cent of US GDP), see p. 148.

26 For more see James Burk, "Public Support for Peacekeeping in Lebanon and Somalia: Assessing the Casualty Hypothesis," *Political Science Quarterly*, Vol. 114 (Spring 1999): 53–78.

27 One of the most cogently developed arguments along these lines is found in Peter Feaver, "The Civil–Military Problematique: Huntington, Janowitz, and the Question of Civil Control," *Armed Forces & Society* (Winter 1996): 149–178. But one of the problems with this piece and others in the prevailing literature is that it focuses too narrowly on "civilian control." The first responsibility of the national security establishment in time of war is to win. Civilian control is a constant provided for in the Constitution with responsibilities shared between the President and Congress. But the prevailing literature has fixated on the topic extending that into the bureaucracy, particularly at the DOD populated with political appointees and civil servants, and in doing so has lost focus on simultaneously organizing the national security establishment *to win* and strengthen the ability of *elected leaders to exercise their will on the military*. University of Kansas scholar Dale Herspring makes similar observations in *The Pentagon and the Presidency: Civil–Military Relations from FDR to George W. Bush* (Kansas: University of Kansas Press, 2005).

analysis, courses of actions, and advice) were employed and what role this played a role in affecting the outcome.

In the end, a correlation was found between functional (balanced) relationships in the civil–military nexus and outcome. However, there are limits to this conclusion. From these examples it can only be claimed that a balanced civil–military nexus is *necessary* for successful outcomes, even as such an arrangement *is not sufficient*. Beyond an effective foundation from which to carefully consider complex problems and options, there is much more in play (e.g. the extent of domestic and international support for the continued war effort, the efficacy of the military in executing counter-insurgency operations, the degree of domestic and international legitimacy of the indigenous government the US is trying to help, just to name a few in the current context). But if the US has any hope of prevailing in this struggle against extremist groups with world domination designs, structural and normative reforms to the civil–military nexus will be required.

Thus, the broader aspiration for this study is to be a catalyst for reflection on the American Social Contract. As the study proceeds it should become clear that this study speaks to three different audiences; American citizens of all professional backgrounds and political persuasions concerned about how their country provides for the common defense, scholars who publish in the field of civil–military relations, and US military officers.[28] Related, there will be recommendations for how the US government might better professionally prepare senior civilian and military leaders for positions of the highest authority and responsibility in the civil–military nexus of the national security decisionmaking process.[29]

The Historical Context

The catalyst for this study was the much chronicled flawed approach the US government took preparing for and executing the war in Iraq to achieve stable regime change. But while searching for answers as to why preparation was so inadequate and the options development process so dysfunctional, it soon became apparent that this was part of a larger problem related to how the US government approaches national security decisionmaking and civil–military relations, particularly in the post-World War II era. With the rise of the Cold War and in the face of a looming Soviet threat the US government kept on active duty the first-ever large peacetime army and reconciling this development with the American liberal democratic way of life was not done without controversy.[30] The situation required new thinking and

28 There will be times throughout the text when one of these audiences will be specifically addressed but otherwise the argument is intended to be holistically applied.

29 Throughout the study the term "professional preparation" will be employed which is defined as the set of experiences, both educational and assignment history related, that groom one for positions of higher responsibility. See, Christopher P. Gibson and Don M. Snider, Civil–Military Relations and the Potential to Influence: A Look at the National Security Decisionmaking Process," *Armed Forces & Society*, Vol. 25, No. 2 (Winter 1999): 193–218.

30 Harold D. Lasswell, *National Security and Individual Freedom* (New York: McGraw Hill, 1950).

methods to ensure civilian control of the military, but while doing this necessary work some scholars, governmental officials and top-level military officers came to embrace inaccurate interpretations of American history and the policies and norms that followed hampered civil–military relations and injected significant dysfunctionality into national security decisionmaking processes, particularly the civil–military nexus.

Indeed, since World War II, the US government has at times employed two distinct methods of civilian control of the military (objective and subjective control) and neither has provided an effective framework from which to guide top-level civil–military relationships.[31] Subjective Control methods (described in detail in Chapters 4 and 5) especially have contributed to poor military campaign preparation and execution, including the two most unsuccessful military ventures in US history – Vietnam and Iraq.

The definitive history on the origins of the Iraq war is still decades off after comprehensive notes from National Security Council (NSC) and other top-level meetings are declassified and made available to historians. By all accounts available now, the US government did not prepare well to achieve declared strategic aims in Iraq.[32] The US-led coalition quickly deposed Iraqi dictator Saddam Hussein

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31 These two normative theories, Objective and Subjective Control, were advanced by scholars Samuel P. Huntington and Morris Janowitz, respectively. They will receive much expanded treatment in later chapters, but in terms of definition here, the objective control model primarily relies on the military to eschew politics while subjective control assumes such a proposition is impossible given the blurring of responsibilities among civilian and military leaders, and as such, recommends the penetration and domination of the former over the latter. See Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil–Military Relations* (Cambridge, Mass: Harvard University Press, 1957) and Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: The Free Press, initially published in 1960).

32 Although official minutes from the President G.W. Bush administration National Security Council (NSC) and other critical national security decisionmaking meetings are not presently available, some revealing insights as to these key deliberations are accessible now by virtue of a series of recent books that quote senior participants in these settings – quotes which have not, with very few exceptions, been repudiated. This is significant and certainly differentiates the Iraq War from the Vietnam War when very few public accounts of top-level national security affairs meetings were available until the *New York Times* published the *Pentagon Papers* in 1971. Even then these revelations primarily dealt with the Pentagon, and less on the National Security Council. For insights on the Iraq War see especially, Michael R. Gordon and General Bernard E. Trainor, *COBRA II: The Inside Story of the Invasion and Occupation of Iraq* (New York: Pantheon Books, 2006). Thomas E. Ricks, *Fiasco: The American Military Adventure in Iraq* (New York: Penguin Books, 2006). Bob Woodward, *State of Denial: Bush at War, Part III* (New York: Simon & Schuster, 2006). Larry Diamond, *Squandered Victory: The Occupation and the Bungled Effort to Bring Democracy to Iraq* (New York: Times Books, 2005). Rajiv Chandrasekaran, *Imperial Life in the Emerald City: Inside Iraq's Green Zone* (New York: Alfred A. Knopf, 2006). Michael Isakoff and David Corn, *Hubris: The Inside Story of the Spin, Scandal, and the Selling of the Iraq War* (New York: Crown Publishers, 2006). Peter Galbraith, *The End of Iraq: How American Incompetence Created a War Without End* (New York: Simon & Schuster, 2006). Ron Suskind, *The One*

with impressive military acumen, but achieving stable regime change and societal reconstruction along liberal democratic lines has proven elusive to date. The research presented here will show that the current statutory arrangements guiding the national security decisionmaking process, especially the civil–military nexus, and the norms guiding behavior among top-level civilian and military advisors to the President and Congress played a key role in these disappointing developments. The current arrangement does not ensure that the President and the Congress will get strategic analysis, varied and fully developed options and advice from the professional military. Especially with regard to norms, voices of dissent and concern are not able to resonate from the military, even from the Joint Chiefs of Staff. In short, it is clear that US civil–military relations are not effective.[33]

As the argument proceeds, it will be demonstrated that Defense Secretary Donald Rumsfeld's controversial management style, supported by the current law (Goldwater-Nichols) relegated the military advice and actions of the Joints Chiefs of Staff to a diminished role as the country prepared for Iraq, adversely impacting the ability to comprehensively prepare for that challenge.[34]

In some respects, this is a story of excesses and over-corrections, a perception of US civil–military relations that emerges from careful examination of the past four decades. During two time periods (the tenure of Secretaries Robert McNamara and Donald Rumsfeld), civilian leadership at the Pentagon dominated top-level military officers creating a dysfunctional environment that undervalued military advice, and in both cases senior general officers did little to alter the situation or take actions to ensure that their voices were heard. At the same time, national security policy struggled and this was no coincidence.[35]

Percent Doctrine: Deep Inside America's Pursuit of its Enemies Since 9/11 (New York: Simon & Schuster, 2006). George Packer, *Assassins' Gate: America in Iraq* (New York: Farrar, Straus and Giroux, 2005). Tommy Franks, *American Soldier* (New York: HarperCollins, 2005).

33 The Iraq Study Group, comprised of 10 leading former statesmen of both parties, also shares this view. Recommendation No. 46 of their report states, "The new Secretary of Defense should make every effort to build healthy civil–military relations, by creating an environment in which the senior military feel free to offer independent advice not only to the civilian leadership in the Pentagon but also to the President and the National Security Council, as envisioned in the Goldwater-Nichols legislation." *Report of the Iraq Study Group* (Washington, DC: Government Printing Office, 2006), p. 77.

34 See James Lyons, "The Missing Voice," *Washington Times*, 20 September 2006, p. 19, and comments by General James Jones, former Commandant of the USMC and JCS member found in Bob Woodward, *State of Denial*, p. 404.

35 For the Vietnam War period see H.R. McMaster, *Dereliction of Duty: Lyndon Johnson, Robert McNamara, the Joint Chiefs of Staff, and the Lies That Led to Vietnam* (New York: HarperCollins Publishers, 1997), pp. 300–322. For Iraq it is important to point out that the President approved the war plan concept *before* receiving input from the Joint Chiefs of Staff, including the land component heads, General Eric Shinseki and Marine Corps Commandant General James Jones. This opens the question of what the Chiefs should have done. Some, like scholar Michael Desch, believe that resignation in protest should be exercised when military advice is blatantly excluded. See "Bush and the Generals," *Foreign Affairs*, May/June 2007. No members of JCS resigned over their exclusion or minimized role in the Iraq War decisionmaking process although there were several surprising early retirements of senior

As will be covered in greater detail in the next chapter, some scholars asserted that the military over-corrected in response to Vietnam. The growth of military influence in the civil–military nexus was proclaimed a crisis in the early 1990s in one scholarly publication.[36] The actions of an especially aggressive and influential Chairman of the Joint Chiefs, General Colin Powell, posed serious questions about the nature and quality of civil–military relationships and the extent to which policies were directed and controlled by civilian leadership as provided for in the Constitution and US law. The perception of a military out of control throughout the 1990s (a perception that was over-drawn) gave cause to the latest over-correction in civil–military relations when Defense Secretary Rumsfeld returned to the Pentagon in 2001. This study was completed during the first few months of Secretary Robert Gates' tenure at the Pentagon. It is too early to know for sure, but it appears that balance may be returning to the civil–military relationship. However, without structural and normative changes, without an anchor, key relationships in the civil–military nexus

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general officers during Defense Secretary Rumsfeld's tenure at the Pentagon which was rife with civil–military tension. Marine Corps Lieutenant General Gregory S. Newbold whose career was expected to flourish and reach 4-stars was one of them. Upon retirement Newbold stated: "It is a square hole and I am a round peg," indicating he would be happier working in a power tool section of a do-it-yourself store than in his current position in the Pentagon on the joint staff. Some sources said at the time that Newbold had grown tired of Rumsfeld's abrasive style having been publicly chastised for a comment he made about the US bombing effects on the Taliban in the early stage of the war. For more see, Toby Harden, "General Sick of Rumsfeld Stands Down," the *Daily Telegraph* (UK), 3 May 2002. Then in April 2006, the retired general himself spoke out forcefully against Secretary of Defense Rumsfeld, other high-level OSD civilians at the time of the invasion planning, and top-level generals who were complicit, quietly intimidated or of the philosophy that it was not their place to criticize civilian leadership at the Pentagon. He also stated retrospectively that part of the reason he retired early was his opposition to the impending invasion of Iraq. See Greg Newbold, "Why Iraq was a Mistake," *Time*, 9 April 2006. There was also the case of Army General Jack Keane who was offered the position of Chief of Staff, but turned it down for family reasons. Major General Batiste, the former Commander of the 1st Infantry Division retired following his tour in Iraq. Successful Division Command often leads to a third star. In the case of Batiste, his criticism is also significant since he had inside knowledge of the inner-workings of the OSD from his time as a military aide to the Deputy Secretary of Defense, Paul Wolfowitz. Finally, Marine Corps General and former Commandant, Jim Jones, allegedly took himself out of the running for Chairman, JCS because he did not believe that the position was sufficiently respected by the current team at the Pentagon. See Bob Woodward, *State of Denial*, pp. 54 and 403–404.

36 See Richard H. Kohn, "Out of Control," *National Interest* (Spring 1994): 3–17. However, as will be discussed later, the arguments that the military dominated the Clinton administration are overdrawn. Relations during Secretary Perry's tenure at the Pentagon were generally balanced and functional and throughout the Clinton administration the military executed successful operations in the Balkans despite their initial reluctance to do so. The common perception that the military was out of control during the Clinton years is not accurate, although without question the dynamic was different from earlier times, particularly those during McNamara's tenure at the Pentagon.

are likely to drift off course again. Particularly in a time of war, the US needs more consistency and less dysfunctionality in national security decisionmaking.

It has become fashionable to blame the Iraq situation on former Secretary of Defense Rumsfeld, and to some degree this study will draw similar conclusions. However, the US military shares the blame for at least two reasons. First, although it is inaccurate and unfair to state that the military was out of control in the 1990s, there were moments when it did over-reach and that helped create the misperception that course correction in civil–military relations was necessary. Second, the perception (or norm) of what constituted appropriate behavior of general officers in relation to the requirement to comply with civilian control of the military, particularly the view held by the top two officers involved with the Iraq war planning Generals Richard Myers and Tommy Franks, was such that they acquiesced to Rumsfeld's domination. This norm of domination rather than partnership rendered the civil–military nexus dysfunctional, and by extension, so too the national security decisionmaking process which was denied of the proper level of military involvement in strategic analysis, option generation, and advice. As a consequence, the military did not fulfill their obligations during the Iraqi campaign plan development process.[37]

The new Bush administration went on to employ an onerous and invasive method of subjective control of the military not seen since the Johnson administration and the McNamara Pentagon, and then coupled that with an aggressive brand of foreign policy – a national strategy of preemption. Scholars, themselves, played a role in the process as some were experts in both the civil–military relations and national security strategy fields, and they had access to the key players in new administration, and by open accounts actually helped influence civil–military relations and the policy choices in Iraq.[38] The combination of these philosophical approaches (subjective control of the military and the military strategy of preemption) took the country on a path towards war in Iraq employing decisionmaking processes lacking countervailing forces and alternative viewpoints, an environment that has contributed to the struggling policy in Iraq.

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37 Greg Newbold, "Why Iraq was a Mistake," *Time*, 9 April 2006. In this article Newbold stated, "Flaws in our civilians are one thing; the failure of the Pentagon's military leaders is quite another. Those are men who know the hard consequences of war but, with few exceptions, acted timidly when their voices urgently needed to be heard. When they knew the plan was flawed, saw intelligence distorted to justify a rationale for war, or witnessed arrogant micromanagement that at times crippled the military's effectiveness, many leaders who wore the uniform chose inaction. A few of the most senior officers actually supported the logic for war. Others were simply intimidated, while still others must have believed that the principle of obedience does not allow for respectful dissent." After General Shinseki was publicly rebuked for giving his best military judgment, senior military officers did not come to the support of the ostracized Army Chief. The way that General Shinseki was poorly treated and the lack of support from his peers on the JCS, especially the nation's top military officer, General Myers was disappointing and immediately following sent a message throughout the ranks and had the effect of silencing any disagreement with the campaign plan and its implementation.

38 Dana Milibank, "The President's Summer Reading Hints at Iraq," *Washington Post*, 20 August 2002, p. A11.

The Roadmap for the Book

The argument presented in this study takes the following path: the next chapter describes in greater detail the underlying factors that played a part in why it was that Donald Rumsfeld was selected as Secretary of Defense by the incoming President, George W. Bush, in 2001. Following that several historical examples are presented in Chapter 3 which illustrate the advantages of employing balanced (instead of dominating) arrangements in the civil–military nexus and the impact these choices have on policy outcome. Generals George Washington and George Marshall emerge as role models for how top military officers should conduct themselves while representing the profession of arms in the civil–military nexus. These role models stand in contrast to the two other military officers discussed: Generals Earle Wheeler and Richard Myers, honorable men who were nevertheless dominated by the Secretaries they served. These historical examples illustrate the utility and desirability for a Madisonian approach to civil–military relations, detailed later in the book.

The subsequent chapters (4 and 5) look specifically at the normative frameworks currently available to civilians as they ponder the type of relationship they want to forge with the military. The three major normative theories for US civil–military relations (in addition to objective control and subjective control already introduced, the under-developed principal-agent approach is presented) are described, analyzed, and found wanting for their ineffectiveness in establishing balanced and effective civil–military relationships and successful national security policies within the context of a liberal democratic way of life.

This sets the stage for presentation of the "Madisonian Approach" to civil–military relations. Madison's name is invoked because this different way of conceptualizing civil–military relations draws its inspiration from Founding-Era principles that countervailing forces can be employed to maximize effectiveness and accountability.[39] The significant theoretical move is the re-definition of the term "agent" so that it includes both the military (as originally provided for by Duke Scholar Peter Feaver) and top-level political appointees at the Pentagon. By recasting these relationships and injecting more balance between them the US system will better serve the country's elected leaders.[40] The US needs to reform the civil–military

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39 Peter Feaver, *Armed Servants: Agency, Oversight, and Civil–Military Relations* (Cambridge, Mass: Harvard University Press, 2003).

40 Plato's *Republic* provides extensive treatment of what today is classified as civil–military relations. In Book II, Plato introduces the term "Guardian" to describe the set of responsibilities of elites who govern society and influence group norm development. This concept is fleshed out in subsequent books. In Book III one gets a variant of the principal-agent model with Plato dividing Guardians into two classes: "rulers" and "auxiliaries." If one accepts that Republican forms of government empower representatives to make the laws and govern society, then Plato's "rulers" in the contemporary setting are the elected leaders. All those who assist rulers, according to Plato are "auxiliaries." Hence, politically appointed officials at the Pentagon, like military professionals, are auxiliaries with the purpose of assisting elected leaders with their duties as rulers. Admittedly, this analogy is presented with some difficulties as Plato was generally suspicious of democratic forms of government, favoring instead more

nexus to ensure that its elected leaders get comprehensive and differing strategic analysis, options, and advice from both the nation's top political appointees and general officers. The Madisonian approach recasts the relationship to make sure this occurs employing countervailing forces against stifling and tyrannical tendencies which historically offer less creative and comprehensive plans and options. In short, the US should abandon the conception of dominating arrangements within the Department of Defense and embrace earlier models successfully employed during World War II.[41]

By adopting this framework the US has a better probability of enhancing national security policy outcomes *and* civilian control of the military, the type of control where elected and democratically accountable leaders direct the armed forces. Finally, the book concludes with a section designed specifically for military officers providing a guide (do's and don'ts) for behavior while representing the profession in the civil–military nexus of the national security decisionmaking process.

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authoritarian schemes, but clearly he made a distinction between those "guardians" who had the authority invested in them to wield power/make decisions and those who assisted, and it is this aspect of his work that is brought forth in support. See Plato, *Republic*, Books II, and III in John Cooper (ed.), *Plato: Complete Works* (Indianapolis, Indiana: Hackett Publishing Company, 1997), pp. 998–1052.

41 See Fred Kaplan, "After Rumsfeld: What Robert Gates can achieve in the next two years." *Slate*, 14 November 2006. Kaplan also describes the problems with the current "master-servant" relationship. Later in Chapter 3 the balanced and effective relationship between Army Chief of Staff General George C. Marshall and Secretary of War Henry L. Stimson is detailed.

Chapter 2

Excesses and Over-Corrections in US Civil–Military Relations since the Second World War and the Return of Donald Rumsfeld in 2001

Iraq shares little with Vietnam in the way of topography, ethnic composition, and culture, among countless other salient features and characteristics. But in meaningful ways, even if but few, they are similar in their polarizing effects on US foreign and domestic policy and in how the military establishment has struggled to achieve desired outcomes and the condition it finds itself in trying to do so.[1] These military operations in Vietnam and Iraq were generally opposed by the international community and the lengthy and controversial prosecution of these wars has hurt the US standing and moral power in the world. These wars divided America at home causing second and third order deleterious effects in social and political cohesion that are not easily or quickly mended. The economic costs, too, have squeezed out other national priorities, including national security, the purpose of which led the country to these locations in the first place. Finally, these wars have had a significant impact on the US military, leaving it seriously challenged to meet all of its obligations around the world and at home while preserving the long term efficacy of the all volunteer force, matters that would only worsen if the US fails to prevail in Iraq and the violence spills across borders destabilizing the entire region. At the writing of this book, the US is endeavoring to bring about the conditions that allow it to come home victorious.

Having stated all this, it is not the central feature of this project to argue that Iraq is, in every way, Vietnam. As mentioned above, depending on what your standard of measurement is or is not, you can draw either conclusion. What is offered by way of assumption is that in important ways for national security decisionmaking and civil–military relations they are similar enough that it may be helpful to do a more

1 For sources on the US Army in the wake of Vietnam see in particular, William L. Hauser, *America's Army in Transition: A Study in Civil–Military Relations* (Baltimore: The Johns Hopkins University Press, 1973), Zeb B. Bradford and Frederic J. Brown, *The US Army in Transition* (Beverly Hills: Sage Publications, 1973). For an analysis of the struggle of recruiting and retention in the midst of the War on Terror see the *CRS Report for Congress* completed by Lawrence Kapp, "Recruiting and Retention: An Overview of FY2005 and FY2006 Results for Active and Reserve Component Enlisted Personnel," updated 18 July 2006.

detailed examination of how such an occurrence developed despite US vigilance, even hyper-vigilance, to avoid "another Vietnam."

Vietnam is a good place to start because that searing experience, particularly its impact on the US military officer corps had cascading effects over the years in terms of how the military approached preparations for war and interactions in the civil–military nexus. This period is also a good place to start from the civilian perspective of the nexus because changes at the Pentagon were initiated at the outset of the Kennedy administration to fight wars like Vietnam and these reforms were thought necessary because, among other things, the dysfunctional civil–military relations of the 1950s limited the nation's ability to respond to the full range of national security threats.

H.R. McMaster's best seller, *Dereliction of Duty*, well documents and describes the domination of Secretary McNamara and his coterie of so-called "Whiz Kids" over the uniformed military in the civil–military nexus as the country escalated the Vietnam War.[2] It's a deeply involved story but at its center was a concerted effort by Secretary McNamara and his team in the early 1960s to change the medium of analysis or unofficial language at the Pentagon, one that previously had relied heavily on the military judgment of commanders, to a more systematic quantitative approach using the latest statistical designs and methods advanced at academic institutions such as RAND and the Ivy League schools. Indeed, McNamara claimed to be implementing these changes to bring about more civilian control of the military and to enhance efficiencies in defense spending, areas that appeared lacking during the previous Eisenhower administration according to this new team.

The Joint Chiefs initially struggled to resist the reforms, but Secretary McNamara imposed them over their objections and set the conditions for civilian dominance in the civil–military nexus during most meaningful discussions.[3] How could the military offer alternatives when they could not even speak the language? Quickly the military attempted to catch up sending some of their brightest officers to graduate school to learn these methods and how to represent the profession in policy discussions, but it would take over a decade before the effects of these reforms were felt.[4]

As the Johnson Administration pondered how best to deal with the increased communist activity in Vietnam in late 1964 and early 1965, top military officers were not in a position to challenge the quantitative analysis methods utilized or the hard-nosed approach of Secretary McNamara. McMaster described the collective absence of military judgment in that decisionmaking process as the work of "five silent men." This is covered in greater detail in the next chapter when the relationship

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

3 Alain C. Enthovan and K. Wayne Smith, *How Much is Enough?: Shaping the Defense Program, 1961–1969* (New York: Harper & Row, Publishers, 1971), pp. 104–113.

4 Christopher P. Gibson and Don M. Snider, "Civil–Military Relations and the Potential to Influence: A Look at the National Security Decisionmaking Process," *Armed Forces and Society*, Vol. 25, No. 2 (Winter 1999): 193–218.

between then Chairman of the Joint Chiefs, General Earle Wheeler and Secretary McNamara is described and analyzed.[5]

In the aftermath of the crucible that was Vietnam, a new generation of military leaders was made.[6] Combat hardened and bitter about the way it all turned out, many of these younger officers fumed at what seemed to them the futility of how they were employed. Among these officers were such future Generals H. Norman Schwarzkopf, Barry McCaffrey, James Jones, Eric Shinseki and Colin Powell, just to name a few.[7] Although to claim unanimity of thought within this group would be inaccurate, in general terms, the Vietnam experience solidified their worldview and the outward manifestation of it can be summarized in the extensive, if not zealous, preparation for mid-intensity combat and an ethos cemented in the non-negotiable contract the armed forces had with the American people – to win the nation's wars.[8] But not all kinds of wars were winnable for the US, according to this worldview. Indeed, this military strategy had a political component as well (the Weinberger-Powell Doctrine) and to help influence its adoption senior military leaders were developed with the savvy, knowledge, and keener ability to represent the profession in the civil–military nexus of the national security decisionmaking process so that civilian decisionmakers might avoid the trap of "another Vietnam."[9]

An examination of the biographies of senior military leaders in the mid-1960s to the mid-1990s reflects the significant increase in civilian graduate education in political science, international relations, national security studies, and Rhodes Scholarships, and repetitive assignments in political-military positions such as White House Fellowships and top-level grooming assignments with senior national security decisionmakers throughout the inter-agency. All of this tended towards more political sophistication and increased influence in the civil–military nexus of the national security decisionmaking process.[10]

All of these developments initially appeared advantageous to the overall health of the Republic as the US executed successful military operations in Panama in 1989 and the Persian Gulf in 1991 where professed strategic aims outlined by the President were achieved. Military effectiveness and professionalism appeared at all time highs. Data on new recruits was as impressive as ever, the all-volunteer force was meeting its retention goals, performances at the national training centers displayed a force growing ever more competent and confident and then in December 1989, Operation Just Cause, a complex series of nighttime airborne, air assault, and ground attacks were executed with minimal friction quickly overwhelming an opposition ill-equipped to battle a world superpower. The intersection of strategy,

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5 McMaster, *Dereliction of Duty*, pp. 300–322.

6 For an interesting set of biographical accounts on young officers who fought the war in Vietnam, see Rick Atkinson, *The Long Gray Long* (Boston: Houghton Mifflin, 1989).

7 For more on how Vietnam shaped the worldview of this generation see, Colin Powell, *My American Journey* (New York: Random House, 1996).

8 Colin Powell, "United States Forces: Challenges Ahead," *Foreign Affairs* (Winter 1992/93): 32–45.

9 Gibson and Snider, "Civil–Military Relations and the Potential to Influence," *Armed Forces and Society*, pp. 193–218.

10 Gibson, "Countervailing Forces," pp. 135–173.

operations, and tactics were arguably never better integrated. A duly elected local Panamanian leader was installed in short order. The military reforms in the wake of Vietnam were proving effective and the Weinberger-Powell Doctrine appeared validated as the civil–military nexus during the G.H Bush administration evidenced acumen and balance.[11]

The lead up to, execution and aftermath of the Persian Gulf War is a bit more complicated, particularly from the civil–military relations standpoint and deserves expanded treatment. In the Fall 1990, as American combat troops were flowing into Saudi Arabia to shore up its defenses, the nation's top military officer, still General Powell, was urging caution and arguing in the inter-agency that time was needed to assess whether sanctions would work.[12] Some civilian advisors disagreed. Ultimately, the President asked for military options to expel Iraq's forces from Kuwait and in a dynamic process that had friction and some conflict, but ultimately appeared healthy, a fully developed war plan was published that was the collaborative product of the combatant command (CENTCOM) staff and its commander,[13] the joint staff and its Chairman, and the civilian Policy Shop in the DOD, led by Paul Wolfowitz.[14]

As history records, after six weeks of a focused air campaign, and 100 hours of ground combat, Iraqi forces were effectively expelled from Kuwait as authorized in UN resolution 678.[15] However, in the aftermath of Operation Desert Storm scholars criticized President Bush for failing to achieve decisive strategic results and blamed his inattentiveness to the details of military operations as central to this disappointing end to what started as a lop-sided military victory.[16]

The criticisms are essentially three. First, President Bush allowed General Powell to be too influential with regard to developing the overarching strategy. This criticism was that Powell convinced President Bush to keep war aims limited instead of embracing regime change and the occupation of Iraq to remake that society into a liberal democracy. Second, because the administration delegated too much authority to the generals in the execution of the war, the absence of civilian supervision created

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11 For more on the US military operation in Panama see Thomas Donnelly, *Operation Just Cause: The Storming of Panama* (New York: Lexington Books, 1991).

12 Colin Powell, *My American Journey*, p. 467.

13 For General Schwarzkopf's view see his autobiography, *It Doesn't Take A Hero*, written with Peter Petre (New York: Bantam Books, 1992), especially pp. 368–370.

14 Author's interview with HON Paul Wolfowitz, 10 June 1997. See also, Bob Woodward, *The Commanders* (New York: Simon & Schuster, 1991), pp. 303–307, 345–349.

15 UN Resolution 678, which authorized all necessary means to upheld and implement Resolution 660 condemning (and reversing) the invasion of Kuwait. For more on this see, Bob Woodward, *The Commanders*, pp. 333–335.

16 See in particular, Michael R. Gordon and General Bernard E. Trainor, *The Generals' War: The Inside Story of the Conflict in the Gulf* (New York: Little, Brown, and Company, 1995). Eliot Cohen, "The Unequal Dialogue" in *Soldiers and Civilians: The Civil–Military Gap and American National Security*, Peter Feaver and Richard H. Kohn (eds) (Boston, Mass: MIT Press, 2001), pp. 429–458. Russell F. Weigley, "The American Civil–Military Cultural Gap: A Historical Perspective, Colonial Times to the Present," in *Soldiers and Civilians: The Civil–Military Gap and American National Security*, Peter Feaver and Richard H. Kohn (eds) (Boston, Mass: MIT Press, 2001), pp. 215–246.

the climate in which top level military commanders botched the termination of conflict failing to destroy the Republican Guard before the shooting stopped. Finally, the administration gave too much latitude to the military when it came to negotiating the cease fire with Iraqi generals at Safwan on 3 March 1991.[17] An analysis of these criticisms is provided below.

With regard to the first criticism, deposing Hussein may have been desired by some within the administration, and President Bush himself mused about it on occasion following the conflict, but it was not within the UN mandate from which the coalition was formed, which authorized force to expel Iraqi forces from Kuwait.[18] Moreover, President G.H. Bush did not mobilize the American people for regime change and an open-ended occupation of Iraq and accordingly the vote in the Congress reflected the provisions in the UN resolution specifically focused on the authorization of force to expel Iraq from Kuwait. At the time of the initial cease-fire had the President changed course and ordered a march on Baghdad for the purpose of regime change the international coalition, particularly the Arab partners, would have abandoned the effort and quite likely would have condemned it. Such a development would have put in peril the stability of the entire Middle East region and possibly provided the catalyst for belligerent response from the decaying USSR.

Those who severely criticized President G.H. Bush for not going all the way the first time in Iraq also underappreciated the legacy of Vietnam and its profound impact on US domestic politics at the time Operation Desert Storm commenced. Saddam Hussein often mentioned the specter of "another Vietnam" and this topic pervaded the debate in the US Congress on the eve of the war. Real or perceived, so-called "Vietnam Syndrome" was a factor in American politics and had the situation spiraled out of control in 1991 it would have had disastrous effects on stability here at home with attendant consequences for the US position in the world.

Although General Powell played a key role in advising President Bush to stay focused on the agreement of war aims within the international coalition, arguably the most influential presidential aide on this matter was Bush's trusted national security advisor, Brent Scowcroft. In the end, the President was presented with the range of options and the analysis that supported them and he chose his course. President Bush demonstrated his ability to override Powell and military advice when he decided to invade instead of allowing sanctions more time to work. He could have done this a second time and ordered the march to Baghdad had he believed it the right thing to do, but he did not – this was the President's decision. Moreover, as provided for in the Constitution, Congress was consulted and voted to authorize the use of

17 Gordon and Trainor, *The Generals' War*, pp. 447–448.

18 It should be noted that there was not unanimity on this topic among top-level Bush advisors. President Bush himself hoped that the Iraqi military would conduct a coup and seize power from Hussein. Bush's influential National Security Advisor Brent Scowcroft was not in favor of having the Shia replace Hussein something he believed would lead to the precipitous disintegration of Iraq. For more see the memoirs of President Bush and NSA Advisor Scowcroft, *A World Transformed* (New York: Random House, 1998).

force giving Bush's decision the requisite legal foundation. In this case from a civil–military relations standpoint, the system indeed worked.[19]

To the second point, it is undeniable that top-level military commanders concluded the conflict prior to achieving their stated military objective of destroying the Republican Guard. Both General Powell and Schwarzkopf believed that the elite Iraqi force was trapped; "the gate was closed" as the CENTCOM commander put it in his press conference near the end of the war. But it was not. Despite incredible advancements in command and control technologies the "fog of war" intruded and top military commanders did not know the situation on the ground and unwittingly gave their assent to the termination of hostilities sooner than militarily desired. True, General Powell was inclined to recommend concluding sooner rather than later given his concern for media accounts of a "turkey shoot" on "the highway of death" – the road that Iraqi forces were attempting to use to depart Kuwait. But even Powell believed that the Republican Guard was trapped when he recommended to President Bush that he announce a cease-fire. The proximate cause was human error, a common occurrence in war.[20] The military alone bears the blame for this and it is not fair to fault President Bush with inattentiveness when lack of situational awareness on the part of the key generals on the ground allowed the Republican Guard to escape. Unless the US is prepared to embed politically appointed supervisors with division commanders, general officers will have to be trusted to accomplish their designated military objectives.[21]

The final criticism, that more civilian guidance and supervision was needed at the cease-fire negotiations, seems valid and is perhaps the major learning point of the war from a civil–military relations standpoint. Since concluding military operations and re-establishing peace are inherently civilian prerogatives, it logically follows that General Schwarzkopf should have had more civilian direction as he prepared for and conducted cease-fire deliberations with Iraqis at Safwan.

General Schwarzkopf addressed this point in his autobiography, *It Doesn't Take A Hero*. According to his account, he sought guidance for how to proceed at Safwan and received none. He then drafted a proposal outlining an approach for how to proceed and submitted it to General Powell for vetting by the administration. He waited for two days to receive feedback as the proposal made its way through the Departments of Defense, State, and White House. The night prior to the Safwan meeting General Powell notified General Schwarzkopf that the proposal had been

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19 According to Article I, US Constitution, the Congress has the authority to declare war. The Founders clearly wanted both the executive and legislative branches to share in the responsibility to commit Americans to war. This authority was augmented in the War Powers Act of 1973. For more on this topic see, Louis Fisher, *Presidential War Power* (Lawrence, Kansas: University Press of Kansas, 2004).

20 For a superb account of the impact of uncertainty and friction during the conduct of military operations see, H.R. McMaster, "Crack in the Foundation: Defense Transformation and the Underlying Assumption of Dominant Knowledge in Future War," Student Issue Paper, Center for Strategic Leadership, US Army War College, November 2003.

21 Gordon and Trainor, *The Generals' War*, pp. 439–440. See also, Richard M. Swain, *Lucky War: Third Army in Desert Storm* (Fort Leavenworth, Kansas: US Army Command and General Staff College, 1994), pp. 333–335.

approved with one minor word change by the Department of State (the word "discuss" replaced "negotiate" to describe the activities at Safwan).[22] Thereafter, as the administration muddled with second guessing about the limited nature of its policy after the initial cease fire and as insurgencies were spawned in northern and southern Iraq a consequence of US statements urging such actions, Secretary of State James Baker made a trip to the Middle East in early March 1991 to assess the situation and explore the possibilities of more expanded US options. But that visit came *after* Safwan and Baker returned with no significant alternatives – the trip ultimately had no effect on US policy.

Thus, an object lesson from this war is to be clear on end-state goals prior to hostilities and then ensure that the mechanisms are in place to supervise the termination of the conflict, clearly an activity beyond the pure military realm and within the civil–military nexus, and one which deserves the most keen attention from top-level political appointees at the Departments of State and Defense. As it was, General Schwarzkopf was unprepared to conclude the peace and this directly contributed to the outcome of the civil war in Iraq that followed Operation Desert Storm. The limits of military expertise should be recognized – more civilian guidance and involvement was needed at the cease-fire deliberations.[23]

In the immediate aftermath of the Persian Gulf War, and especially since the Cold War was ending, widespread calls from Capitol Hill were heard for reductions in defense spending so that a "peace dividend" could be realized and domestic priorities addressed.[24] General Powell, in his book, discusses how the armed forces anticipated this public discussion by devising a post-Cold War military force structure and budget proposal which served as the departure point for policy debate in the Congress.[25] By the summer of 1992 it was clearly evident that General Powell was very comfortable in his job and wielding enormous influence all of which seemed to be the living embodiment of what the recent Goldwater-Nichols legislation envisioned with both sides of the civil–military divide effectively performing in the nexus. Then came the presidential campaign that Fall.

The campaign featured candidates from different eras with President George Bush from the World War II generation who possessed a decorated war record and

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22 H. Norman Schwarzkopf, *It Doesn't Take A Hero* (New York: Bantam Books, 1992), pp. 479–481.

23 Among the major developments at Safwan, General Schwarzkopf allowed the Iraqi Armed Forces to fly helicopters, even armed helicopters, throughout the country which enabled Saddam to fairly quickly and effectively squash the rebellions. General Schwarzkopf also made it clear to the Iraqis that the US intended to leave Iraq quickly and that it had no intention of marching to Baghdad. By removing that doubt, this took the external pressure off the regime enabling Saddam to focus singularly on crushing the rebellion and any possibility of a Baathist coup, the hope of the Bush administration in early March 1991, was lost.

24 Ronald V. Dellums, R.H. Miller and H. Lee Halterman, *Defense Sense: The Search for a Rational Military Policy* (Cambridge, Mass: Ballinger Publishing Co., 1983).

25 In fact the unveiling of this plan was supposed to occur on 2 August 1990, the day Saddam Hussein invaded Kuwait. Because of the war, the drawdown plan was delayed nearly a year, eventually coming forward as the "Base Force" blueprint. See Powell, *My American Journey*, p. 152.

the distinction of being among the youngest naval aviators during that conflict.[26] The other major candidate was the governor from Arkansas, William J. Clinton, who was dogged with questions about how he avoided military service during the Vietnam War, protested that war on foreign soil, and was alleged to have made remarks of "loathing" the military. The third party candidate was Ross Perot who championed military causes over the years, particularly those of the country's POWs during the Vietnam War, and Perot's running mate was none other than retired Vice Admiral James B. Stockdale, a Vietnam War legend for his courage and perseverance while imprisoned in Hanoi for over seven years as a POW. Especially in that line-up, Clinton's lack of military experience was starkly evident, making for a disadvantaged position when national security issues arose during the campaign. Clinton did his best to re-direct; "it was the economy, stupid." When candidate Clinton did address matters of foreign policy towards the Balkans, he offered a different vision than the sitting president, that the US should explore more options to stop genocide and promote peace in the Balkans.[27]

General Powell evidently observed all of this unfold with keen interest. The polls throughout the early fall displayed candidate Clinton pulling ahead. On 8 October, 1992 General Powell, after clearing it first with his boss Defense Secretary Dick Cheney, published an op-ed piece in the *New York Times* entitled, "Why Generals Get Nervous."[28] In it Powell claimed,

> … President Bush, more than any other recent President, understands the proper use of military force. In every instance, he has made sure that the objective was clear and that we knew what we were getting into. We owe it to the men and women who go into harm's way to make sure that their lives are not squandered for unclear purposes.[29]

When one reads this piece in its original form as it appeared in print that day a "pull quote" immediately jumps off the page that stated: "In Bosnia there are no clear goals." Interestingly, you won't find this line anywhere in the text, Powell did not write that, the editors did. The significance of this is that the reader is left to draw the conclusion that the other major party candidate, Governor Clinton, who favored exploring more options in Bosnia, was wrong, according to Powell.

The DOD explicitly prohibits members of the active duty military from engaging in any public behavior that may influence the outcome of an election.[30] While it is

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26 As is generally well known, Bush was shot down during the war narrowly escaping death, the fate suffered by his comrades aboard his aircraft.

27 Bob Woodward, *The Agenda; Inside the Clinton White House* (New York: Simon & Schuster, 1995).

28 Colin Powell, "Why Generals Get Nervous," *New York Times*, 8 October 1992, p. A8. The fact that General Powell published an op-ed piece was not in itself inappropriate. Indeed, there are times when the top military officer should make widely known his or her "best military judgment" to help educate the public on a national security issue, but rather the problem was with his expressed views in this particular piece – they have a partisan flavor – which is not appropriate.

29 Ibid.

30 *DOD Directive 1344.10*, dated 2 August 2004. The regulation covering this stipulation that was in effect when General Powell was serving as Chairman was *DOD Regulation 5500*

true that General Powell cleared the piece with his superior and thus was technically within regulations, there is still the matter of *perception*, and it appears that the piece has a partisan flavor to it, whether intentional or through unfortunate choice of words. Given his position of Chairman and the huge popularity he enjoyed throughout the country, it is reasonable to conclude that this op-ed piece influenced votes. One can imagine that it would have been difficult to pursue charges against suspected violators of the DOD regulation prohibiting overt partisan behavior that year, had they occurred, given that the top military man was on the record with this op-ed.

The next year General Powell followed up the op-ed with an article in *Foreign Affairs*.[31] The article details the Weinberger-Powell Doctrine and might have been a helpful addition to the national debate over whether the US should intervene militarily in the Balkans had his position not be tainted by partisan action (*wiz*. the *New York Times* op-ed) during the presidential election campaign. As General Powell persuasively argued in this thoughtful piece, the Chairman of the JCS has a role in educating the public about the possibilities and limits of proposed military action and the Chairman should also provide US national decisionmakers with the results of careful military analysis regarding potential second and third order effects of such possible endeavors.[32] But given the overreach during the campaign, this article and General Powell's continued public statements on the matter gave the appearance of a military man thwarting the President.

Predating the Balkans showdown was the controversy over whether homosexuals should be allowed to serve openly in the military.[33] President Clinton stated during his campaign that he wanted to consider changes to regulations to make it so. The issue became among the first major controversies of the new administration, and it pitted as rivals a new president elected by only 43 per cent of the electorate and with perceived credibility issues within the military against a highly popular and effective Chairman of the Joint Chiefs, who in addition to his huge stature as an influential Washington-insider and decorated combat veteran, was also a minority, the first Black officer to serve in that post. To make matters worse for the new president, polls on the issue depicted the American people on the side of General Powell and the military.[34] The deck was stacked against President Clinton and his preference on the topic did not prevail, politically wounding the new president – not a proud moment in the history of US civil–military relations on a matter that might have been better handled privately, even before the inauguration, and most certainly

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Joint Ethics, Chapter 6 on Political Activities.

31 Colin Powell, "US Forces: Challenges Ahead," *Foreign Affairs* (Winter 1992/93): 32–45.

32 In his autobiography General Powell stated that his generation of officers "vowed that when our turn came to call the shots, we would not quietly acquiesce in halfhearted warfare for half-baked reasons that the American people could not understand or support." See Colin L. Powell with Joseph E. Persico, *My American Journey* (New York: Random House, 1995), p. 167.

33 John Lancaster, "Clinton and the Military: Is Gay Policy Just the Opening Skirmish?" *Washington Post*, 1 February 1993, p. A10.

34 Barton Gellman, "Clinton Says He'll 'Consult' on Allowing Gays in Military," *Washington Post*, 13 November 1992, p. A1.

should have included the Congress, the institution with jurisdiction for matters like these under the Constitution.

The popular media recorded the event,[35] but political Washington essentially did nothing and the issue subsided without sanction on General Powell and the military. It was not until Richard Kohn published his influential article, "Out of Control," in the *National Interest*, that scholars began to pay a lot of attention to the issue of civilian control of the military.[36] This piece was the catalyst for a lengthy and lively debate and touched off a series of in-depth studies on the matter. Conclusions varied widely, particularly as it related to what to do about the situation, but a general theme that emerged was that the military had grown too politically powerful relative to civilian authorities.[37]

Then throughout the 1990s a series of high-level panels criticized the national security establishment for not moving beyond a Cold War-footing. These panels exhorted the Pentagon to transform to meet the emerging asymmetric threats to US national security (e.g. spreading regional conflicts caused by failed states, the proliferation of weapons of mass destruction and their weaponization in low-technology applications [e.g. dirty radiological bombs, biological attacks], state sponsored terrorism, narco-terrorist/organized crime syndicates, and the like).[38]

As he campaigned for the White House, presidential candidate G.W. Bush made defense transformation a major policy issue. The reasons why the defense establishment had not transformed up to that point were widely debated, but among the competing explanations was that the military leadership was slow-rolling change. After the election President Bush made defense transformation a priority. Given the perception that the Pentagon's top brass might resist such reforms, President Bush put special emphasis on selecting a hard-nosed, bureaucratic heavy-weight to serve as Secretary of Defense.[39] Such were the historical circumstances and conditions that brought Donald Rumsfeld back to the Pentagon and the genesis for the latest over-correction in US civil–military relations.

Later in the book the impact and legacy of Donald Rumsfeld's tenure as Defense Secretary is described and analyzed. The focus of the next chapter is to describe effective and ineffective individual performance in the civil–military nexus and to

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35 John Lancaster, "Clinton and the Military: Is Gay Policy Just the Opening Skirmish?" *Washington Post*, 1 February 1993, p. A10.

36 Richard H. Kohn, "Out of Control: The Crisis in Civil–Military Relations," *National Interest*, No. 35 (Spring 1994): 3–31.

37 In addition to earlier cited works, see also, Eliot Cohen, "Playing Powell Politics," *Foreign Affairs*, Vol. 74, No. 6 (November/December 1995): 102–110.

38 Among the most prominent of these panels was the Hart-Rudman Commission. To read more about their findings and recommendations visit the following website: http://www.au.af.mil/au/awc/ awcgate/nssg/.

39 Defense Secretary Rumsfeld once quipped, "The Constitution of the United States calls for civilian control of the military, and I'm a civilian." Among the Secretary's famous "Rumsfeld Rules" were the following two: [his primary function was] "to exercise civilian control over the Department for the Commander-in-Chief and the country" and "when cutting staff at the Pentagon, don't eliminate the think layer that assures civilian control." For more see http://www.defenselink.mil/news/jan2001 /rumsfeldsrules.pdf (29 January 2001).

identify role models towards that end. Examining the personal character, professional preparation, and contribution of these historical figures (former political appointees and 4-star generals) as they served in the nexus would help not only future Defense Secretaries and top-ranking military officers seeking role models for how best to perform their duties, but also future Presidents as they consider who to appoint to these critical positions.

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Chapter 3

The Search for Role Models

What can be learned from history? The obvious answer is a lot, but not always things that are helpful or relevant to current circumstances.[1] Moreover, any retrospective examination of previous human events can provide license for just about any set of reform agenda desired, especially when choosing historical examples selectively.[2]

I am not escaping this trap and seem to be in good company. Even those who warn against using history selectively ultimately seem to fall prey to same, even if they do not immediately recognize it.[3] This is not meant to be a condemning statement; pure objectivity is probably not even achievable in the human experience.[4] The point is that historians sometimes fight over the use of history itself, accusing one another of choosing cases selectively even as they jockey for position in debates over interpretations, meaning, and policy relevance. Although methodology should always be reviewed and considered, instead of rejecting arguments out of hand based on cases selected, perhaps it is better to recognize that any use of history will be at least partially subjective, accept it as such, and move on with evaluation of the argument presented in its entirety.[5]

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1 This is the central point of Richard E. Neustadt and Ernest R. May, *Thinking in Time: The Uses of History for Decision-makers* (New York: Free Press, 1986). Decisionmakers must be careful in their approach to history as picking and employing the wrong analogies can be worse than ignoring history all together.

2 Douglas Porch, "Writing History in the 'End of History' Era – Reflections on Historians and the GWOT," *Journal of Military History*, Vol. 70 (October 2006): 1065–1080.

3 Ibid. See also Eliot Cohen, "The Historical Mind Set and Making Strategy," *Orbis*, 2005.

4 While pure objectivity may be elusive, Humans can communicate via language, graphic depiction, and dialogue which can lead to shared understanding and meaning. This may not be "objectivity," but it is probably more significant anyhow because when conducted thoughtfully it incorporates the best aspects of introspection (subjectivity), reflection, and discourse and is more likely to result in knowledge, that which is the ultimate design of objectivity in the first place.

5 Cohen's piece, "The Historical Mind and Military Strategy" is very impressive. He makes a persuasive case that what is most valuable for aspiring military strategists is to develop a historical mind, a committed active learning approach based on an extensive read of varying accounts across time and culture. Identifying dissimilarities is important as, possibly even more important as, finding similarities between current situations and those of the past. In this way one may avoid the trap of false analogies – all sage advice. But what is concerning about this argument is that it may be interpreted as "he who has read the most books always has the best read of history." There is no guarantee of that at all. How could so many renowned intellectuals, most of whom were avid readers of history, be so wrong on Vietnam and Iraq?

Conscious of the foregoing, as this argument proceeds some of the same historical examples used by scholars in the past to support arguments of domination will be employed to highlight the value of balance in the civil–military nexus. The backgrounds and histories of two particular military figures, Generals George Washington and George Marshall, will be mined to illuminate a different interpretation of the significance of these military leaders as it relates to civil–military relations. The new interpretation will turn on the *nature of the relationship* these generals had with key civilians rather than on other aspects of their historical records emphasized in the prevailing literature.

All four examples used in this chapter will demonstrate the criticality of *structure* and *norms* in shaping the civil–military relationship. From a methodical standpoint, the primary research question explored in all four time periods focuses on *the essence of the civil–military relationship*: when it came to access to elected leaders and the articulation to them of strategic analysis, options, and advice was the relationship dominated by one individual or roughly balanced? And, how did the nature of the relationship (balanced or imbalanced) impact effectiveness in pursuing national security objectives?

Proponents of objective and subjective civilian control models (discussed in detail in Chapters 4 and 5) have used as examples Generals George Washington and George Marshall to support their cases arguing that these were men of the utmost military decorum with behavior patterns of deference in their approach to civil–military relations.[6] Washington is rightly credited with first saving the revolution, and then saving the republic in the manner he squelched the Newburgh conspiracy, returned his commission to Congress and subordinated the military to civilian control in the formative years of the nation.[7] Marshall is exalted as the 20th century paragon of civil–military virtue with one scholar reminding his readers that Marshall was so committed to propriety and deference to civilian authority that he did not even vote, lest he be swayed in his partisan leanings.[8]

These military leaders are deserving of this monumental praise but those descriptions are only partly the significance of these men on matters of civil–military relations. Even more importantly, the portrayal of these men has been used to support dominating constructs of civil–military relationships, particularly between military officers and their top political appointee at the Pentagon since World War II, but careful consideration of their records does not suggest such a conclusion. In this chapter it is shown that both Generals Washington and Marshall had balanced relationships in the civil–military nexus while leading the Army and that the structure

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6 See Richard Kohn (ed.), *The United States Military under the Constitution of the United States, 1789–1989* (New York: New York University Press, 1991), p. 8, and Eliot Cohen, "Generals, Politicians, and Iraq," *Wall Street Journal*, 18 August 2002. Eliot Cohen, *Supreme Command: Soldiers, Statesmen, and Leadership in Wartime* (New York: The Free Press, 2002), p. 205. Eliot Cohen, "Honor in Discretion," *Wall Street Journal*, 22 April 2006, p. A8.

7 For more on General George Washington see also Joseph J. Ellis, *His Excellency: George Washington* (New York: Alfred A. Knopf, 2004).

8 Kohn (ed.), *The United States Military under the Constitution of the United States, 1789–1989*, p. 8.

and norms employed to support those relationships helped the US achieve victory in the wars they were fighting. When military leaders partner with their respective political appointee, all within a framework where elected civilians leaders always make the final decision, national security is enhanced.[9]

The styles of Generals Washington and Marshall will be contrasted later in the chapter with those of Generals Earle Wheeler and Richard Myers. Although loyal, courageous, intelligent, and tactically and technically competent, Wheeler and Myers ultimately proved ineffective representing the military profession during key moments and meetings as deliberations unfolded over policy towards Vietnam and Iraq. The imbalance and dysfunctionality in these civil–military relationships, for which both sides are at blame, contributed to the poor policy outcomes in the two wars fought during these times.

General George Washington and the Continental Congress

Examination of civil–military relationships during the American Revolution reflects a lively, sometimes contentious, but generally healthy dynamic between the Continental Congress and the Commander-in-Chief, General George Washington. As David McCullough reveals in *1776*, General Washington was given broad powers and authority by the Continental Congress, often to such a degree as to make him uncomfortable.[10] Washington was an avid reader of the classics, particularly Roman history and Addison's rendition of *Cato*, and was deeply committed to the republican ideal and the attendant necessity for civilian control over the military. This is apparent in his correspondence with Members of the Continental Congress.[11]

General Washington was also as professionally prepared as one could possibly be at that time in America to assume such a key position in the civil–military nexus. As a young man, Washington commanded military forces that fought on the British side of the French and Indian Wars. He earned a solid reputation for personal courage and skill, although not all military endeavors he was involved with ended well.[12] Washington was considered the consummate Virginia gentlemen and enjoyed an arguably unequaled perception of character and virtue, and in fact was a peer of the Members of Congress as they convened in 1775, being one of the Delegates

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9 In the Army War College's *Strategic Leadership Primer*, edited by Colonel Stephen A. Shambach, General George C. Marshall is attributed with saying the following as he assumed his duties as Chief of Staff on the eve of World War II, "It became clear to me that at the age of 58 I would have to learn new tricks that were not taught in the military manuals or on the battlefield. In this position I am a political soldier and will have to put my training in rapping-out orders and making snap decisions on the back burner, and have to learn the arts of persuasion and guile. I must become an expert in a whole new set of skills." See *Strategic Leadership Primer*, 2nd edition, p. 1.

10 David McCullough, *1776* (New York: Simon & Schuster, 2005), p. 80.

11 Ellis, *His Excellency*, pp. 82–83.

12 See, for example, Joseph Ellis' description of the failure of the Monongahela Campaign in, *His Excellency: George Washington*, pp. 19–24.

himself.[13] He was competent, trustworthy – someone who could be counted in the toughest of times. Marrying well did not hurt his reputation either. Standing six foot, three inches, in a period where the average height was nearly a foot shorter, Washington was a physical giant. Despite this unusual tallness, he was considered a distinguished rider of horses. If one was searching for a definition of leadership in the Colonial Era there would be a strong temptation to point to Washington and be done with the task. All of these characteristics figured into his interactions with the Continental Congress during his time as Commanding General.[14]

Unlike today's civil–military arrangements, General Washington did not have the benefit of a Secretary of Defense to work with for most of the Revolution as he pursued military objectives for the Continental Congress and the American people. The position of Secretary at War was not even established until 1781 (it was changed to Secretary *of* War in 1789, after the ratification of the Constitution). But this did not cause particular concern among members of the Continental Congress that military voices would dominate them. Such a contention was absurd in a period when no professional officer class existed. To be sure, there were strands of anti-militarism and significant opposition to a standing peacetime army.[15] But even as the Founders

13 It is worth noting that in some respects, George Washington accepted a demotion of sorts by taking the position of Commanding General. In an instance he went from a peer (fellow Member of Congress) to a military man subservient to his civilian masters, those with power vested in them by the people of the various Colonies.

14 For another excellent recent account on General Washington see David R. Palmer, *George Washington and Benedict Arnold* (Washington, DC: Regnery Publishing, Inc., 2006).

15 Opposition to a standing army was a common argument made against the proposed Constitution, a document which many saw as consolidating and centralizing too much power in a Federal Government, which if the executive of that government controlled a standing army, could ruthlessly implement almost anything and certainly trample on liberties and rights. The following is an illustrative list of some of those critics who spoke out against a standing army for the reason stated above. It is drawn from Bernard Bailyn (ed.), *The Debate on the Constitution*, Part One. (The Library of America, 1993). David Redick to William Irvine, Philadelphia, 24 September 1787, p. 15. "Centinel" Samuel Bryan, *Independent Gazetteer* (Philadelphia) 5 October 1787, p. 57. Reply to Wilson's Speech: "A Democrat Federalist," *Pennsylvania Herald* (Philadelphia) 17 October 1787, pp. 74–75. Reply to Wilson's Speech: "Centinel" II Samuel Bryan, *Freeman's Journal* (Philadelphia) 24 October 1787, p. 85. Reply to Wilson's Speech: "An Officer of the Late Continental Army" William Findley, *Independent Gazetteer* (Philadelphia) 6 November 1787, p. 99. Reply to Wilson's Speech: "Cincinnatus" V Arthur Lee, *New York Journal*, 29 November 1787, p. 116. "An Old Whig" George Bryan, *Independent Gazetteer* (Philadelphia) 12 October 1787, p. 125. "Brutus" *New York Journal*, 18 October 1787, p. 168. "John Humble" *Independent Gazetteer* (Philadelphia) 29 October 1787, p. 225. A Further Reply to Elbridge Gerry: "A Landholder" V Oliver Ellsworth, *Connecticut Courant* (Hartford) 3 December 1787, p. 240. Brutus VIII, *New York Journal*, 10 January, 1788. All of these save the last, Brutus, were more concerned with *political control of the military* than civilian control. Brutus was concerned over both and he inserted a letter from a legislator from the British House of Commons, Mr. Pultney, which highlighted the dangers of a standing army and among the reasons was the possibility of an army revolting if one of their popular generals was dismissed by the parliament. See, in particular, pp. 735–736. On the memory of the British Army and its impact on the Colonists' view of militaries see also, "The Military

debated how to reform their government later at the Constitutional Convention and the deliberations that followed leading up to ratification, when it came to national security institutions, with the notable exception of Brutus (Robert Yates Of New York), their chief concerns were more focused on *political control of the military:* that is, preventing one branch of the government from taking the reins of the Army and turning it on others, the States or the people, than in keeping military men in their place.[16] If the country was preoccupied with preventing military men from exercising influence in the new Republic, how was it that the first man elected to the Presidency was the closest thing the country had to a military professional? George Washington, the soldier, statesman, and farmer from Mount Vernon was elected *unanimously* in the first Electoral College.[17]

This topic of political versus civilian control of the military will receive much more expanded treatment in Chapter 5, but it is mentioned here because in the contemporary literature much is made of the Founding Era to justify and support conceptions of objective control of the military (a post-World War II normative theory) which in effect stifles or severely limits the impact of military voices from properly representing the profession in the civil–military nexus.[18] It is ironic that these false analogies are made as General Washington's role in shaping national security policy during the Revolution was singularly significant.[19] Yet he remained

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Peril," in *The American Military: Readings in the History of the Military in American Society*, Russell F. Weigley (ed.) (Reading, MA: Addison-Wesley Publisher, 1969), pp. 61–70.

16 Herbert J. Storing, *What the Anti-Federalists Were For: The Political Thought of the Opponents of the Constitution* (Chicago: The University of Chicago Press, 1981), p. 84. Brutus was very concerned with both political and civilian control of the military, see "Brutus VIII" in Bailyn, *The Debate on the Constitution*, pp. 735–736.

17 Indeed, in the first hundred years of the country former generals were elected to the presidency 11 times: George Washington Revolutionary War, Andrew Jackson War of 1812, William Henry Harrison War of 1812, Zachary Taylor Mexican War, Franklin Pierce Mexican War, Andrew Johnson Civil War, Ulysses Simpson Grant Civil War, Rutherford Birchard Hayes Civil War, James Abram Garfield Civil War, Chester Allan Arthur Civil War, and Benjamin Harrison Civil War. Put another way, 50 per cent of the US presidents over that time were former general officers. Some level of anti-militarism in the early American psyche can not be denied, but it was not to the level that some scholars have suggested. More than anti-militarism was the concern over consolidated power and central authority and the two were often grouped together without reflective thought which explains how the country could vote for so many former generals. When faced with the specific issue, Americans were of the opinion that the officer corps was not the enemy of liberty – it was unchecked governmental (mostly executive) power that was most feared.

18 Richard Kohn, *Eagle and Sword: The Federalists and the Creation of the Military Establishment in America, 1783–1802* (New York: The Free Press, 1975), Richard H. Kohn, "The Constitution and National Security: The Intent of the Framers," in *The United States Military Under the Constitution*, Richard Kohn (ed.) (New York: New York University Press, 1991), Russell Weigley, "The American Civil–Military Cultural Gap: A Historical Perspective, Colonial Times to the Present," in *Soldiers and Civilians Soldiers: The Civil–Military Gap and American National Security*, Peter Feaver and Richard Kohn (ed.) (Cambridge: MIT Press, 2001).

19 David McCullough, *1776*, p. 80.

grounded. General Washington was considered by nearly all as the paragon of republican virtue, someone who would completely invest himself in the revolution and the cause for liberty. He was also widely known as a prudent man, who acted with propriety in all circumstances. He would not overstep his bounds.[20]

As General Washington struggled with the situation in Boston in January 1776, assessing the overall military landscape among the colonies, he sought guidance from the Continental Congress as to whether he should defend New York City. In his military assessment, he believed New York critical, particularly the Hudson River, which if controlled by the British would sever in two the colonies in rebellion. Yet, he recognized that this was a decision that should be made by his civilian superiors. He beseeched Congress for direction.

The decision finally came when Continental Congressman John Adams was home in the greater Boston area for a period of leave in the winter of 1775–1776. In a letter to Washington on 6 January 1776, Adams acknowledged the criticality of New York and gave has consent to a military defense of it.[21]

In his correspondence with the American Commander, Adams also attempted to clarify the broad authority granted to the General recognizing that Washington's ability to be in constant contact with the Continental Congress could not always be guaranteed. Adams stated: "Your commission constitutes you commander of all the forces…and you are vested with full power and authority to act as you shall think for the good and welfare of the service."[22]

Washington immediately dispatched a senior officer to prepare the defense of New York City. The campaign in New York would ultimately prove unsuccessful with a resounding defeat later that summer in Brooklyn and Long Island which subsequently required Washington to once again closely collaborate with the Continental Congress for guidance on withdrawing from garrisons along the Hudson and what to do about the city during the withdrawal.[23]

The path charted in the aftermath of New York took Washington to Valley Forge and to one of the most challenging periods of the American Revolution. As the end of the year approached, Washington faced an acute crisis. Enlistments were due to expire for nearly all of his troops within the next month and the Commanding General desperately entreated his troops to reenlist. With morale plummeting due to the loss at Long Island and the lack of food and clothing among the ranks, Washington contemplated his fate and that of the army. He reached a decision on how best to keep the army together – he needed to attack.[24]

Washington did not need civilian guidance in this moment of crisis. He recognized that to do nothing was to see his army wither away. With no Army, the cause would founder. Given the Declaration of Independence proclaimed earlier that

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20 Dave R. Palmer, *George Washington and Benedict Arnold* (Washington, DC: Regnery Publishing, Inc., 2006), p. 98.

21 McCullough, *1776*, pp. 80–81.

22 McCullough, *1776*, p. 81.

23 Eric Manders, *The Battle for Long Island* (New Jersey: Philip Freneau Press, 1978).

24 William M. Wyer, *This Day Is Ours: November 1776–January 1777, An Inside View of the Battles of Trenton and Princeton* (New York: Viking Press, 1983).

year, Washington did not expect clemency from the British, nor was he asking for it. As Ben Franklin famously quipped with the signing of the Declaration, we must now hang together, or we will assuredly hang separately.[25] *Washington understood the intent of the Congress and with that he exercised initiative*.[26]

The attack was directed at the Hessian garrison in Trenton, and General Washington finalized plans for a Christmas night assault. On that night, the army of approximately 2,400 strong crossed the Delaware River and caught the Hessian force off guard. When the final assault commenced at about 8:00 am the next morning, the Americans very quickly overwhelmed the defenders, killing about two dozen enemy fighters, wounding about 90 and capturing over 900 men. Miraculously, all of this came with no American battle deaths. Two soldiers froze to death during the crossing of the Delaware, but none perished in the assault, which did see four Americans wounded.[27]

This battlefield victory, and the one that followed shortly thereafter at Princeton, had a profound effect on the war. First, it lifted spirits in the Army. The Army had atoned for Long Island and had won stunning lop-sided victories. It also buoyed the morale of those Americans committed to the cause throughout the country with a subsequent positive impact on recruitment for the Continental Army. The Congress, too, greatly welcomed the news as it settled into its new location, Baltimore, after having fled Philadelphia the month prior. However, in the immediate aftermath of Trenton, Washington still had to deal with the issue of expiring enlistments in his Army.[28]

In his moment of monumental quandary, Washington took considerable personal risk, actually overstepped his authority offering soldiers a $10 re-enlistment bonus (about 2 months pay) for troopers who agreed to stay six months beyond their commitment. This was risky because the Continental Congress had not approved such an offer and without authorization, there was no guarantee that such a promise would be honored and paid. In explaining this to Congress, Washington attempted to justify his expedient behavior and the desperation of the moment, "I feel the inconvenience of this advance … but what was to be done?" Fortunately, the gambit

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25 P.M. Zall, *Ben Franklin Laughing* (Los Angeles: University of California Press, 1980), p. 154.

26 The perceived absence of this kind of initiative in Iraq has frustrated some pundits addressing the war in Iraq. Lou Dobbs wrote an op-ed piece (dated 13 September 2006 and posted to the CNN website) demanding that the generals find a way to win the war and deliver the country from its enemies. Renowned Historian Victor Davis Hanson has made a similar argument. See his blog at http://victordavishanson.pajamasmedia.com/ and the entry on 3 January 2007, entitled: "Military Solutions." While matters are perhaps more complicated than suggested in these works, it is not surprising to see this kind of logic or expectation placed upon US general officers. America has done this repeatedly throughout history with good reason. This topic receives additional treatment at the end of the last chapter.

27 McCullough, *1776*, p. 281.

28 W.J. Wood, *Battles of the Revolutionary War: 1775–1781* (New York: DaCapo Press, 1995).

worked. Not only did many soldiers elect to stay on and fight for the cause, but Congress too saw the merit in such a move and authorized the bonuses.[29]

Washington went on to command the field army for the remainder of the Revolution – seven more years. There were more challenges both on the field of battle and in his relations with the Continental Congress. But 1776 was a seminal year and the pattern of relations that emerged then set precedent for later interactions. Throughout his time as Commander of the Army, General Washington showed an equal ability to demonstrate loyalty and accountability to his civilian superiors in the Congress while possessing the initiative and soundness of judgment to act without orders, but within the intent of Congress in those developing situations when his civilian superiors could not be immediately available to render a decision. Washington had the kind of character and reputation that elicited trust. The Continental Congress trusted his judgment and the General proved time and again that their trust was well placed. The American people and their Congressional leaders were well served by the commanding general.[30]

With General Washington there is the foundational example for how military commanders should conduct themselves within a democratic system: leading forces in the field to achieve political ends; constantly seeking clarification at the nexus of political-military operations and decisions; while aggressively pursuing the fight and strategic objectives. He is accountable for the success or failure of military operations and to be sure, he is not without critics, even within the Continental Congress, over the eight years he leads the army.[31]

Structure helped form the partnership. General Washington and the people's representatives had open access to each another. Congress provided guidance and parameters and then held the Commander accountable for achieving their aims. *In the key areas of strategic advice, development of options, and conveyance of advice,*

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29 McCullough, *1776*, p. 285.

30 The Founding Era was not without civil–military intrigue, of course, such as the Newburgh Conspiracy. At the conclusion of the Revolutionary War, with pay for the Army in arrears, and political chaos in no short supply in the new nation, there were officers who wanted General Washington to lead a military coup. Washington swiftly and sternly rebuffed this movement and then later that year went before Congress to "turn-in" his commission, reinforcing the sanctity of civilian control of the military. See Richard Kohn, *Eagle and Sword: The Federalists and the Creation of the Military Establishment in America* (New York: The Free Press, 1975), pp. 17–39.

31 See, in particular, Palmer's, *Washington and Arnold*, pp. 261–278, for a description of the "Conway Cabal" against General Washington. Thomas Conway was a Frenchmen who initially impressed Washington and was commissioned as a Brigadier General in the Continental Army. Enlisting the help of the Continental Congress, Conway aggressively pursued promotion to Major General. Washington opposed the promotion and said so in correspondence to Members of the Continental Congress. However, one of those Members, Richard Henry Lee, was already working privately for Washington's dismissal and sought to exploit Conway's ambitions as a means to trick Washington into resigning in protest. Washington eventually became aware of the plot and with it exposed the effort to rid the General of the Army by some Members of Congress was discredited. This episode was a sad moment in the history of civil–military relations during the American Revolution.

civil–military interactions were balanced. Correspondence aforementioned between General Washington and Members of the Continental Congress supports that point. Washington did not always prove right in his analysis, plans and advice to his civilian masters, but the civil–military relationship was strong and resilient fostering second chances (like the Battles of Trenton and Princeton).

During the Founding Era, US civil–military relations get off to a very good start with a structure that facilitates communication between the top military officer and his civilian superiors and norms that support initiative, creativity, and aggressiveness, even as they reinforce civilian control.[32] In sum, the civil–military nexus, which was characterized by a partnership between civilian and military leaders, provided the foundation for victory during the Revolutionary War.

General George C. Marshall and Secretary of War Henry L. Stimson

Scholars have often cited General Marshall as the classic example of a stoic, apolitical military officer who eschewed politics and subordinated himself to complete civilian control. His open declarations about not voting in US elections have been cited as exemplary to exhort currently serving military officers to follow his lead and to stay in their limited military roles.[33]

Indeed, a careful review of his long and variegated career confirms General Marshall's unswerving commitment to civilian control of the military. Yet, a comprehensive treatment of his record reveals that he defined civilian control of the military to mean that the nation's elected leaders had the primary responsibility to direct and control the military. In his relations with his politically appointed counter-part, the Secretary of War Henry L. Stimson, General Marshall forged a partnership. Their relationship was balanced and as it pertained to providing elected leaders with strategic analysis, options, and advice, both individuals had ample

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32 While it is true that the civil–military structure and norms employed during the American Revolution provided a sufficient foundation for victory, improvements to the arrangement were sought during the Constitutional Convention. Although the previous arrangement provided for open communications and fostered creativity, initiative and accountability in the position of the Commanding General, Washington felt that more civilian oversight and unitary of guidance was needed. War by Committee (the way of the Continental Congress) at times led to confusion and paralysis on the civilian side of the nexus. Ultimately this contributed to the decision by the Founders to go with a single executive (the President) and to invest the powers of Commander-in-Chief in that office. Through US statue, the position of Secretary of War was subsequently established to assist the President in directing the military. I am indebted to the Honorable Edwin Meese for some of these observations. See also, Terry Eastland, *Energy in the Executive* (New York: Free Press, 1992).

33 Richard Kohn, "Introduction" *The United States Military Under the Constitution of the United States, 1789–1989*, p. 8. In this section Kohn states: "If civilian control has been the benchmark of civil–military relations in the United States, then General George C. Marshall has come to be the standard for military behavior in relating to civilian authority in modern American history." See also, Cohen: "Generals, Politicians and Iraq, *Wall Street Journal*, 18 August 2002 and Cohen, *Supreme Command*, p. 205; and, Eliot Cohen, "Honor in Discretion," *Wall Street Journal*, 22 April 2006, p. A8.

opportunity to exercise their responsibilities attendant to the civil–military nexus. General Marshall's advice and judgment resonated throughout the national security decisionmaking process, even as he loyally executed the orders of the President. Like General Washington, General Marshall is indeed the role model for officers adherent to a Madisonian approach in civilian-military relations.[34]

General Marshall professional preparation to perform his duties in the nexus was superior. He enjoyed a diversity of assignments that took him from multiple postings in front line infantry units, to stops for advanced graduate degrees and teaching jobs; and positions where he helped administer large civilian organizations like the Civilian Conservation Corps prior to World War II. All of this, not surprisingly, affected his worldview and enabled him to affiliate with individuals from across cultures and federal and state agencies and certainly prepared him for positions of high authority and responsibility during World War II. Marshall developed a keen understanding for how military organizations could help the country realize policy objectives (foreign and domestic) and maximize human potential. Throughout all of this, he kept his feet planted on the ground. As it relates to his interaction with civilian authorities, his conduct was controlled, respectful, obedient, yet decidedly determined with ample example of assertive advocacy and bureaucratic clashes, even with cabinet-level appointees and the president himself.[35]

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34 The authoritative work on this is Forrest C. Pogue, *George C. Marshall: Education of a General, 1880–1939* (New York: Viking Press, 1963). Pogue was the official biographer of Marshall and his taped interviews with former general are an invaluable and interesting addition to historical record.

35 Forrest C. Pogue, "Marshall on Civil–Military Relationships," in Richard Kohn, *The United States Military Under the Constitution*, p. 201. To illustrate his determined behavior with top-level civilian appointees the following passage is presented from one of General Marshall's many interviews with his official biographer, Forrest Pogue. The passage, in my assessment, does not reflect well on his judgment in this particular case as his behavior is insubordinate or at the very least disrespectful of the Secretary of War Stimson (Marshall likely would have disagreed that he was insubordinate since from his perspective President Roosevelt gave him direct authority over the matter in contention in the vignette; indeed Marshall seems to view Stimson's involvement as an overreach), but it does reflect the balanced nature of their relationship. Marshall stated to Pogue: "I might tell one amusing incident. I don't know whether this should ever be written up or not, but there came down from Judge Patterson's office, which was for supplies – he was the under secretary and hadn't anything to do with tactics and organization – but he came down as a sort of representative of the Air Corps. In this he changed the general organization of the Air Corps in the War Department, and very notably its organization under me, and showed it to Mr. Stimson and Mr. Stimson signed it and it came to me. Well, that virtually deposed me as any controlling point here (over the Air Corps). But the main point was, I wasn't even consulted. I wasn't even notified. But an office that didn't pertain to this thing took charge of it and did this thing, and then it was sent to me signed by the Secretary of War. Well, I handled that the way I did a good many things. Instead of getting mad, I just filed it in my desk – didn't turn it out at all. I suppose almost a year afterwards, certainly six months afterwards, When Mr. Stimson and I were having quite a battle over something we didn't agree about, Mr. Stimson said to me, 'I'd like you to stop and think that we have gone along with you on everything you've put up. I don't think you can find anything that you haven't had my cordial; support, I assure you.' I

With Secretary of War, Henry L. Stimson (a Conservative Republican from FDR's home state of New York, serving in the most liberal Democratic administration up to that time), Marshall had a healthy dynamic and together they advanced the war effort.[36] Although by Executive Order dated 5 July 1939, General Marshall was authorized to communicate directly with the Commander-in-Chief on issues of "strategy, tactics, and operations" Marshall wisely chose otherwise and consistently worked with his Secretary of War, clearly seeing the advantage of uniting with his civilian chief, who besides being a member of the cabinet, was also a member of the opposition party in Washington, DC.[37] But their personal relationship, which was a couple of decades old by the time of the outbreak of World War II, was not without conflict and how these men handled themselves during these moments provides a good role model for today's top civil–military leaders.

On a couple of important issues, for instance the training and commissioning of officers needed to fill the ranks of the burgeoning force, and then later in the

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didn't say anything. He said: 'Is there anything that hasn't had my cordial support of you as chief of staff?' Well, I reached into my desk and got this document which he had signed, which in effect gave it effect. It was signed by the secretary of war. It was proposed by the under secretary, who had nothing to do with that part of the army. Mr. Roosevelt, by an executive order, put me in charge of operations over and above the secretary of war and organization. I said: 'Well, Mr. Secretary, here is a pretty good answer and this is about six months old.' And I gave him this and he read it. 'Well, what's this?' I said: 'you signed it there. You ought to know.' 'Well' he said, 'what is it doing there?' I said: 'I filed it in my desk here.' He said: 'You filed it?' I said: 'Well, you didn't consult me about it. That deposed me. You were just talking about how you supported me in all things. It hadn't anything to do with Judge Patterson's responsibility. Yet he takes the initiative and he writes this thing and you sign it, and I'm out and I am not even spoken to. So I just put it in my drawer. That's a good place to solve these difficult questions.' Mr. Stimson said: 'I never saw anything like that.' And I said: 'I've never heard anything like that either. But it didn't go any further than my drawer.' 'Well,' he said, 'just give it to me.' I said: 'hold on here. I've got an executive order from the president that I have the question of organization in my *sole* control. Now are you going to take this out and start it all over again?' He said: 'No, I am going to give it to Judge Patterson and tell him to tear it up.'" See *George C. Marshall: Interview and Reminiscences for Forrest C. Pogue*, Larry Bland (ed.), pp. 315–316.

36 Forrest C. Pogue, "Marshall on Civil–Military Relationships," in Richard Kohn, *The United States Military Under the Constitution*, p. 201.

37 Marshall's actions will be in stark contrast to General Tommy Franks' some 60 years later when the later was legally on firm ground to go directly to the Secretary of Defense Donald Rumsfeld, and for bureaucratic reasons chose to do so, often ignoring the Joint Staff and Joint Chiefs of Staff. Had Franks employed Marshall's approach and incorporated the Joint Staff as he worked with Secretary Rumsfeld, together they may have had the force to resist Rumsfeld's dominating style, possibly positively affecting plan development. With Army Chief General Eric Shinseki and Marine Corps Commandant General Jim Jones as allies, both of whom had extensive ground experience in combat, it may have been more difficult for the Pentagon's top political appointee to override the recommendation to flow more troops into theater after the toppling of Saddam Hussein. As it was, General Franks was content to follow Secretary Rumsfeld's methods and the JCS was relegated to a diminished role. Franks could have learned much on matters like these from General Marshall. See Woodward, *State of Denial*, p. 82.

war regarding how best to allocate intelligence resources, Marshall disagreed strongly with proposals by the Secretary of War, and in both cases, Marshall's position prevailed.[38] On the training and commissioning of officers, Stimson favored cultivating college graduates through civilian military training camps similar to what had been done during World War I in Plattsburgh, New York.[39] Marshall wanted more of a focus on Officer Candidate School (OCS), which would draw more heavily from the most promising enlisted members already in the service and which still left open officer training for college graduates after they enlisted and served for a period of time. After much wrangling, Stimson ceded the point to Marshall, but not before Marshall threatened to resign if he were overruled. This was an action that Marshall later regretted, believing his threat to resign was not appropriate of the nation's top military Army advisor during deliberations among top level civil and military advisors to the president.[40]

Later in the war when Stimson believed that the army should cross-level some of its intelligence experts to seed new infantry divisions, Marshall strenuously objected, concerned about diminishing the combat capability of units already committed in the European and Pacific theaters at a pivotal time in the war. Stimson eventually saw the merit in Marshall's views and dropped the idea.[41]

There were, of course, examples when Marshall acceded to Stimson's policy positions as he and Atom Bomb Military Director Major General Leslie Groves did on the matter of the atomic bomb target list. Secretary Stimson objected to the inclusion of Kyoto, a major Japanese cultural center and overruled Groves' who wanted that city included. Marshall chose not to support his general but instead to accept Stimson criticisms and preference.[42]

Stimson was an interesting historical figure.[43] Like Rumsfeld, he was on his second tour as the leading political appointee of the military when he served as an American War Minister. Rumsfeld first served as the Secretary of Defense in the Ford Administration and Stimson had served earlier as Secretary of War during the Taft administration, from 1911–1913. Moreover, both of these men were in their seventies when they served in the job for the second time. But that was about as far as the similarities went between Stimson and Rumsfeld. Stimson's list of career achievements is too long to include here, but of note for this study, during the First World War Stimson volunteered for active military service in the Army and rose to the rank of Colonel in the Artillery. He enjoyed a very strong reputation as a bright

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38 *George C. Marshall: Interviews and Reminiscences for Forrest C. Pogue,* edited by Larry Bland (Lexington, VA: George C. Marshall Research Foundation, 1991), p. 202.

39 Stimson himself had been a product of that system receiving his commission through the Plattsburgh training camp during the First World War.

40 Pogue, "Marshall on Civil–Military Relationships," in Richard Kohn, *The United States Military Under the Constitution*, p. 201.

41 Ibid.

42 Henry L. Stimson and McGeorge Bundy, *On Active Service in Peace and War*, 1948.

43 For more on Stimson see, David F. Schmitz, *Henry L. Stimson: The First Wise Man*, 2000. Elting E. Morison, *Turmoil and Tradition: A Study of the Life and Times of Henry L. Stimson*, 1960. Godrey Hodgson, *The Colonel: The Life and Wars of Henry Stimson, 1867–1950*, 1990.

and capable professional, pragmatic problem-solver and personable leader. Secretary Stimson earned the complete respect and admiration of General Marshall.[44]

It is important to describe the dynamic between Marshall and Stimson because the perception of Marshall found in the scholarly literature today is that he was the quintessential military role model deferent to civilian control, and implied by analogy, is that he would have been a harsh critic of General Powell and the active role he played in the civil–military nexus and inclined to be submissive in the face of dominating Secretaries of Defense like McNamara and Rumsfeld. That is not the conclusion one reaches after reviewing in detail General Marshall's relationship with Secretary Stimson and other top-level civilian officials.[45]

Marshall believed that military officers should be accountable and subservient to the President and the Congress – the nation's elected leaders. But as witnessed in his balanced relationship with Stimson he believed that the nation's top military officer should work together with the nation's top political appointee to best serve their elected masters and the American people.

Even with elected leaders, General Marshall was privately very vocal advocating and representing his profession during national security policy deliberations. Marshall held the democratic process in high regard and as such elected leaders were to be professionally respected by military officers (even if privately disdained). In public, the stature of elected leaders was always to be reinforced and strengthened. But in private, particularly when debating weighty decisions pertaining to the war, General Marshall could get assertive even with President Roosevelt. Official Marshall Biographer Forrest Pogue described the general's protestations with President Roosevelt over FDR's desire to give NYC Mayor Fiorello LaGuardia

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44 To his closest friends Stimson was affectionately called, "the Colonel," a moniker Stimson appreciated. Henry L. Stimson and McGeorge Bundy, *On Active Service in Peace and War*. For more on Marshall's assessment of Stimson see, *George C. Marshall: Interviews and Reminiscences for Forrest C. Pogue*, Larry Bland (ed.) (Lexington, VA: George C. Marshall Research Foundation, 1991), p. 621. In this interview with Pogue Marshall stated of Stimson, "His greatest contribution lay in his strength of character. His political indifference was such that no congressman could get at me unless he agreed … [He was a] marvelous protector of me … Stimson protected me from the President. I don't know what we would have done with someone different. I had to have someone who was aware of the civilian implications of the army."

45 In his daily interactions, General Marshall promoted an image of himself as a professional to be respected by all. In one of his first encounters with President Roosevelt in 1938, Marshall in his own words "wasn't very enthusiastic" with FDR for calling him by his first name "George" and signaled as much with his tart response to one of the president's questions; "Mr. President, I am sorry, but I don't agree with that at all." According to Marshall, FDR responded with a startled look, but the general felt that by using his first name it conveyed a sense of intimacy that their relationship did not have. What subsequently emerged as urban legend (something still heard today every now and then) was that Marshall had corrected the President, that he should call him "General" instead of "George," which isn't exactly what happened. However, the apocryphal story did much to advance his image as "a player" in Washington, DC circles. For more see *General George C. Marshall: Interviews and Reminiscences for Forrest C. Pogue*, Larry Bland (ed.) (Lexington, VA: George C. Marshall Foundation, 1991), pp. 108–109.

a direct commission to Brigadier General. Marshall viewed this as not wise and teamed up with Secretary Stimson to convince the President not to do it. Ultimately they were able to persuade FDR to offer the mayor a commission as a Colonel – an offer that LaGuardia eventually declined.[46]

Yet Marshall's commitment to civilian control of the military led him to publicly support President Roosevelt's decision to invade North Africa, although he privately disagreed strenuously with that decision, preferring instead to focus on invading the continent of Europe. On a number of occasions, Marshall also supported FDR's personal requests for general officer promotions, including President Roosevelt's own son, although he had reservations.[47]

General Marshall had a very long and distinguished career, after retirement from the military going on to serve as Secretaries of Defense and State, among other high-level US government positions. Those years are replete with civil–military relations examples, too, but the point of this section was to generally describe the philosophy and approach of General Marshall as he approached his duties of Army Chief of Staff during World War II and to describe the healthy and respectful dynamic that existed between him, the Secretary of War and the President of the US.

The structure and norms that guided the civil–military nexus were conducive to effective relations and helped guide the process towards victory. In the critical areas of strategic analysis, development of options, and the conveyance of advice civil–military interactions were roughly balanced. Moreover, the relationship between Marshall and Stimson demonstrated a marked level of maturity. There wasn't an insecurity pervading this relationship. Each man knew his role individually and what was possible of them collectively. General Marshall was the principal army advisor to the President and the structure of the national security decisionmaking process provided him ample access to the Commander-in-Chief by way of Executive Order *and* through functional norms that guided the civil–military nexus. In this system General Marshall was expected to provide his best military advice. The President could take it or leave it. When he found General Marshall's advocacy convincing and advantageous, he adopted his views. Obviously in the case of whether to invade North Africa, he chose otherwise. Since the President was not without thorough military counsel in doing so, it must be viewed as the system working – civilian control and presidential decisionmaking was the order of the day.[48]

Despite Marshall's influential role in the civil–military nexus and American politics during World War II, there was not an outcry about a crisis in civil–military relations. Perhaps part of the reason was another salient characteristic of the dynamic between General Marshall and Secretary of War Stimson and the work they did for

46 Pogue, "Marshall on Civil–Military Relationships," in Richard Kohn, *The United States Military Under the Constitution*, p. 203.

47 Ibid.

48 It is worth noting that General Marshall served as the Army Chief of Staff before the days of a powerful Chairman of the Joint Chiefs. In July 1942 Admiral William D. Leahy was appointed as the Chief of Staff to the Commander-in-Chief and in that capacity presided over the Joint Chiefs of Staff, but even after this move General Marshall's direct access to the President was still continued.

President Roosevelt and the American people – *they were successful*. Their periodic friction but abiding mutual respect had a positive effect on not only the process, but the end product as well. The US, in concert with its allies, won the war. There is special and pragmatic value in that. Generals Marshall and Washington shared this characteristic and the sum of their contributions and the politically savvy they demonstrated in their approach to duties reflects well on how military officers imbued with a Madisonian conception in civil–military relations should interact with the President, Congress, and political appointees at the Pentagon.[49]

General Earle Wheeler and Defense Secretary Robert McNamara[50]

The Chairman of the Joint Chiefs during the critical decisionmaking period regarding escalation in Vietnam was General Earle "Bus" Wheeler. Like all those who ascended to the highest position in the armed forces, General Wheeler enjoyed an exceptionally successful career and remarkable reputation as a warfighter, serving courageously in World War II and Korea.[51] However, his grooming to represent the profession in the nation's highest military post and in the civil–military nexus was not as comprehensive as General Marshall's, and his professional preparation in general, especially in relation to his counter-part Secretary McNamara, put him in a disadvantageous position.[52] This provides a partial explanation for why military advice and judgment played a diminished role during the decisionmaking process that led to the US escalation in the war effort in Vietnam, but there is much more to the story.

The structural changes attendant to the National Security Acts of 1947 and 1958 which created and then strengthened the position of the Secretary of Defense while handicapping the JCS (the law at the time required unanimity among the Chiefs prior to conveying opinions to the National Security Council) and common perceptions among top-level civilian and military leaders regarding the respective roles in the civil–military nexus also factored in prominently. Whereas structure helped shape a partnership approach among top-level civilian and military officials during World War II (given the Executive Order President Roosevelt published in 1939 empowering the Army Chief and enabling both top officials to report directly to him), changes to law (structure) in 1947 and 1958 put the Defense Secretary clearly

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49 Here "political savvy" does not refer to what is popular, but rather a sense *for what is possible* within the political context as the national security establishment pursues victory.

50 A sizeable portion of this section on General Wheeler, Secretary McNamara and the decisionmaking process that expanded US involvement in Vietnam first appeared in my dissertation, "Countervailing Forces," completed at Cornell University in 1998. See in particular, pp. 202–221.

51 General Wheeler's biography can be viewed at the following website: http://www.dtic.mil/doctrine/jel/jfq_pubs/2417pgs.pdf.

52 In terms of professional preparation to wield influence in the civil–military nexus, General Wheeler was not devoid of experience. He previously served on the Joint Staff, including assistant to the Chairman and as the Director. He also commanded European Command and was the Army Chief prior to assuming his role as Chairman, JCS.

on a different level than the top military officer, and then required the military's leaders (the service chiefs) to coordinate their positions and reach consensus prior to advising the civilian leadership. Especially in this structural arrangement, dominant personalities played a pivotal role.

In addition to his own vast capabilities and professional preparation, Defense Secretary McNamara also hired a coterie of highly capable and aggressive defense intellectuals, dubbed the "whiz kids," who furthered the domination at the nexus of civil–military interaction.[53] The section that follows describes and analyzes the decision to "Americanize" the war in Southeast Asia. It illustrates how structure and norms played a role in the civilian domination that characterized the civil–military relationship of this era.

The American War in Vietnam

As President Johnson considered his options to address the increasing communist activity in South Vietnam three courses of action (COAs) emerged: maintain the status quo (US advisors supported by US air power and logistics); the JCS plan of annihilation for battlefield victory in Vietnam, and graduated and measured military pressures (limited bombing and troop deployments) to convince the communists of the futility of further military action in South Vietnam – the "progressive squeeze and talk" option.[54]

General Wheeler called the JCS plan "hard knock" (to really make a psychological impact on the communist leadership) and it entailed expanded bombing throughout North and South Vietnam, mining of the Haiphong Harbor; and extensive and overwhelming use of ground forces.[55] General Wheeler and the Chiefs preferred a strategy that produced a clear military victory instead of one designed to cause the other side to quit.

But ultimately JCS analysis and advice was not a factor in the decisionmaking process for several reasons, some political and related to their disadvantaged position in professional preparation (education and grooming from previous assignments) relative to their civilian counterparts, and others a consequence of the institutional structure of the JCS, which was designed to enforce military unity prior to providing advice to the President.

The mere pace of decisionmaking and the evaluation criteria used to support it favored OSD civilian view points. Consistent with the more sweeping changes in Pentagon management that were underway throughout the DOD in the early

53 Robert S. McNamara, *In Retrospect: The Tragedy and Lessons of Vietnam*, with Brian VanDeMark (New York: Random House, 1995), p. 12.

54 John McNaughton, Draft Analysis of Option C, 8 November 1964, Papers of Paul C. Warneke, Box 8, Book 2, Department of State Materials (1964), item No. 19a. Found in McMaster, *Dereliction of Duty*, p. 181.

55 Memorandum from the Joint Chiefs of Staff to the Secretary of Defense, Subject: Courses of Action in Southeast Asia, 23 November 1964, US Department of State, *Foreign Relations of the United States: Vietnam, 1964* (Washington, DC: Government Printing Office), pp. 932–935.

1960s and which saved the taxpayers millions of dollars, quantitative methods were employed to analyze communist strength and to assess what it would take to convince the enemy in Southeast Asia to abandon its threat to South Vietnam. Led by Alain Enthoven, the systems analysis specialists devised models and measures for success and Secretary of Defense McNamara embraced these evaluation criteria over the objections of the JCS. In his discussions with the Secretary of Defense, Enthoven argued that it would be "suicidal" for the US not to use quantitative methods to support decisionmaking in Southeast Asia.[56]

The military was not prepared for these quantitative discussions, as the Whiz Kids deliberated in the Rand lexicon foreign to officers of that time period. To be sure, the military later reacted to this deficiency, sending officers off to civilian institutions to get graduate degrees in systems analysis and international relations, but this was of little help in 1964 and 1965 when the key decisions on Vietnam were being made. McNamara, himself very comfortable with this methodological approach, gradually began to ignore the JCS during the planning process.[57] In 1963, McNamara was meeting with the JCS weekly, but by 1964 this frequency had dramatically decreased. Thereafter, he seldom met with the JCS and when he did it was mostly for symbolic purposes, to give the impression that there was a civilian-military relationship. Army Chief of Staff Harold K. Johnson, equated these perfunctory meetings to a "mating dance of the turkeys ... [where they] went through certain set procedures [but] solved no problems."[58]

The Joint Staff, a potential repository of intellectual strength for the JCS, was not prepared to challenge McNamara's lieutenants intellectually either. As it was, they had sent up the only primary staff officer on the Joint Staff with a graduate degree (Rear Admiral Lloyd Mustin) to attend the planning meetings with the Whiz Kids. But Mustin was outnumbered and outgunned. Civilians were generally united in preferences and methods while Mustin was disadvantaged because he could not speak for all of the Service Chiefs. The committee moved very fast, foreclosing advice from the JCS. The Chiefs (this was before Goldwater-Nichols) were required to vote as a whole on military matters, and if they disagreed, then the dissension was passed along as such. The problem was that this required the circulation of memorandum and by the time the Chiefs had a position, the committee was well past the issue the Chiefs were considering. Thus, structural impediments were also limiting military input during the course of action development phase. Before the Chairman (General Wheeler) even had a chance to respond to the work of the committee, the President had already been briefed on the two primary courses of action advanced by the OSD, which basically entailed affirmation of the status quo and gradual and incremental

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56 Alain Enthoven, Oral History Transcript, 27 December 1968, LBJ Library, Tape 1, p. 25. Found in McMaster, *Dereliction of Duty*, p. 91.

57 McNamara himself had earned a reputation as a quantitative methods specialist during his World War II experience as a Lieutenant Colonel with the Air Force see McNamara, *In Retrospect*, p. 9.

58 H.K. Johnson, Oral History Transcript, 1972, Vol. 2, Sec. 11, pp. 3–4. See also, Lewis Sorley, *Honorable Warrior: General Harold K. Johnson and the Ethics of Command* (Kansas: University Press of Kansas, 1998).

military responses to the growing Communist insurgency in Vietnam – none of which the JCS favored.[59]

As President Johnson approached the decision, to placate the Joint Chief's dissatisfaction with being left out of the process, National Security Advisor Bundy sent forward the JCS proposal which stood out as the most bellicose COA considered. The analysis was stacked to scream out the "graduated pressures" course of action. George Ball (the Under Secretary of State for East Asian Affairs) described the national security decisionmaking process at the time as the "Goldilocks approach." Option one (the status quo) was "too soft." Option two (the JCS overwhelming force plan) was "too hard," and the last option (graduated pressures) "was just right."[60]

According to President Johnson doing nothing was unacceptable, but doing too much could create other problems. Mining Haiphong Harbor, it was thought, might accidentally cause a Soviet or Chinese ship to be sunk, expanding the war beyond Vietnam. In this way, the struggle between civilian and military options was similar to the earlier one between Truman and MacArthur over the scope of the Korean War. This further added legitimacy to the civilian argument as Truman turned out to be right in that case, both substantively and procedurally. The Chinese had threatened to join the war in Korea and then did so. Johnson was determined not to repeat that mistake. The JCS plan was perceived as simply too risky. It could provoke the Chinese or possibly the Soviets. Given the foregoing analysis, the only option remaining was "graduated military pressures" which would be followed by a period for talks with the North Vietnamese. This course of action seemed logical and the best way to influence the situation in Vietnam while upholding American prestige. Thus, after a series of communist successes in ground combat actions in June and July 1965, Johnson directed McNamara to develop an implementation plan for graduated pressure.[61]

The Joint Chiefs did not believe this strategy would produce victory, but that did not seem to overly concern Johnson administration officials at the time, since their biggest fear was the perception of losing in Vietnam the same year they were trying to get the Great Society program legislation through the Congress.[62] The JCS willingly acquiesced to the strong-arm tactics of Secretary McNamara, despite their individual and collective misgivings regarding the proposed plan for graduated and measured escalation. Their silence even persisted when Members of Congress questioned them directly about the plan.

As the new Congress in 1965 began to execute its oversight function with regard to Vietnam, the new Chair of the House Armed Services Committee, Mendel Rivers sought the testimony and insights of the Joint Chiefs. He held a meeting with them (minus the Chairman General Wheeler, who was with McNamara in Vietnam,

59 McMaster, *Dereliction of Duty*, p. 181.

60 George W. Ball, *The Past Has Another Pattern* (New York: W.W. Norton and Company, 1982), p. 388.

61 Leslie Gelb and Richard Betts, *The Irony of Vietnam: The System Worked* (Washington, DC: The Brookings Institution, 1979), p. 123.

62 Robert McNamara, *In Retrospect* (New York: Time Books, 1995), p. 173.

coordinating the escalation plan with key personnel in Southeast Asia) in his office with other members of the House Armed Services Committee present.

The Members wanted an estimate of costs, in both dollars and estimated casualties, and the JCS viewpoint whether reserve mobilization was necessary. The Chiefs upheld the administration's position that the communists could be defeated without additional appropriations or reserve call-ups, despite their private beliefs to the contrary. In essence the war could be fought without getting the American people involved in it. This was exactly the message President Johnson wanted the JCS to convey to Congress – no distractions that could derail the Great Society initiatives. Congress pushed the Chiefs on troop levels, how much would be necessary? Army Chief of Staff, General H.K. Johnson, after dodging the question for several minutes before being pinned down, responded with 250,000, despite the fact that he had privately thought that twice as many would be needed. The other Chiefs were similarly evasive to Congressional queries about troop strength needed to accomplish administration goals. Some of the Members, sensing the equivocation, lashed out at the Chiefs. Representative F. Edward Herbert (D-LA) warned the Chiefs that their reputation would suffer if they did not tell Congress the whole truth. The Chair, Congressman Rivers, reminded the Chiefs that they were "creatures of the Congress and therefore have a duty to them as well as to the Executive Branch." General Johnson disagreed, explaining that his loyalty was principally with the President, his Commander-in-Chief.[63]

Rivers and the rest of the committee were frustrated with the meeting, but ultimately could do nothing. President Johnson did not plan to ask for additional funding, so purse issues (traditionally a Congressional check on the President) could not be exercised. Moreover, although not convinced by the Chiefs, they could not point to anything in particular as reason to block the escalation. Interestingly, two hours after the meeting ended Marine Corps Commandant General Wallace Greene called Congressman Rivers' legal counsel, John Blandford and confided that the Chiefs had not given the entire picture to the assembled Members. He told Blandford that the US was on the verge of a "major war" that would require at least 500,000 men and would take up to 5 years to complete.[64]

What happened to that information after the telephone conversation between Greene and Blandford is unknown. But it is clear that Congress neither played a role, nor was completely aware of the reasoning behind what President Johnson was about to do in Vietnam. The war was about to be "Americanized" in a conscious effort to show the world that the US would stand by its allies in need, but the course of action was chosen carefully to demonstrate resolve with full knowledge that a lasting solution had yet to be developed. At the time that was sufficient, however; Vietnam would not be lost in 1965. By 1966 hopefully things would clear up and

63 This entire passage is an account of that meeting from General Wallace Greene, Memorandum For Record, Subject: First Meeting of the Joint Chiefs of Staff with the Policy Subcommittee of the House Armed Services Committee, 15 July 1965, Greene Papers, and is drawn from McMaster, *Dereliction of Duty*, pp. 310–311.

64 Ibid. For a second source on the estimate from General Johnson regarding what it would take to prevail in Vietnam see McNamara, *In Retrospect*, p. 177.

a lasting solution would become evident, especially since the Whiz Kids believed that quantitative indicators could be counted on to facilitate the decisionmaking process.

This was a defining moment in post-World War II US civil–military relations. From one vantage point, the President and Secretary of Defense were presented with clear options and choose accordingly. Presidents, of course, are not under any obligation to take and implement military advice and some have argued that, even considering how badly it all turned out, the system worked as intended.[65] If one overlooks the way the military was left out of early briefings to the President on Vietnam options, from an executive branch perspective, this argument may seem reasonable.

However, the US system is a more complicated arrangement where the Congress also has constitutional jurisdiction in matters pertaining to war and national security related expenditures. Much of this controversy turns on the legal interpretation of the Tonkin Gulf Resolution, but for top military officers, regardless of that dispute, they owed their honest and candid responses to the Congress. *The system did not work* because the JCS contributed to the executive branch's misrepresentation to the Congress of facts and judgments related to Vietnam and what it might take to succeed there. The Chiefs, believing they owed their allegiances strictly to the President, played a role in the misleading of Congress by withholding their best military judgment. Although this occurred before Goldwater-Nichols which elevated the Chairman above the rest of the Chiefs, General Wheeler should still be held accountable for not ensuring that Congress received his best military advice and judgment, and for not encouraging his Chiefs to do the same.[66]

The decision to Americanize the war, and especially how that decision was taken, stands as a clear example of *political control of the militar*y, vice civilian control

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65 Leslie Gelb and Richard Betts, *The Irony of Vietnam: The System Worked* (Washington, DC: The Brookings Institution, 1979).

66 Although General Wheeler was not personally present in the meeting with Chairman Rivers, he had many opportunities in other meetings and hearings to ensure that Congress under the positions of the JCS as it related to the situation in Vietnam. In correspondence with renowned historian Richard H. Kohn as he was reviewing this manuscript, he pointed out that to the extent that military officers express more than what they are asked during Congressional testimony, this may strain the relationship with the executive branch and erode trust. Kohn's point is not easily dismissed. In circumstances such as these clearly general officers are in a dilemma. The guide must be the truth as the officer understands it. If Congress is misquoting "best military judgment" or operating with significant misconceptions regarding national security matters, military officers are duty-bound to set the record straight. If the administration is purposefully keeping significant information from the Congress to further its political agenda, for military officers to remain silent and accepting of this situation is to take a side in partisan/political struggles by omission, which would be wrong. In those circumstances officers must set the record straight even if that potentially strains the relationship with the executive branch. The executive and legislative branches share in the responsibility to control the military and the military must remain loyal to these constitutional requirements even at the risk of harm to one's career. I am indebted to Professor Kohn for raising this point and for his exceptionally close and helpful read of this manuscript.

of the military and the Joint Chiefs were complicit in this development. Military officers acquiesced when it was their duty to truthfully answer the questions put to them by the Congress. The Founders intended for the military, like so many other facets of government, to be responsive to both the executive and legislative branches as these branches share in the responsibility to control the armed forces. In the end, contrary to what some scholars have maintained, the system did not work, at least not as initially intended by the Founders.

In an interview in 1997, General Westmoreland provided further illustration of the dysfunctionality inherent in the system at that time.

> ... Looking back, there were many times I silently disagreed with decisions handed down, and I was extremely frustrated by many. In particular, I felt, as I pointed out in my book, that however desirable the American system of civilian control over the military, it was a mistake for appointive civilians lacking military experience, knowledge of military history, and knowledge of communist machinations to wield such great influence. Overall control of the military is one thing; the shackling of professional military men by civilians who lack military understanding is another. So I would say while there were many things I would have liked to have seen done differently, most were directly attributable to decisions being made, or heavily influenced, by civilian advisors who knew little or nothing about how to fight and win a war.
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> Certainly the failure to follow my recommendations to cut off the flow of supplies down the Ho Chi Minh Trail was one of the biggest frustrations. I would have liked to see us able to go into Laos and Cambodia to get that job done more effectively with ground troops, but the politicians didn't want us to for a number of reasons they deemed sufficient. And there were many other things. The strict observance of the Demilitarized Zone, even though the enemy attacked from there. The failure to arm the South Vietnamese Army with M-16s early on. Not being permitted to go after the enemy when he retreated across the DMZ. But I also had trouble with the fact there were too many government agencies – the CIA, State Department, United States Agency for International Development and the like – each with its own agenda.[67]

Westmoreland's response highlighted the extensive civilian dominance of the civil–military nexus as associated with US actions in Vietnam. But he is wrong about the McNamara team. They were very experienced in national security matters, especially as they related to effectuating preferences into policy decisions. They were very professionally prepared for those positions at the Pentagon. Of course, they were inexperienced in fighting counter-insurgencies, but so were the military. The military lacked the knowledge and experience to compete with the McNamara team and as such provided no countervailing force for President Johnson and the Congress. Inside the DOD, the relationship was imbalanced and civilian preferences dominated.

General Wheeler, as the nation's top military officer, was not sufficiently empowered by law to represent the military profession during the national security decisionmaking process (something that would be partially addressed in the Goldwater-Nichols legislation two decades later). But beyond structural

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67 Interview with retired General William C. Westmoreland, *American Legion* (June 1997): 55–56.

arrangements, on a personal level, Wheeler was not professionally prepared to adequately represent the profession in the civil–military nexus and his perception of civilian control was such that he accepted the domination visited upon him and his contemporaries by Secretary McNamara and his team of civilian advisors. Military officers are dutybound to express their military judgment and advice to both the President and the Congress. Indeed, as part of their confirmation hearings, all senior military officers are asked to positively affirm same prior to voting to confirm or not. Although otherwise a distinguished soldier with the highest integrity, the nation was not well served by General Wheeler's tenure as the Chairman of the Joint Chiefs.

During the tenures of General Wheeler and Defense Secretary McNamara the critical activities in the civil–military nexus (strategic analysis, development of options, and conveyance of advice) were dominated by McNamara and his team of political appointees at the Pentagon. The lack of balance in the civil–military nexus and the flawed decision-support activity that was provided to the nation's elected leaders, partially explains the failure of US policy in Vietnam.

General Richard Myers and Defense Secretary Donald Rumsfeld

General Myers assumed his responsibilities as the Chairman of the JCS just days before the US-led assault on the Taliban in Afghanistan. His reputation as a fighter pilot and loyal public servant was beyond reproach. But like General Wheeler, Myers was in a disadvantageous position in relation to Secretary Rumsfeld with regard to profession preparation to wield influence at the civil–military nexus of the national security decisionmaking process.[68] Again similar to the Wheeler-McNamara era, the self-conceptions of what civilian control of the military meant to both General Myers and Secretary Rumsfeld figured prominently in the civil–military dynamic. Rumsfeld believed it was his job to keep the military in check and Myers behaved as if civilian domination was among his options.

As with the McNamara years, the asymmetry of experience and will to exercise this advantage was so pervasive that domination set in and rendered the relationship, and by extension the decisionmaking support processes, dysfunctional. Ironically, structural arrangements attendant to Goldwater-Nichols legislation designed to strengthen the hand of the Chairman and streamline the defense establishment also contributed in the decline of military voices, particularly among the Joint Chiefs, at a time when the nation needed them as much as ever.[69]

How General Myers ended up as the Chairman is relevant to this story. Indeed, deciding who would succeed General Hugh Shelton as the nation's top military officer was among the key decisions taken by Bush administration during the summer 2001.

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68 General Myers' biography can be viewed at the following website: http://www.defenselink.mil/bios/myers_bio.html.

69 Among the best sources for understanding the intent of the Goldwater-Nichols legislation is James R. Locher III, *Victory on the Potomac: The Goldwater-Nichols Act Unifies the Pentagon* (College Station, Texas: Texas A&M University Press, 2002). Relevant to this passage, see p. 438. Locher was the Staff Director of the Senate Armed Services Committee during the drafting and passage of the Act.

This individual would lead the armed forces in a time of monumental change and transformation. The right person had to be selected.

Bob Woodward dedicated over 20 pages to this very topic in *State of Denial*.[70] The outgoing Chairman Army General Hugh Shelton favored Admiral Vernon Clark to be his replacement. Clark met with Rumsfeld on several occasions but was not able to reach a comfort level with the Secretary of Defense. Clark wanted to make sure that the chemistry was right, but more than anything, he wanted an assurance from the Secretary of Defense that he understood what Clark's role would be if he were Chairman. The sticking point was the expectation that the Chairman would provide independent military advice to the National Security Council (including the President). This was in line with the Goldwater-Nichols legislation enacted in 1986; a decade after Rumsfeld had left office the first time. Clark wanted assurances that if he disagreed with Rumsfeld, that the JCS opinion would be forwarded on to the President. "If you select me as Chairman I will fully embrace the responsibilities to be the military advisor to the president … if we disagree, of course, I'll want my position to be made known because that's the way the law's written," Clark added.[71] He never received that assurance in unambiguous terms so despite what appeared to be two positive interviews with President Bush and one with Vice President Cheney; he basically withdrew himself from contention after a disappointing meeting with Rumsfeld in mid-August 2001. With Clark out of the picture, General Myers was announced as General Shelton's successor on 24 August 2001 at President Bush's ranch in Crawford, Texas.[72]

According to Woodward, outgoing Chairman General Shelton had reservations about the extent to which General Myers would stand up to Secretary Rumsfeld. He was concerned that the military voice would be muted. According to the President's Chief of Staff, Andrew Card, that is essentially what happened during Myers tenure as Chairman. He described the military voice under Myers as "an echo." The Chairman himself talked about a "mind meld" with the Secretary when it came to the important issues of the day. For many, the "mind meld" meant Myers acquiescing to Rumsfeld's point of view, even before the President had the benefit of his best military advice. General Myers reportedly expressed to one of his aides that at times he wondered why he was even needed. This perception of civil–military relations by the nation's top military officer contributed to the muting of military voices and

70 Bob Woodward, *State of Denial*, pp. 53–74.

71 Clark as quoted in Woodward, *State of Denial*, pp. 67–68.

72 Woodward, *State of Denial*, p. 69. As former Counselor to the President and Attorney General Edwin Meese pointed out to me in one of our discussions at the Hoover Institution, the way that General Myers was selected was in sharp contrast to the way that President Ronald Reagan selected his Chairman, General Jack Vessey in 1982. For President Reagan, he assigned one person to collect biographical information on a number of potential candidates and after personally reflecting on the situation at Camp David, selected Vessey himself. The Secretary of Defense did not play a decisive role in the selection process, although as would be expected, he was consulted about the President's decision prior to its being publicly announced.

the attendant dysfunctional decisionmaking process as the country marched toward war in Iraq.[73]

Whereas Myers was more circumspect, reserved, and demurring, Rumsfeld was aggressive, blunt, and dismissive.[74] Of course President Bush had wanted a strong leader for the Pentagon someone who could be on an equal footing with his Vice President, a former Secretary of Defense himself, and the incoming Secretary of State who was also a former Chairman of the Joint Chiefs. Others were considered for the post, including former Indiana Senator Dan Coats, but were found wanting in some of central desired characteristics listed above. When Rumsfeld came for his interview, the President-select and Cheney were particularly impressed with his vision for transformation, command of information, energy and vitality.[75] After further reflection, Bush selected Rumsfeld for the job. He would be the one to help him transform the military.[76] Also, given his interpersonal and managerial style, there would be no doubt about who was in charge at the Pentagon. However, given his pairing with an officer subscribing to a submissive view of the Chairman's role in the civil–military nexus and that officer's interpretation of civilian control of the military (that the Secretary of Defense's considered views should take precedence over "best military judgment" when both parties were in the presence of the President and Congress), the national security decisionmaking process was hurtling towards dysfunction.[77] Although President Bush may have had some concerns over the Pentagon Brass slow-rolling his defense transformation agenda as he assumed office, picking a strong-willed and experienced Defense Secretary had at least as much to do with balancing the other strong personalities in the Cabinet like Vice President Cheney and Secretary of State Powell, both of whom occupied the highest

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73 Woodward, *State of Denial*, pp. 70–72.

74 Eric Schmitt and Elaine Sciolino, "To Run Pentagon, Bush Sought Proven Manager with Muscle," *New York Times*, 1 January 2001, p. 1; Thomas E. Ricks, "For Defense, Cheney's Mirror Image; Pentagon Will See Elder Statesman and Power Player in Rumsfeld," *Washington Post*, 29 December 2000, p. A1.

75 Rumsfeld's views seemed to be consistent with what Bush wanted to achieve at the Pentagon. For more on Bush's views on Defense reform during the Presidential Campaign of 2000 see Candidate George Bush's remarks at the Citadel, "A Period of Consequences," 23 September 1999 which can be accessed at http://www.citadel.edu /rs/pao/addresses/pres_bush.html.

76 What was largely ignored, however, was that Army Chief of Staff General Eric Shinseki had already embarked on a very ambitious transformation agenda, one that was meetings some resistance within the Army. Rumsfeld missed a real opportunity to align himself with the Army Chief. Had he done so, the reform agenda may have been more successful and Rumsfeld would have had a strong ally in Shinseki to continue transformational efforts throughout the DOD. This is what struck many as so perplexing, why Secretary Rumsfeld chose instead to alienate and discredit his Army Chief. It gave the perception that Rumsfeld was chiefly concerned with getting the credit for transformation. Even if not true, this development reinforced that perception. For more see, Vernon Loeb and Thomas E. Ricks, "Rumsfeld's Style, Goals Strain Ties in Pentagon: Transformation Effort Spawns Issues of Control," *Washington Post*, 16 October 2002, p. A1.

77 For a good description of General Myers' outlook on civil–military relations see, Bob Woodward, *State of Denial*, pp. 71–74.

positions in their respective spheres of the civil–military nexus. Based on President Bush's many public statements on this topic which generally reflect respect for the judgment of military commanders, it does not seem likely that how civil–military relations at the Pentagon turned out during the Rumsfeld era was how the President intended them to occur from the outset. Clearly General Myers' selection to serve as Chairman exacerbated the situation and ensured that the civil–military nexus would be imbalanced and dysfunctional. This is a point that historians and future Presidents should note.

The early months of Rumsfeld's tenure at the Pentagon were contentious from both a stylistic and substantive perspective. Rumsfeld's interactions with the military leadership was reported to be fraught with tension and mistrust with public scolding of generals common as the Secretary sought to change the way the Pentagon approached its business. He also demanded that information be routed from combatant commands directly to him, prior to vetting and handling from the Joint Staff and the Chiefs. On several occasions Secretary Rumsfeld went into a tirade when he found out that the Chairman, General Shelton, had been informed about developments prior to him. He demanded timelines be constructed so that he could check on the routing of information.[78] In fairness to Rumsfeld, the existing statutory arrangement provides for the combatant commanders to report directly to the Secretary of Defense, with the Joint Staff (and Joint Chiefs) in an advisory role. Based on Goldwater-Nichols, Rumsfeld's insistence on getting information before the Joint Staff was in consonance with the law, although common practice (the norm) since its inception was otherwise.

Rumsfeld also pursued an aggressive agenda for change and initially did so secretly withholding the proceedings of internal reviews from top generals at the Pentagon.[79] In the Spring 2001, the Secretary's office floated ideas of reducing the size of the Army by two divisions and cutting the number of US Marines as well. It was believed that a leaner military would free up more money for precision weapons platforms, part of the transformation vision of Rumsfeld and his coterie of advisors. It appeared that a battle with the ground services loomed ahead.[80] Then the attacks of 9–11 occurred.

As the country prepared to respond to the 9–11 attacks, President Bush initially directed combat operations against *al-Qaeda* and the Taliban in Afghanistan. Planners at Central Command under the guidance from General Tommy Franks developed an operational concept for Afghanistan that included air, ground, sea, and special operating forces, but as would happen later during the Iraqi campaign plan development, Secretary Rumsfeld pushed back on troop levels and prodded

78 Bob Woodward, *State of Denial*, p. 29.

79 Vernon Loeb and Thomas E. Ricks, "Rumsfeld's Style, Goals Strain Ties in Pentagon," *Washington Post*, 16 October 2002, p. A1.

80 This dynamic between Secretary Rumsfeld and the top generals at the Pentagon may have also been influenced by the possible perception of Rumsfeld that the military leadership was chosen by and had served loyally in the Clinton administration. Given his previous background in corporate America, the Secretary may have been inclined to want his own team, interviewed, vetted, and hired by him. For these insights I am indebted to Edwin Meese.

the General to comport his concept in line with his transformation ideas and vision of war. In his book, General Franks acknowledged faults in his boss' centralized management style and the "iterative" nature of war planning with Rumsfeld but never claims to have been under-resourced in terms of troops.[81]

Yet, the reader is left uncertain of this point for a couple of reasons. First, General Franks own view of civil–military relations included the belief that the combatant commander's responsibility was to develop a war plan that his political appointee liked vice presenting options that represented his best independent military judgment on how to achieve presidential guidance, subject to Defense Secretary refinement. The difference is in *how* to accomplish the guidance. Military professionals are responsible for providing independent advice on how to accomplish civilian (Presidential) intent within established parameters. After the presentation of options commanders must respond to criticisms, concerns, and desires from the Defense Secretary and his civilian advisors, of course. And the Defense Secretary always has the option of presenting his own proposal to the President with the help of the OSD Policy shop or other military officers.[82] But the President is required by law to get independent military advice from his commanders and from reading General Franks own account in his book it is not convincing that this was the case for either Afghanistan or Iraq.

The second reason is that there are already a number of open source accounts that contradict General Franks' assertion that he was not shorted ground forces. Later in the text the development of the Iraq war plan will be covered and like Afghanistan, several accounts have documented by way of insider testimony the extensive level of pressure applied by Defense Secretary Rumsfeld to keep troop numbers to a minimum.[83] On Afghanistan, *Washington Times* reporter Rowan Scarborough, who evidently had access to a wide array of sensitive, even highly classified DOD documents, maintained that Defense Secretary Rumsfeld rejected General Franks' initial concept for toppling the Taliban because it called for over two Divisions worth of ground forces.[84]

As he developed the initial concept for Afghanistan, Franks stated (retrospectively in his book), "I knew Don Rumsfeld would want a far different type of operation."[85] The clear point is that General Franks was leaning forward to develop a course of action that suited the Defense Secretary's vision of war, vice providing options and then responding to questions and concerns. The significance becomes apparent when briefing the President, the decisionmaker on campaign strategy: is the President getting military recommendations from the top generals or Defense Secretary? With regard to all of the options presented to the President, among them should be one that represents "best military judgment." The President is free to ignore it and select

81 Tommy Franks, *American Soldier* (New York: HarperCollins, 2004), p. 545.

82 As mentioned earlier, a similar tactic by Defense Secretary Cheney helped influence the war planning process during the First Gulf War.

83 Ricks, *Fiasco*, Gordon and Trainor, *COBRA II* and Woodward, *State of Denial*.

84 Rowan Scarborough, *Rumsfeld's War* (Washington, DC: Regnery Books, 2004), Chapter 2.

85 Tommy Franks, *American Soldier*, p. 251.

either a recommendation from the Defense Secretary or give guidance to develop a course of action of his own. But according to law (Goldwater-Nichols), professional military advice must reach the President. General Franks' approach to the planning process was that Secretary Rumsfeld's theory of warfare was the departure point for campaign planning.

As one continues on reading General Franks' book, the reader gets a glimmer of the planning dynamic, but much of the detail is missing. In the end, one concludes that Secretary Rumsfeld drove the process to arrive at plans that comported with his transformational vision.[86] Certainly, General Franks figured prominently during the negotiations (or in General Franks' words "the iterative process") and was involved every step of the way, but he was ultimately dominated and without the help of the Joint Chiefs, who Franks deliberately kept at a distance.[87]

Beyond the reporting idiosyncrasies mentioned earlier, the lead up to both Afghanistan and Iraq highlights some of the major structural drawbacks of the Goldwater-Nichols legislation. According to the law, the Chairman is the top military advisor to the President, Secretary of Defense, and Congress, but since the combatant commanders work directly for the Secretary of Defense, the Chairman is at a disadvantage as it relates to his advisory responsibilities right from the start

86 General Franks is somewhat vague about the initial guidance he gave his staff on Afghanistan concept development immediately after the 9–11 attacks. In his book when it came to ground troops, he stated in *American Soldier* on p. 261; "My proposal involved sending battalions and brigades of American soldiers and marines into one of the most inhospitable countries in the world, to wage war against a zealous and intractable enemy." If one assumes that brigades have roughly 3,500 troops (some are bigger) and since Franks uses the plural, that equates to roughly 15,000 combat troops. The number of support troops to command and control and sustain 3–4 Brigades would be at least that many, and this is before factoring in air, naval and special operating forces. At a minimum, Franks' initial concept would require at least 50,000 troops, yet according to his book, when Franks briefed Rumsfeld for the first time the concept called for between 10,000 and 12,000 troops. The math doesn't add up. Moreover, one of the military officers I talked with who was involved in post 9–11 planning asserted that General Franks initial concept called for a Desert Storm like attack in Afghanistan. As cited earlier, Rowan Scarborough, in *Rumsfeld's War*, maintained that General Franks' initial concept called for over two Divisions worth of ground troops. The bottomline is that it appears that General Franks was very malleable on concepts and troops levels and the general himself described war planning with Rumsfeld as "iterative." That in itself is not a bad thing. Indeed, military commanders should remain open to feedback from the Defense Secretary and other civilian advisors in the OSD. The point is that from a series of sources (both open and insider), it is clear that pressure from the Defense Secretary influenced troop numbers in Afghanistan and Iraq.

87 For General Franks' perspective on the role of the JCS in contingency planning development see his autobiography, *American Soldier*, p. 277. Franks preferred the strict interpretation of Goldwater-Nichols which marginalized substantive war planning input and review from the JCS. On pp. 275–278, General Franks described a very contentious "tank session" where unnamed members of the JCS (it is later learned that Marine Commandant General Jones was one of them) critiqued the plan for Afghanistan, much to the disdain of the CENTCOM commander. General Franks ascribed JCS motives as efforts by "narrow-minded four-stars to advance their share of the budget at the expense of the mission."

since he is not integral to plan development. This is potentially exacerbated if the person serving as Secretary of Defense demands a unified front of his Chairman (and the other Chiefs) when briefing the President and Congress. Such was the way of operating of former Secretary Rumsfeld and the effect was to significantly weaken the role of military advice in the national security decisionmaking process.[88]

In the cases of both Afghanistan and Iraq, the Secretary of Defense was very involved in shaping the details and guiding military planners in their development of military options.[89] In that capacity he worked directly with the combatant commander, General Tommy Franks. The incoming Chairman, General Myers, was content to follow the Secretary of Defense's lead.[90] In his view, the Secretary's intuition on Afghanistan had been right and led to success there. A course of action that relied heavily on indigenous forces supported by special operating forces and airpower with few conventional troops proved successful.

All of this was very much in line with Secretary Rumsfeld's vision for transformation and here, at once, was an opportunity to avenge the 9–11 attacks while transforming the military at the same time. It seemed like the perfect combination. Rumsfeld's concepts for future war would prove correct in the current war validating transformational ideas. He expected that in the aftermath of Afghanistan that when programs and budgets were reviewed and reordered, the services would not have the legitimacy to block his transformational efforts.

Such was the backdrop for pre-war Iraq planning where once again early versions of the plan advocated by the military, including both CENTCOM and the JCS, particularly Army Chief General Shinseki, called for sizeable commitment of troops to overwhelm Iraqi defense forces, topple the regime, deal with potential contingencies including widespread urban warfare, and stabilize and secure the country after the fall of Saddam Hussein.[91]

However, as the planning process unfolded throughout 2002 the insights of the Joint Chiefs and Joint Staff were often ignored, with most of the negotiations occurring between General Franks and the CENTCOM staff and Secretary Rumsfeld and his Policy Shop at the Pentagon.[92] Rumsfeld's belief that old military

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88 See, in particular, the White House Chief of Staff's quotes in Bob Woodward's *State of Denial*, p. 72. Card cites General Myers as "an echo" for Secretary of Defense Rumsfeld and that the Chairman of the Joint Chiefs very rarely expressed anything different at all from Rumsfeld. Myers describes the "mind meld" which took place before the two would go over to the White House, which meant that General Myers subordinated his views to that of Secretary Rumsfeld.

89 Gordon and Trainer, *COBRA II*, pp. 38–54.

90 General Franks in *American Soldier* consistently paints a portrait of General Myers as sitting next to Secretary Rumsfeld taking notes during CENTCOM briefings. There is little mention of pre-briefings for the Chairman and it is clear that General Myers was not a major factor in the plan development or aiding the decisionmaking process. See p. 342, for example.

91 The legacy Iraq war plan had been "wargamed" during a simulation called Desert Crossing. Ricks, *Fiasco*, p. 137.

92 The best source available on this topic is Gordon and Trainor, *COBRA II: The Inside Story of the Invasion and Occupation of Iraq* (New York: Pantheon Books, 2006), particularly pp. 38–74.

thinking and processes would stand in the way of a solid plan contributed to the abandonment of standing procedures at the Pentagon. The Pentagon largely ignored the Joint Operational Planning and Execution System (JOPES) that had proven largely effective since Vietnam.[93] Even fairly late in the planning process in the Fall of 2002, much of the concept was not much more than "PowerPoint deep." This frustrated the Land Component Commander, Lieutenant General McKiernan as he worked with his staff to develop operational plans that Corps and Divisions could execute.[94] Fastidious readers of current events might have picked up on this as some articles in leading newspapers throughout the Fall and Winter of 2002 described the dissatisfaction of the Army Chief, General Shinseki and Marine Corps Commandant, General Jim Jones with both the plan and the process by which it was developed.[95]

Looking at this analytically, the entire process did not make sense. First of all, the Department of Defense already had a war plan for Iraq. It had been fully developed and wargamed during Marine Corps General Anthony Zinni's tenure as CENTCOM commander and it called for roughly 400,000 troops and included a series of contingency plans to deal with difficult developments, including problems with looting and lawlessness and sectarian strife in the immediate aftermath of seizing Baghdad.[96]

But as warplanning commenced in the President G.W. Bush administration in late 2001 and early 2002, instead of modifying that plan it was discarded altogether. Then without fully vetting the new guidance, assumptions, and concepts throughout the inter-agency and the DOD, the process quickly turned to troop levels and minimalist approaches to seizing Baghdad. Negotiations ensued between the Defense Secretary and General Tommy Franks and their staffs, with Secretary Rumsfeld keen on sending fewer troops and shortening the time frame from deployment to attack citing the Afghanistan model as the way forward for Iraq. Throughout much of this give-and-take the JCS and Joint Staff were not always apprised of the latest thinking and developments between Rumsfeld and Franks.[97]

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93 The name for the Pentagon process for this is the Joint Operational Planning and Execution System (JOPES). For more see, "The User's Guide for JOPES," (1 May 1995) at the following website: http://www.dtic.mil/doctrine/jel/other_pubs/jopes.pdf.

94 Thomas Ricks, *Fiasco*, p. 75.

95 See for example, Thomas Ricks, "Military Wants More Planning Prior to Iraq War," *Washington Post*, 18 December, 2002. In Ricks article he quotes General Jones as expressing his displeasure for the war planning process and his belief that he and General Shinseki "are of the same view on this." The article mentioned specific concerns over intense urban fighting, potential Iraqi use of WMD, and underestimation of post-Saddam Iraq occupation requirements as the chief objections top objections to the plan. Interestingly, in what appears similar in some ways to the internal disagreements among the Chiefs during Vietnam, Ricks mentions Air Force Chief of Staff General John Jumper and Navy CNO Admiral Vernon Clark as siding with Rumsfeld with regard to assumptions and approach. Ricks also makes the point in this article that the Joint Chiefs appear to not have the same influence on the war planning process during the Rumsfeld tenure as Secretary of Defense.

96 Gordon and Trainor, *COBRA II*, p. 26.

97 See Gordon and Trainor, *COBRA II*, pp. 24–54. It is worth noting that Rumsfeld's logic for a smaller force was not without support from military officers, both active and

General Franks contributed to the marginalizing of the JCS. He used the direct reporting chain contained in the Goldwater-Nichols legislation to leverage the Joint Chiefs of Staff during bureaucratic infighting, referring to those working on the Joint Staff and in Washington, DC as "Title X mother-fuckers."[98] On several occasions in his book, General Franks rails against what he described as the meddlesome intrusion of the parochial service chiefs.[99] At one point, Franks stated to Rumsfeld, "I work for you and for the President, not for the service chiefs."[100] During the execution of Operation Iraqi Freedom, General Franks specifically requested that the service chiefs not be present during his daily VTCs with Defense Secretary Rumsfeld and General Myers.[101]

Unlike General Marshall, who had the authority to go directly to the President, but instead chose wisely to work through the Secretary of War, Franks seemed to

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retired. Colonel Douglas MacGregor, author of the critically acclaimed *Breaking the Phalanx* (Westport: Praeger, 1997) advised Secretary Rumsfeld via backdoor conduit former Speaker of the House Newt Gingrich, that Baghdad could be taken with 50,000 troops in 96 hours. His assumptions pertaining to post-Saddam Iraq were even more optimistic than those coming from the Secretary's office, which is surprising given MacGregor's treatment of the topic in his book, which acknowledges the need to plan for ground forces for stability operations following conventional victories, see pp. 148–149. Retired General Wayne Downing recommended a different approach whereby a portion of Southern Iraq would be liberated and then as many as 10,000 Iraqi troops would be trained for a precision operation aimed at regime change. See Gordon and Trainor, *COBRA II*, p. 200. See also, Tommy Franks, *American Soldier*. Franks provides hints of the backdoor efforts to influence the war plan. Colonel MacGregor is not mentioned by name in *American Soldier*, but on p. 373 General Franks states, "I hoped that this briefing (as Gordon and Trainor reported in *COBRA II*, General Franks had agreed to take an operational concept brief by Colonel MacGregor) would squelch speculation that a decisive operation in Iraq would be a simple matter requiring relatively few troops. Some staffers in the Pentagon had suggested that one heavy division with massive air support could kick open the door, through which exiled Iraqi opposition groups would march triumphantly to liberate their country. This line of thinking was absurd, and I wanted to terminate it as quickly as possible." The problem with General Franks' treatment of this event is that it under-appreciates what was behind the unusual circumstances of a Colonel skipping numerous layers of the chain of command to get an audience with the combatant commander who would lead forces in a future war with Iraq. This was not an academic exercise. Everyone was way too busy for that, at least that much is clear from all accounts of the decision making process. Colonel MacGregor was sent to brief General Franks by the Defense Secretary with whom MacGregor was in fairly regular contact through intermediaries. This was part of a larger campaign by the Defense Secretary to pressure General Franks to keep troop numbers lower, an integral part of what General Franks himself acknowledged was an "iterative process" (see p. 333, for example) with an imposing boss possessed of a faulty "centralized management style" (see p. 585).

98 Bob Woodward, *State of Denial*, p. 82. See also, Gordon and Trainor, *COBRA II*, p. 47.

99 See, for example, Franks, *American Soldier*, pp. 275–278 and p. 383.

100 Ibid., p. 277.

101 In his book, *American Soldier*, General Franks described a memo he sent to Deputy Defense Secretary Wolfowitz on the eve of the war in which he stated; "The presence of the Service Chiefs at my daily Secure VTCs with the Secretary is not helpful. They do not have sufficient Joint background or understanding to be operationally useful." See p. 441.

prefer the direct line to the Secretary of Defense.[102] Presumably Franks did this to strengthen his position during bureaucratic dealings, but in the end this only weakened military voices as he lost key allies in the Joint Chiefs in his efforts to confront Rumsfeld to keep troop levels high enough to achieve war objectives and deal with contingencies and post-war stability during the ensuing campaign in Iraq.[103] Although all of this was consonant with the letter of the law (Goldwater-Nichols) it was in contravention of the spirit or intent of the law which envisioned a more central role for the Chairman and the JCS and proper inclusion of "best military judgment."[104] Interestingly, the norms that developed in the immediate aftermath of the legislation supported the spirit of the law and the centrality of the Chairman to the overall process. General Powell played an instrumental role during the invasion of Panama and the Persian Gulf War and this level of influence continued with subsequent Chairmen until Rumsfeld insisted upon direct communications with Combatant Commanders.[105]

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102 This was an Executive Order issued by President Roosevelt on 5 July 1939 that authorized General Marshall to report directly to the Commander-in-Chief on matters of "strategy, tactics, and organization." See Pogue, "Marshall on Civil–Military Relationships," in Kohn (ed.), *The United States Military Under the Constitution, 1789–1989.* (New York: New York University, 1991), p. 201.

103 In his book *American Soldier*, General Franks makes the point on numerous occasions that the Joint Chiefs are not helpful to a combatant commander during operational planning and execution.

104 The spirit of the Goldwater-Nichols legislation was to set up structure to facilitate joint planning, operations and force development and to strengthen the Combatant Commander's ability to employ and direct joint forces. By implementing such reforms it was widely believed that US combat effectiveness would significantly increase. Parallel initiatives in personnel management were included to complement structural changes and help foster a joint culture in the US armed forces. However, in devising the details of the law, and to further elevate the status of warfighters, the combatant commanders were placed under the direct charge of the Defense Secretary, explicitly excluding the Chairman of the Joint Chiefs (and the other service chiefs) from the chain of command. By excluding the Chairman and his robust Joint Staff, this had the potential of splintering military voices and efforts. Such was not the case in the early years after its passage as a norm evolved that the Chairman was central to all interactions between the Defense Secretary and Combatant Commanders. Starting with General Powell, and essentially unchanged until Donald Rumsfeld's tenure as Defense Secretary, the Chairmen of the Joint Chiefs *acted* as if they were, in fact, in the chain of command, although by law, they were not. Indeed, since Goldwater-Nichols, Presidents have routinely issued Executive Orders directing the Defense Secretary to keep the nation's top military officer in the information loop when corresponding with Combatant Commanders. The President G.W. Bush administration was no different in that regard, but the norms that developed in the first few months during Secretary Rumsfeld's tenure had the effect of diminishing the role of the Chairman regardless of the content of the Executive Order. This is what is meant when stating that during the Rumsfeld years the defense establishment responded consonant with the letter of the law (since that is the way it was written) but not in line with the overall spirit of the legislation as initially envisioned by its authors, which provided for more unity and inclusion of military voices. For more see, James R. Locher, *Victory on the Potomac: The Goldwater-Nichols Act Unifies the Pentagon* (Texas: Texas A&M Press, 2002), pp. 357–450.

105 Bob Woodward, *State of Denial*, pp. 31–32.

Concerns about the potential Iraqi employment of weapons of mass destruction (WMD), the anticipated difficulties of urban combat which throughout history has absorbed legions of formations, and the prospects of chaos in a post-Saddam Iraq, drove military planners, especially those on the Army and Marine Corps staffs, to want more ground forces incorporated into the Iraqi Freedom campaign plan. These arguments were challenged by the Defense Secretary and his advisors who articulated different assumptions that US forces would be greeted as liberators and resistance would be light given the number of anticipated defections. Moreover, a quick handover to Iraqis would likely mean a short occupation, if one was even needed at all. Given that, the Afghanistan model would work in Iraq and the civilian leadership was quick to dismiss the reservations of military judgments stating otherwise. All of this was occurring in the Summer and Fall of 2002 when Congress and the American people were largely unaware of these disagreements.[106]

During these deliberations and throughout his tenure as JCS Chairman General Myers staunchly supported Secretary Rumsfeld. When public controversy stirred over the small number of US troops involved in the initial invasion during the advance to Baghdad, General Myers took to the podium and stridently defended the plan.[107] Although from one vantage point Myers can be admired for loyally defending his boss, according to Goldwater-Nichols he has a responsibility to render his best military judgment, and as the senior military officer he has the added responsibility to ensure that military concerns with the war plan as articulated by the JCS are

106 Gordon and Trainor, *COBRA II*, p. 4. It was not until General Shinseki's dramatic testimony on Capitol Hill the week of 25 February 2003 that many in the nation became aware of the gulf in estimates between the administration and the Army Chief. However, it is inaccurate to claim that General Shinseki was not sufficiently vocal with his reservations with the war plan as a *Newsweek* article by John Barry and Evan Thomas did on 14 January 2007, see "Iraq: Blame the Generals?" General Shinseki's position on the matter was consistent throughout the summer and fall 2002 and according to a high level administration source who was in the room at the Combatant Commander's meeting in January 2003, he said as much to the President. This is covered in greater detail later in the book.

107 General Richard Myers, press transcript, 25 March 2003 found at http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=2141. The exact question and response was the following. Q: Mr. Secretary, you said yourself a moment ago that this operation could become more dangerous for US and allied troops in the coming days as you approach Baghdad. There are Sunday morning generals in every war, and critics are coming out of the walls to criticize this ground campaign. They say that your imprimatur of transformation is heavily on it, and there are simply not enough troops and armor on the ground right now to efficiently take Baghdad or protect your rear. How would you answer that? [Secretary Rumsfeld responds then the reporter comes back to General Myers You want to comment on that?] Myers: "You bet I do. It's a plan that's on track. It's a plan everybody had input to. It's a plan everybody agrees to. I've been on public record that I think the plan as finally formulated and, as put together by General Franks with some help and some advice by General Franks and his commanders, is a brilliant plan. And we've been at it now for less than a week. We're just about to Baghdad. Some of the biggest losses we've taken are due to Iraqis committing serious violations of the law of armed conflict in the Geneva Convention by dressing as civilians, by luring us into surrender situations then opening fire on our troops. So this is a plan that is very well thought out, and that will play out, I think, as we expect."

addressed. Generals Shinseki and Jones clearly had expressed serious reservations with the war plan, that the assumptions were too optimistic and that the plan was under-resourced, especially with regard to troops, and these were not adequately addressed. The Chairman's obligations to support the Secretary of Defense do not trump his duty and responsibility related to express and resolve military concerns. The central problem, however, was how Myers perceived his duties. His acquiescence to Rumsfeld was indicative of his perception of appropriate civilian control, that the Defense Secretary had the final say during conflicts in the civil–military nexus. Like General Franks, Myers view of "what right looks like" was counter to the norm, even duty, to ensure that "best military judgment" was operative throughout the planning process. The adherence to wrong norms explains the civilian domination of the war planning process at the Pentagon in the lead up to the Iraq war.[108]

In the end, the way the nation went to war was not as the Founders envisaged such weighty matters unfolding. The Founders went through great effort to extend the sphere of those who would have voices in such an important dialogue. The system properly working would have included revealing congressional testimony pertaining to the difficulty of the proposed action, such as that provided by General Shinseki in February 2003, *before* Congress took votes on the record authorizing the use of force.[109]

In terms of the war planning process there was an accretion and centralization of powers, to a marked degree in the Office of the Secretary of Defense, and largely in one man – and he was unelected. The individual and collective judgments of the JCS were diminished and General Franks, who had the access and opportunity to enlighten Secretary Rumsfeld regarding the unwarranted risks associated of the campaign plan, was not inclined to challenge the Defense Secretary and his theory of warfare after initial efforts to include large troop numbers in the war plan were rebuffed.

The US certainly did not operate during World War II like that. General Marshall and Secretary Stimson had a partnership and balanced approach and the responsibility to develop strategy and operational options for the President was largely the domain of the military, at least in the first instance. Given the difficulty and complexity of regime change in Iraq, one might have bolstered resources to ensure success and hedge against uncertainty.[110] Hubris moved the process in the other direction. With a war plan that incorporated roughly half the troop strength of the Desert Crossing tested plan the US invaded Iraq in March 2003. To make matters worse, shortly after Baghdad fell, the DOD stopped the deployment of the 1st Cavalry Division which resulted in Anbar being largely uncovered until August 2003 and even then with too few troops to maintain order and facilitate reconstruction. In April 2003 the US had

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108 See Woodward, *State of Denial*, p. 73.

109 For more on the Congressional debate and vote that authorized the use of force in Iraq see http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=107&session=2&vote=00237.

110 Such a consideration is part of the Weinberger-Powell Doctrine on the use of force. See Colin Powell, "US Forces: Challenges Ahead," *Foreign Affairs* (Winter 1992/93): 32–45.

roughly 170,000 combat troops in Iraq, about half of General Shinseki's estimate of what was needed to stabilize the country after regime change.[111] With inadequate coalition troop levels and the absence of an Iraqi capacity to maintain law and order, chaos soon ensued with widespread looting occurring in Baghdad. These scenes were captured by the international media and conveyed images of a directionless post-Saddam Iraq, opening up the space for an insurgency.

There was not a clear vision and plan for what a post-Saddam Iraq would look like with specific military and non-military tasks for all elements of the US government and allied nations so that the liberated nation of Iraq could emerge as stable and sovereign. In addition to lacking troops to provide security, the campaign plan lacked details for how to interact with Iraqis the day after (e.g. how should troops respond to potential looting and lawlessness? What were the procedures to recall to duty the Iraqi Army and Police? What were the procedures to conduit with the Iraqi civil service to restore basic services? etc.) The civil–military nexus failed and there is ample room for blame. It starts with Defense Secretary Rumsfeld but includes General Franks and General Myers. The dysfunctionality in process culminated in woeful preparation for translating battlefield victory into lasting strategic success.[112]

After Saddam fell from power, Secretary Rumsfeld insisted that those perpetrating violence in Iraq over the summer of 2003 were mere "dead-enders," former regime elements who would not accept the new realities in Iraq.[113] The Joint Chiefs offered no rebuttal although it was becoming more apparent that an insurgency was spawning. In fact, General Myers supported the Secretary in this interpretation, this despite the fact that his field commander, the newly installed CENTCOM Commander, General

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111 Eric Schmitt, "Pentagon Contradicts General on Iraq Occupation Force's Size," *New York Times*, 28 February 2003.

112 Readers can now see for themselves the powerpoint slides that were used by General Franks to brief the Defense Secretary and President by visiting the following website established by a research arm of George Washington University: http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB214/index.htm. These slides were requested of the Department of Defense by the research institution, National Security Archive, and received in accordance with the Freedom of Information Act, after they were declassified. The CENTCOM slides depict the unrealistic assumptions that supported the campaign plan and the inadequate attention given to the requirements associated with regime change.

113 The war plan did not include a robust, fully developed phase IV (post-conflict) section and for that General Franks is also culpable. In his book *American Soldier*, General Franks went into extensive detail on the particulars of campaign planning the content of which takes up over 100 pages but there is little coverage of the stability dimension. There is even an odd passage (p. 423) where Franks justifies telling the media back on 21 May 2002, "my boss has not yet asked me to put together a plan to do that (invade Iraq)." According to Franks, "I had answered, and it was the truth. In May 2002, we were offering the President options, not a plan… (now in early February 2003) we had a plan." By February the culmination of over a year of preparation contained very little detail about the hardest problem set – securing the peace. Some scholars claim this is a systemic weakness within the American national security establishment and the way the US approaches conflict. See, for example, Isaiah Wilson III, *Thinking Beyond War: Explaining the Paradox of the American Way of Life* (Newport, RI: Palgrave-MacMillan, 2007).

John Abizaid, stated differently – that what he saw developing in Iraq in the summer 2003 was classic guerrilla war.[114]

General Myers, with the power and depth of the Joint Staff at his disposal, was not in the lead when decisive action could have made the difference with regard to US policy in Iraq. When the issue of whether an insurgency was forming in Iraq was discussed at a National Security Council meeting in 11 November 2003, President Bush expressed his disagreement with CIA analysts who stated it was so, and the President made clear that he did not want his cabinet officers out talking to the media that there was an insurgency brewing. General Myers' professional military judgment did not factor in to these discussions.[115] As with the decision to escalate the American involvement in Vietnam, with regard to Iraq, the nation's top military officer played a secondary role in developing the war plan and then during the critical early days of the occupation General Myers was not even consulted on key decisions to disband the Iraqi army and proceed with full de-Baathification.[116]

Dysfunctional civil–military relations plagued the nexus that supports the national security decisionmaking process in the lead up to the Iraq war. Strategic analysis, development of options, and the conveyance of advice to elected leaders were dominated by Defense Secretary Rumsfeld and his team of political appointees at the Pentagon. The lack of balance in these key civil–military nexus tasks contributed to the development of a flawed campaign plan. Rosy assumptions, which were questioned by some members of the JCS, led to the under-resourcing of the war plan. The commander directly involved with Defense Secretary, General Tommy Franks could not convince Rumsfeld to commit to a troop level that might have made the difference stabilizing Iraq in the immediate aftermath of regime change. Moreover, the US lacked a comprehensive plan to help the Iraqis make the transition to a stable, sovereign nation.[117] The JCS was not able to significantly influence the process although there were members of it who knew more troops and further details

114 A summary of General Abizaid's 16 July 2003 initial press conference as the CG, CENTCOM is provided in Gordon and Trainor, *COBRA II*, p. 489.

115 Woodward, *State of Denial*, p. 266.

116 Woodward, *State of Denial*, pp. 197–198. It is worth mentioning that whereas at the close of the First Gulf War the military was not given enough civilian guidance and supervision, during the Second Gulf War there was civilian domination at the expense of military judgment. In neither case did the US get it right.

117 In addition to the earlier citations regarding inadequate troop levels with the initial invasion force, General Shinseki in an interview with Evan Thomas and John Barry of Newsweek in April 2006 said that the "person who should decide on the number of troops [to invade Iraq] is the combatant commander" – General Franks, and not Rumsfeld. See Evan Thomas and John Barry, "Why Ex-Generals Want Rumsfeld's Head." *Newsweek*, 24 April 2006.

were needed.[118] The US led-coalition remains handicapped by those mistakes and others made during that crucial first year of the occupation of Iraq.[119]

What Can Be Learned From These Examples?

A number of conclusions can be drawn from the historical examples presented in this chapter. First, the way that structure and norms are arranged clearly influences the civil–military dynamic. Structure and norms configured to support a balanced arrangement among the participants of the civil–military nexus ensures that elected leaders have access to strategic analysis, courses of action, and advice from all key advisors. This kind of functional foundation is necessary for successful policy outcomes. Relationships in the civil–military nexus appear optimized when partnerships are formed between top-level political appointees and military officers and when these leaders collectively perceive their function to assist elected leaders who are fulfilling their constitutional duties and responsibilities to control the military.

Second, for the national security decisionmaking process to work as the Founders intended it, not only must civil–military relationships within the DOD be structurally and normatively arranged in a functional manner enabling the President to get competing advice and fully developed options and analysis, but Congress too must be kept apprised of significant developments and get the support from the civil–military nexus they need to make decisions for which they are responsible.

Third, as it turns out, the prevailing literature is correct in holding up Generals Washington and Marshall as the right role models for how the top military leaders should conduct themselves in the civil–military nexus. However, what is needed is a more accurate interpretation of how these generals conducted themselves in that nexus, especially how they interacted with their politically appointed counter-part. In General Washington the country got a wise, respectful, determined commander who persevered in the hardest of circumstances seeking to achieve those strategic objectives outlined by his civilian masters, which at times required keen initiative on the part of the enterprising military leader. Even when tempted with supreme power

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118 In his testimony before the Congress in August 2006, the CENTCOM Commander, General John Abizaid, acknowledged that "General Shinseki was right." The US needed more troops during the invasion and the immediate aftermath of regime change. See Ann Scott Tyson and Josh White, "A Soldier's Soldier Outflanked," *Washington Post*, 21 December 2006, p. 14.

119 There were other signs of dysfunction in the relationship between Secretary Rumsfeld and General Myers. On one occasion as the Secretary and Chairman were taking questions following a hearing with the Senate in 2003, Rumsfeld abruptly stated the media event was over. Since the Secretary had not fully addressed the question put to him, General Myers stepped forward to complete the response. At that point Secretary Rumsfeld turned around, cut off General Myers, and curtly re-stated that the media event was over. General Myers appeared embarrassed, but silenced himself and the two men walked off. It was awkward and disappointing to observe the way the Secretary treated the nation's top military officer in public, this in addition to the way Rumsfeld handled the media in this instance.

at the end of the war, General Washington rejected these anti-Republican notions and returned his commission to Congress, where he had received it eight years earlier.

General Marshall supported his commander-in-chief and the US Congress with sage military advice which was not always popular, but appreciated and needed. His relationship with the Secretary of War was at times contentious, but generally respectful and healthy. The climate was welcoming to dissenting views and Marshall was not afraid to disagree and otherwise offer his best military judgment. Together Stimson and Marshall provided excellent analysis, options, and advice for the President while keeping the Congress apprised of significant developments, particularly those areas where Congress retained jurisdiction for national security matters. In the end, Washington and Marshall, with the help of their civilian partners, were successful helping guide political-military and military actions to success.

Fourth, during their tenures, Generals Wheeler and Myers were dominated by their top-level political appointee presiding at the Pentagon. The ineffectiveness that marks the legacy of these periods calls into question the method of civilian control employed by these Secretaries and the norms embraced by their respective top Generals. Elected leaders received strategic analysis, options, and advice that were dominated by political appointees at the Pentagon and in both instances the imbalanced civil–military nexus contributed to policy failures.

Fifth, McNamara and Rumsfeld, in addition to sharing alienating interpersonal styles; both also had a central belief that technology could be especially relied upon to produce victory in war, something that has proven elusive in both Vietnam and Iraq.[120] This approach to warfare undervalues the human dimension, the very nature of war which has remained largely unchanged since time out of memory.[121] Perhaps it should not be surprising that men who have been criticized for undervaluing the importance of human relations in their approach to leadership would also underappreciate the human dimension in war.[122] What these perspectives share is a lack of empathy; in the first instance for those one is interacting with in the civil–military nexus and greater Washington, DC policy community, and in the second instance, for those directly involved on the front line fighting the nation's wars. And this from two of the most intelligent and experienced public servants the country has ever had.[123]

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120 For more on Secretary McNamara's view on this topic see his autobiography, *In Retrospect*, p. 322. Rumsfeld's position on this score has been widely established. He was a notable advocate and champion of Andrew Marshall and the Net Assessment in the Pentagon which promoted such views (see Gordon and Trainor, COBRA II, p. 8) and Rumsfeld endorsed the precision bombing approach to warfare found in Harlan Ullman and James P. Wade's, *Shock and Awe* (Washington, DC: Institute for National Strategic Studies, 2003).

121 For more see, H.R. McMaster, "Crack in the Foundation: Defense Transformation and the Underlying Assumption of Dominant Knowledge in Future War," Student Issue Paper, Center for Strategic Leadership, US Army War College, November 2003.

122 Vernon Loeb and Thomas Ricks, "Rumsfeld's Style, Goals Strain Ties in Pentagon," *Washington Post*, 16 October 2002, p. A1.

123 What is being described here is what some psychologists claim is the difference between IQ and EI – emotional intelligence. For more on this see Daniel Goleman, *Emotional Intelligence* (New York: Bantam Books, 1995), *Working with Emotional Intelligence* (New

Leadership and how one approaches relationships can make a huge difference; consider the contrast. In the conflicts in Southeast and Southwest Asia dominating civilian secretaries and their technology-laden theories for victory were stymied. In World War II, the partnership of Stimson and Marshall, both keenly aware of the interpersonal and human dimension of war, helped bring about victory. Both of these leaders helped convince President Roosevelt that his initial vision for victory based on vast increases in the production of warships and airplanes while leveraging allies to do most of the ground work was misguided. Roosevelt was known to hold such views as late as 1940 after the fall of France.[124] What would have happened to America and the world if Stimson was possessed of an alienating and dismissive leadership style and if Marshall had a perception of civil–military relations that believed it permissible for the Secretary to dominate him?

Sixth, as the country searches for candidates to assume the top military post it should be recognized that what is needed in this critical position is much more that just sterling warfighting credentials, although those the officer must possess. Top military officers need a breath of understanding of Washington, DC politics, specifically an appreciation for what is possible as victory is pursued – they must be professionally prepared to represent the profession of arms in the highest rungs of the national security decisionmaking process in the civil–military nexus. Beyond competence, capability, and will, they should also possess emotional intelligence, the ability to affiliate, build coalitions and forge consensus behind ideas of change.[125]

Related, it should also be recognized that there may be a potential for especially dominating Secretaries to want a top military officer who is not as professionally prepared or inclined to challenge him or her. The President should take a personal interest in this selection and ensure that the right person assumes the job.[126] Comprehensive professional preparation and temperament of the right kind should be high on the list of those considered for the post. Beyond these critical personnel choices, it would be beneficial for Presidents to issue guidance early on in an administration for how participants in the civil–military nexus should interact. To help Presidents make these difficult choices concerning civil–military relations, normative theory is needed. The next section reviews the existing literature to assess its availability to meet these challenges.

York: Bantam Books, 1998), and *Primal Leadership: Realizing the Power of Emotional Intelligence* (Boston: Harvard Business School Press, 2002).

124 Douglas MacGregor, *Breaking the Phalanx*, p. 13.

125 According to Goleman emotional intelligence is comprised of the following traits: self awareness, self management, social awareness and relationship management. See Goleman, *Emotional Intelligence* (New York: Bantam Books, 1995).

126 See Bob Woodward, *State of Denial*, pp. 54–74.

Chapter 4

Normative Theory in Civil–Military Relations during the Cold War: The Objective Control and Subjective Control Models

How should US civil–military relationships be arranged? What have scholars had to say on the subject in the past? This is the focus of the next two chapters.

As the US emerged from World War II a major confrontation with the USSR seemed to develop seamlessly. This threat from the Soviet Union appeared pervasive and growing. When the Soviets successfully tested the atom bomb in 1949, this accelerated the arms race and for the first time in history the US was faced with large-scale armies and defense budgets in a time of supposed peace. The phrase "Cold War" was adopted to explain this unfamiliar and daunting age. In this state of perpetual military preparedness, some Americans feared the emergence of a virtual garrison state and the potential deleterious effects associated with that.[1]

This situation spawned much intellectual work to develop a model or normative framework that provided ways to confront the looming communist threat without altering the liberal democratic way of life; ways to ensure civilian control of the military when not in an actual shooting war. Among the first to answer this calling was Samuel Huntington, a young scholar from Harvard University.

Samuel Huntington and Objective Control

Initially published in 1957, Samuel Huntington's *The Soldier and the State*[2] dominated the subfield of civil–military relations for decades and remains required reading for

1 The Founders too were concerned about the potential damaging effects that a militarized state might have on the American liberal democratic way of life. Alexander Hamilton, in the process of arguing strenuously for the adoption of the Constitution, maintained that if it was not adopted all 13 colonies would be in a perpetual state of elevated tension which would militarize the continent. See, in particular, Federalist No. 8 in Isaac Kramnick (ed.), *James Madison, Alexander Hamilton, and John Jay: The Federalist Papers* (New York: Penguin Books, 1987). At the outset of the Cold War Hamilton's logic was used by those concerned with the existence of large peacetime armies. See Harold Lasswell, *National Security and Individual Freedom* (New York: McGraw Hill, 1950).

2 Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil–Military Relations* (Cambridge, Mass: Harvard University Press, 1957).

anyone foraying into this area. Huntington coined his approach to civilian control of the military during the Cold War as, "objective control" because it centrally relied on the military itself to refrain from politics – to retain professional objectivity by eschewing the often internecine struggle among political partisans.

Civilian forces, Huntington maintained, were not in a position to manage effectively the day-to-day military adherence to civilian control as their voices were fractured among the executive and legislative branches of government – what one partisan claimed was evidence of political meddling could be interpreted as mere sound military advice by another. Huntington envisioned that this conflicting guidance and supervision could come from within the same political party, but more likely from opposite parties, or between the congressional and executive branches of government. As Huntington pointed out, these branches were, by constitutional design, expected to counteract one another and could be expected to disagree widely on topics, including how best to limit the military's role in politics. Accordingly, for the minority political party there was always the temptation to draw the military into the political sphere to alter the power balance in their favor, or at least temporarily affect it to prevail on a particular issue.[3]

To escape this dilemma, Huntington maintained that military professionalism (which he defined as tantamount to apolitical) could be inspired by providing a "narrow sphere" of autonomy on tactical and operational matters, enabling the institution to make decisions on a number of issues deemed to be purely military (if indeed, such a realm exists) and that this bounded freedom would inspire the military to focus largely on maintaining combat readiness while eschewing politics. Huntington argued that for the military aligning with a particular political cause, position, or party could prove useful one moment, useless the next, depending on the prevailing political fortunes of the time. Thus, the military would recognize the trap of politics and avoid it, particularly since their domain of military matters would be clearly defined and they would be held accountable for it. Moreover, because of the corporate nature of military professionalism and the inherent accountability associated with it, it was posited that those who got out of line would be policed from within the ranks.[4]

As mentioned earlier, it is important to note that Huntington was writing in the mid-1950s as the country was coming to terms with the Cold War struggle with the Soviets and living with the first large peacetime military and sizeable peacetime defense budgets. As such, the US could no longer rely on the previous method of civilian control practiced during periods between wars throughout the nearly first two centuries of existence, that of "extirpation" – essentially checking the military's political power by keeping it small and in the background of US society. Throughout history during times of war and crisis when the US armed forces dramatically expanded, a different and more intrusive method of control was practiced, which Huntington coined "subjective control," which essentially entailed civilianizing and politicizing the armed forces through a widespread draft, direct commissioning throughout the ranks including the general officer ranks, carefully screening senior

3 Huntington, *The Soldier and the State*, p. 80.

4 Huntington, *The Soldier and the State*, pp. 83–85.

military leaders to match political leanings, large scale use of the National Guard and before that militias, and invasive management from presidential appointees working within the War and Navy Departments, forcing it to embrace civilian values and reflect administration positions and direction.[5]

The new challenges coming from the Soviet threat which some policy analysts believed would take decades to thwart, left the US without a viable normative theory to guide the organization of the national security establishment so that it could at once ensure national survival without discarding the liberal democratic way of life.[6] Technically, the US was not in a shooting war, but with the Soviets maintaining an enormous standing army and posturing it in Eastern Europe, extirpation (according to Huntington, the traditional form of civilian control of the military practiced between wars) was out of the question. With extirpation not viable the US was left with subjective control, but Huntington was convinced that this was not the answer either because politicizing and dominating the officer corps, especially over the long-haul, would be anathema to the development of effective and professional fighting forces. Thus, the country had no normative framework (an internally consistent set of structure and norms) from which to organize the national security establishment in a way consistent with American values and its way of life. With "objective control" Huntington gave the country a potential solution – a model designed first to secure the country, but also to do so in a way that preserved civilian control of the military and the American way of life.

Yet, there are moments in *The Soldier and the State* that Huntington expresses lingering concerns that even with objective control of the military, the country may still not be up to the task of confronting the communist threat because classic liberalism (which, according to Huntington, is patently antimilitary) was not philosophically suited to meet the challenges posed by a totalitarian competitor. As part of the move to an objective control construct, Huntington asserted that societal values had to accommodate the realities of the new age to become more conservative and like the "military mind" as he described it.[7] Moreover, the informal American Social Contract had to be renegotiated accepting more state control and oversight and at times less civil liberties so that the country could quickly identify domestic and international threats to the nation before attack and annihilation. Early in this

5 Huntington, *The Soldier and the State*, p. 155.

6 Of course the Constitution provided some guidance for the civil–military relationship and the 1947 National Security Act had significant ramifications for the dynamic, but the country was without a unifying method (consisting of structure and norms) to arrange civil–military relations.

7 Huntington's generalizations are not without problems. For an interesting and effective critique of Huntington's "military mind" construct see Darrell Driver, "The Military-Mind and the Military Profession: A Reassessment of the Ideological Roots of American Military Professionalism," USMA Senior Conference Paper, June 2007. Driver argues persuasively that the concept of a monolithic "military mind" one that Huntington described as "conservative" is a myth. In reality, political thought among the officer corps is more heterogeneous than Huntington suggested and at any rate, to the extent that the officer corps is intellectual, its focus is on institutional constructs and interpretations of military history rather than political ideologies and specifically, conservatism.

book Huntington goes to great lengths to describe the "functional" and "societal" imperatives (the former related to the requirement to secure the nation and the latter to reaffirming a liberal-democratic way of life) which are constantly at tension and roughly balanced. But its clear by the end that while these two are equal, Huntington believes that without national security there can be no liberty. The same is not said in reverse.

Indeed, in the last passage Huntington suggested that Highland Falls (the small village located right outside the gate of the US Military Academy) needed to become more like West Point (disciplined and communitarian). This aspect of his work was especially controversially received at his academic home, Harvard, and did not endear him to liberals on the faculty. Huntington was apparently undaunted and in his follow-up work described the conservative changes in the US throughout the 1970s as consistent with his earlier recommendations and noted that the country finally accepted the existence of a large peacetime standing army and significant defense expenditures. All of these developments, according to Huntington enabled the US to rise up and meet the formidable communist challenge.[8]

Huntington's objective control model was actually popular among military circles and part of the curriculum at military schools for many years. His objective control model was taught at the United States Military Academy and in ROTC instruction.[9] Aspects of the theory were somewhat quirky, such as his description of officers as "managers of violence," but on balance his ideas resonated. Huntington anticipated that military culture would grow increasingly separate and distinct from American society through adherence to objective control, but he (unlike many post-Cold War scholars), was not concerned with gaps between military and society.[10] In fact, Huntington argued that this impending divide between the civilian and military was inevitable as the "military mind" as the Harvard scholar described it, was inherently more conservative than traditional Lockean liberal society.[11] Of course, that gap was easier to manage when the US still had a draft which brought men in from all walks of life and with so many Americans still relatively fresh off their World War II experience. In the three decades since the end of the draft the US has witnessed an ever increasing divide between military and civilian cultures which has some scholars and even some politicians commenting on the longterm desirability of an all-volunteer force.[12]

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8 Samuel P. Huntington, "The Soldier and the State in the 1970s," in *Civil–Military Relations*, Andrew W. Goodpaster and Samuel P. Huntington (eds) (Washington, DC: American Enterprise Institute, 1977), pp. 5–28.

9 See also Army *Field Manual 100–1, The Army*, 14 June 1994. Huntingtonian philosophy and logic underpin its treatment of civil–military relations.

10 For more on the perceived gap between civil society and the military see, Peter Feaver and Richard Kohn (ed.), *Soldiers and Civilians: The Civil–Military Gap and American National Security* (Cambridge: MIT Press, 2001).

11 Huntington, *The Soldier and the State*, pp. 80–97.

12 See, for example, Kathy Roth-Douquet and Frank Schaeffer, *AWOL: The Unexcused Absence of America's Upper Classes from the Military – and How it Hurts our Country* (New York: Collins, 2006). Democratic Congressman Charles Rangal of New York has proposed legislation to reinstitute the draft on several occasions over the past two years.

Huntington's emphasis on professionalism, particularly on the fostering of expert knowledge and sustained study of the history of warfare also resonated well within the military. Huntington explained that expertise came through training and reflection and it fostered by a life long commitment to acquiring professional knowledge.

> ... Professional knowledge, however, is intellectual in nature and capable of preservation in writing. Professional knowledge has a history, and some knowledge of that history is essential to professional competence. Institutions of research and education are required for the extension and transmission of professional knowledge and skill. Contact is maintained between the academic and practical side of a profession through journals, conferences, and circulation of personnel between practice and teaching.[13]

The primary reason that Huntington's objective control model was so popular was that it appealed to the "warrior," the kind of soldier most soldiers wanted to be. Once soldiers accepted his arguments on professional knowledge, it was not much of a move to embrace the points on politics, too. It all seemed logically consistent. With the military embracing objective control, civil–military relations appeared to have the guide – if it were only that simple.

Problems with Huntington's Objective Control Model

There are limitations with any model and Huntington's objective control approach is no exception. From a civilian control perspective, it relies on the military to check itself and as James Madison persuasively argued the history of mankind calls into the question the viability of anyone being able to check themselves.[14] Power or authority left unchecked will grow, become tyrannical, and disappoint. Only through countervailing forces and checks and balances is power bounded.

After initially embracing the concept, the military seemed to reject it, or at the very least, significantly re-define objective control in reaction to the Vietnam War experience. Among the narratives embraced by younger officers of the Vietnam era was that the senior military leadership was too acquiescent to civilian leadership at the Pentagon, especially with regard to Secretary McNamara whose flawed policies and approach to the war contributed to the disaster, it was thought. In the aftermath of the war, the military aggressively pursued competence in political-military skills through increased graduate education in foreign affairs, political science, and strategic studies and repetitive assignments in the civil–military nexus, all of which was designed to groom senior leadership to be able to better represent the profession in the national security decisionmaking process, it was evident that norms were changing. The military was beginning to question the efficacy of Objective Control and its central tenet that separate spheres existed. According to the officer corps, one of the "lessons of Vietnam" was that the military should have been more involved

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13 Huntington, *The Soldier and the State*, p. 8.

14 See, in particular, *Federalist Papers*, Nos. 10 and 51 in Isaac Kramnick (ed.), James Madison, Alexander Hamilton, and John Jay: *The Federalist Papers* (New York: Penguin Books, 1987).

with the elected leadership of the country, providing them strategic analysis, options, and advice. Since Huntington's model denies the existence of a civil–military nexus, it was becoming evident that the animating ideas of "Objective Control" were at war with reality.

The military's views were eventually solidified in the Weinberger-Powell doctrine, offering new criteria to weigh decisions pertaining to the use of force.[15] The military's political power grew considerably over the next two decades and Huntington's model provided little in the way of prescription to rein in or moderate such change. Objective control was fundamentally flawed from the outset by theorizing that military and political spheres could be bifurcated in a comprehensive and meaningful way, denying all that Clausewitz contributed to national security and strategy over a century earlier.[16]

Given the Constitutional powers given to the President and Congress, there was no question that the national civilian leadership would direct and control the military, but the decision support activity that elected leaders require to execute their duties is carried out by top-level civilian *and* military leaders in the civil–military nexus. Moreover, separate spheres do not exist because nothing is beyond the purview of elected leaders.[17]

In the early days of the Cold War when the Eisenhower administration was advancing strategies of massive retaliation and reorganizing the Army into Pentomic Divisions to survive on the nuclear battlefield, the pervasive belief was that conflicts in the future were less likely to be limited. Given the defining nature of the bi-polar world and the advent of nuclear weapons and their devastating effects on armies and populations, it was anticipated future war would likely escalate quickly and possible include an atomic exchange. Under these assumptions it was not radical at the time to think that decision support activity (strategic analysis, options, and recommendations) pertaining to war and peace could be largely kept in the civilian realm since tactical and operational (military) advice appeared irrelevant in those scenarios. Under this paradigm, civilian national security experts with an extensive background in nuclear physics and weapons could provide the decision support work needed by the country's elected leaders.[18]

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15 See Colin Powell, "US Forces: Challenges Ahead," *Foreign Affairs* (Winter 1992/93): 32–45.

16 To be fair, Huntington recognized that there would be times when overlapping roles for civilian and military leaders would occur, but from a theoretical standpoint, he believed there was enough division of labor to base his theory on that distinction.

17 One can get an appreciation for the role that military officers play in the nexus by reading any of the memoirs of US 4-star generals. See, for example, Colin Powell, *My American Journey* (New York: Random House, 1996), or H. Norman Schwarzkopf, *It Doesn't Take a Hero* (New York: Bantam Books, 1992).

18 These kinds of assumptions and the limited role that land forces would play in future war led to civil–military conflict over budgets and budget shares and played a role in Army Chief General Maxwell Taylor's early retirement. Taylor went on to publish a book critical of the Eisenhower administration approach to national security. See *Uncertain Trumpet* (New York: Harper, 1960).

However, the Bay of Pigs fiasco brought to light what seems to be a lesson that every generation has to re-learn – that the nature of conflict has remained unchanged, even if the way it is waged evolves over time. To control land and populations still requires large formations of ground troops. The advent of nuclear weapons did not obviate the need to prepare for conventional and unconventional war. President Kennedy recognized this and subsequently demanded all JCS recommendations be made as if they were the decisionmaker, something that can only be done when military leaders are politically knowledgeable.[19]

Among the reasons why military voices did not resonate in the days leading up to Vietnam was that while the leaders of the armed services were generally adhering to Objective Control-like norms, Defense Secretary McNamara was employing the more traditional wartime method, subjective control of the military. The consequence was the most imbalanced period of civil–military relations up to that time with not surprising results.

Morris Janowitz and Subjective Control

Morris Janowitz completed an impressive sociological review of the US military and published the first edition of *Professional Soldier* in 1960.[20] Like Huntington, Janowitz focused on military professionalism, although his was primarily interested in elite analysis, officer socialization process and cultural analysis. Janowitz fundamentally disagreed with Huntington's assumption regarding the possibility of delineating roles for top level civilian and military leaders. Indeed, among the major points of his book, Janowitz describes in detail the blurring of civilian and military responsibilities and the developing and fielding of what he described as the "constabulary force." Janowitz envisioned this constabulary force employed in limited ways during the Cold War to achieve carefully defined objectives in the Third World as the superpowers vied for power among developing nations.

Under Janowitz' scheme, civilian leaders would be expected to get into the details of military organization, doctrine, leader development and selection, and even ongoing military operations, particularly since the pursuit of limited objectives required constant oversight and restraint. Military leaders could also be expected to contribute in the political sphere in both the national debate prior to the commitment of US forces and thereafter in critiquing the effectiveness of ongoing operations.[21]

Since his *assumptions* led him to reject the possibility of objective control as a means of civilian control (essentially because it was not possible to split spheres between the civilian and military), Janowitz went the other way, arguing for a penetration of military culture to tame it so that it complied with civilian direction –

19 In NSAM 55, President to CJCS, 28 June 1961, Kennedy demanded that his Joint Chiefs provide politically sensitive military advice and as if they were the decisionmaker, not the advisor. See, Willard J. Webb and Ronald H. Cole, *The Chairmen of the Joint Chiefs of Staff* (Washington, DC: Historical Division, Joint Chiefs of Staff, 1989), p. 60.

20 Morris Janowitz, *Professional Soldier: A Social and Political Portrait* (New York: The Free Press, 1971).

21 Janowitz, *The Professional Soldier*, p. 440.

in essence what Huntington described as subjective control of the military. Related, in his constabulary force, Janowitz described the inherent competition and friction among the three major types of leaders in the military's officer corps: the traditional "heroic leader" the "military manager" and the "technical specialist." Janowitz explained that civilian leaders needed to exploit these divisions to maintain civilian control and get the most out of their military leaders.[22]

Janowitz further described the ongoing ideological struggle in the military as it emerged from the Vietnam experience in what he termed the "absolutist" versus "pragmatist" debate. This can be personified with earlier historical figures in the competition between MacArthur (a heroic leader) and Marshall (a military manager), with the former associated with his desire to expand the war in Asia and to fight a total war until receiving the Chinese unconditional surrender (the absolutist position), while Marshall and others recognized the potential disastrous effects of nuclear war among the superpowers and the need to limit conflict and develop realistic foreign policy (and war) goals as a result (the pragmatist position).[23]

Janowitz argued in the years just after Vietnam that the pragmatists needed to win this struggle within the military and made the case that subjective control of the military would ensure that this happened, by screening those climbing the ranks for the right worldview and philosophy. Moreover, political leaders needed to take measures to indoctrinate the leadership of the armed forces about the virtues of civilian control and as far down as possible the ranks as possible, establish a civilian counterpart for military leaders with domination of the former over the latter in functional areas where responsibilities overlapped. Janowitz invoked the British Army as exemplary in this regard. The former Soviet Union employed a similar strategy to maintain civilian control over the Red Army. In fact, the deputy commander of regimental units and higher was a political commissar who had the functional responsibility for political training and tactical oversight.[24]

Problems with Janowitz' Subjective Control Model

The method of civilian control advanced by Janowitz was probably more realistic than Huntington's, but it has some glaring problems. Among the key considerations is that it assumes that civilian penetration and domination will produce quality in national security policy, which from a historical perspective is dubious. In the past forty years the two times when this normative framework was most closely adhered to in this country the result was Vietnam and Iraq; not a sterling track record for a normative approach.

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22 Janowitz, *The Professional Soldier*, ch. 17.

23 Janowitz, *The Professional Soldier*, p. 436.

24 For more on civil–military relations in the former Soviet Union, see Timothy Colton, *Commissars, Commanders and Civilian Authority: The Structure of Soviet Military Politics* (Cambridge: Harvard University Press, 1979); and Colton, *Soldiers and the Soviet State: Civil–Military Relations from Brezhnev to Gorbachev* (Princeton: Princeton University Press, 1990).

From a feasibility standpoint, it assumes a civilian leadership with extensive military and national security experience and expertise to carry out competent decisions and policy implementation and oversight. This seemed more plausible at the time that Janowitz first wrote his book (1960), since top-level federal government positions were inundated with World War II veterans and a coterie of civilian defense intellectuals. Today, with military experience declining among elected leaders it is difficult to see this method as optimal, this despite subjective control's reappearance during Secretary Rumsfeld tenure at the Pentagon in 2001.[25]

Huntington, among others, argued that utilizing subjective control would weaken military professionalism and effectiveness over the long haul.[26] By fostering a politically correct force, the military would have fewer warriors steeped in expert knowledge in killing the enemies of the country's way of life. Such concerns still abound today. In Washington, DC there is a think tank dedicated to stopping efforts to use the military as a tool of social progress and experimentation, and other endeavors that civilianize the military.[27]

Since the first responsibility of militaries (among many) is to win the nation's wars, such positions should not be rejected out of hand. However, the track record of the military for simultaneously protecting the country while supporting cultural initiatives designed to foster positive changes to it is long established. Among the modern examples was the integration of Blacks within the armed forces after World War II. Also throughout the 1980s and 1990s, there was marked controversy over the role of women in the armed forces, with some activists gravely concerned over the effectiveness of the military with the expanded numbers and roles for women.[28] Yet, during the Global War on Terror, women have performed very well including situations where close combat with the enemy occurred unexpectedly

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25 In his book *Supreme Command*, Eliot Cohen makes the case for civilian domination of the military, particularly during time of war. Cohen provides four historical case studies arguing that civilian leaders, even ones without military knowledge and experience, make better war decisions than the generals. The Madisonian normative approach embraces the supremacy of presidential decisionmaking, but for the system to work well; the president should be supported by a balanced civil–military nexus of highly professionally prepared top-level civilian and military advisors. Since Cohen does not make that distinction and since his recommendations and subsequent op-ed pieces during the lead up to the Iraq war argued stridently to under-value military judgment and advice in the decisionmaking process, and since he endorsed Secretary Rumsfeld's style for dealing with the military, he is categorized in the "subject control" camp. Cohen's work is treated in greater detail in the next chapter.

26 Huntington, *The Soldier and the State*, pp. 154–157.

27 This reference is specifically to *The Center for Military Readiness* led by Ms. Elaine Donnelly. For more on this organization and the agenda it promotes see the following website, http://cmrlink.org.

28 See J.D. Lynch, "All Volunteer Force Is In Crisis," *USNI* 123, No. 9 (SEP 1997): 30–34. John Hillen, "The Civilian-Military Gap: Keep It, Defend It, Manage It," *USNI* 124 (OCT 1998): 2–4. John Hillen, "Must US Military Culture Reform?" *Orbis*, Vol. 43 (Winter 1999): 43–57. James Webb, "The War on Military Culture," *Weekly Standard*, Vol. 2, No. 18 (20 January, 1997): 17–22.

despite organizational impediments to preclude such incidents.[29] From this one can conclude that politically directed social change on the military (a dimension of subjective control) does not always equate to significant drops in effectiveness.[30] But policymakers should be careful with how they approach such initiatives with any proposals thoroughly examined and weighed against the potential impact on first order responsibilities and effectiveness. Huntington described this tension between the functional (requirement to win wars) and societal (attempts to make the military look like society) imperatives and there is no final answer on this score.[31]

The Constitution provides Congress with the authority to write the regulations of the Armed Forces and they do so in laws that make up the US Code, Title 10. Laws, of course, must be approved by the President or enacted by overriding presidential vetoes. So like nearly all facets pertaining to controlling the military, this area of responsibility is also shared between the branches. Military leaders have the responsibility to advise the Congress and President as to the anticipated effects (positive and negative) of proposed social change – but once decisions are taken, full compliance is expected.

The Madisonian Approach (discussed in detail in Chapter 6) accepts political penetration of the force by civilian leaders, including political appointees at the Pentagon. Even with this close supervision and involvement, military effectiveness and battlefield success is expected from the profession of arms.[32] In this regard, Janowitz was right. The problem with Janowitz is that he recommends civilian penetration and domination of the military by political appointees when a more balanced approach among the participants of the civil–military nexus within the Department of Defense would better serve the country's elected leaders and its citizens. Even if subjective control techniques that direct social change on the military are constitutional supported and do not harm effectiveness, there are still problems with this approach to civil–military relations because it under-values and under-utilizes "best military judgment" in nexus.

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29 In fact, Sergeant Leigh Ann Hester of the 617th Military Police Company, a National Guard unit out of Richmond, Ky., received the Silver Star for heroism in battle on 20 March 2005. For more on this see the Army news release at http://www.defenselink.mil/ news/ Jun2005/20050616_1745.html.

30 Army War College scholar Marybeth Peterson Ulrich presents a related and interesting argument in *Democratizing Communist Militaries: The Cases of the Czech and Russian Armed Forces* (Ann Arbor: University of Michigan Press, 1999). Specifically, see p. 22 for discussion of the concept "democratic military professionalism."

31 Huntington, *The Soldier and the State*, pp. 2–3.

32 See also Eliot Cohen's points on this score. Cohen cites several historical examples when ideological armies were highly successful on the battlefield (specifically Waffen SS forces, the People's Liberation Army of China). Subjectively controlled militaries may still be effective. See Cohen, *Supreme Command*, pp. 243–244.

Chapter 5

The Search for New Normative Theory in the Post-Cold War Era

As scholars documented and debated the significance of the growing military political power during the Clinton years (discussed in Chapter 2), they struggled with what to do about it from a corrective policy perspective. The shortcomings of objective control and subjective control seemed apparent and many believed that new normative theory was needed.

Among the more creative adaptations to fill this vacuum was Peter Feaver's agency theory for civil–military relations derived from the principal-agent model.[1] Feaver's work was similar to that of other political scientists who had been mining the field of microeconomics since the 1980s for the applicability of business models imbued with Hobbesian notions of human behavior in the work place and how best to channel selfish tendencies to group contributing and efficient work.[2]

This rational choice approach to preserving civilian control of the military differed significantly from the objective control model (which had the military itself playing the instrumental role in ensuring that an overextension beyond legitimate roles and responsibilities did not occur, by employing self-restraint). It also differed from the subject control model (which forced the military to embrace civilian political views and accept widespread civilian penetration, oversight and domination by political appointees).

According to Feaver's model, civilians controlled the military by making choices among management styles which vary widely depending on the situation at hand from intense and involved to loose and detached. Feaver recognized the interactivity associated with the choices of managerial styles. In response the military made choices regarding whether to "work" (that is, to do what civilians wanted) or "shirk" (when the military disregarded civilian direction and did as they saw fit). Here Feaver is not referring to "shirking" as idleness. Thus according the agency model, civilian control is preserved by civilian leaders who guide, enable, and empower, but then

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1 Feaver, *Armed Servants*, p. 55.

2 For more on this principal-agent approach see also Mathew D. McCubbins, Roger G. Noll, and Barry R. Weingast (known in the literature as "McNollgast"), "Administrative Procedures as Instruments of Political Control," *Journal of Law, Economics and Organization*, Vol. 6 (1987): 243–277; McNollgast, "Structure and Process, Politics and Policy: Administrative Arrangements and the Political Control of Agencies," *Virginia Law Review*, Vol. 75 (1989): 431–482; Mathew D. McCubbins and Thomas Schwartz, "Congressional Oversight Overlooked: Police Patrols Versus Fire Alarms," *American Journal of Political Science*, Vol. 2 (1984): 165–179.

supervise the behavior of military subordinates to ensure mission accomplishment in line with original intent.[3]

Feaver posited that "principals" (civilians) play the key role in guiding boss-subordinate relations by effectively communicating overarching strategy and then delegating to military subordinates (agents) the detailed work of implementation. Once principals decide how much and what they will delegate to the agents, they next have to choose which monitoring techniques to adopt to ensure mission accomplishment and compliance with initial guidance.

Feaver outlined six basic monitoring techniques which may be combined to enhance compliance and effectiveness. The six are listed below.

1. *contract incentives* (e.g. promotions for loyal officers);
2. *screening and selection criteria* (such as picking senior officers who embrace administration worldview and policy positions, often employed in the subjective control model);
3. *overt monitoring or "police patrols"* (Feaver equates this to micromanaging techniques such as compliance reporting and this technique also features prominently in subjective control models);
4. less intrusive monitoring techniques or *"fire alarms"* (e.g. relying on the media to expose shirking);
5. *institutional rivalry* (relying on the respective services to stay apprised of and report "shirking");
6. *revising delegation decision* (e.g. threats to monitor specific issues more closely or to selectively micro-management particular issues where "shirking" has occurred in the past or conversely loosening managerial styles to entice compliance, a technique aligned with the objective control model).[4]

Feaver maintained that the managerial styles employed by principals directly impacted the civil–military relationship. When more intrusive methods were employed, such as those implemented by Secretaries McNamara and Rumsfeld, relations with the military "agent" became strained and the relationship was characterized by widespread mistrust. When less intrusive methods were used (e.g., contract incentives), relations often improved but civilians had less certainty that their will was being carried out. Thus, civilians face tough choices on monitoring techniques with clear trade-offs associated with those decisions.[5]

There are complications with some of the monitoring techniques. For example, when agents are aware of what indicators or monitoring techniques the principals are using to determine compliance, effectiveness, and mission accomplishment, this may encourage "optimizing on indicators." The agent may simply perform well on the indicator, but less efficiently on the actual behavior the indicator was intended

3 Feaver, *Armed Servants*, p. 2.

4 Feaver, "Delegation, Monitoring, and Civilian Control of the military: Agency Theory and American Civil–Military Relations," p. 33. See also the table in, Feaver, *Armed Servants*, p. 86.

5 Feaver, *Armed Servants*, p. 78.

to sample and measure.[6] For example, if a teacher gives the same exam year after year and that becomes known to the student body, some students may elect to study only the previous exam questions. When the results are computed, the teacher may unwittingly believe his/her students have mastered the material when in reality they have only optimized on the indicator. In the military, what if successful integration of women was measured primarily by the number of female general officers on active-duty? Just because the military promotes several female colonels does not necessarily mean that significant progress has been made integrating women in general. The point is that principals need to be selective and attentive to the indicators they choose to sample and have access to multiple points of view otherwise they may be deceived.

One traditional monitoring technique used by civilians throughout American history has been the institutional check provided by inter-service rivalry. Elected officials used this technique throughout the Cold War with varying degrees of success.[7] Goldwater-Nichols legislation, to a degree, weakened this monitoring technique by enhancing inter-service harmony in a justified attempt to enhance "jointness" and improve overall armed forces combat effectiveness. Enhanced jointness notwithstanding, this type of check is existent, and especially during periods of budget stringency, one can expect that this monitoring technique will be available for future civilian leaders.[8]

The media often play the role of "fire alarm" in the US political process. Investigative television programs such as "60 Minutes" and others of that kind, along with the print media, provide the taxpayers and elected officials with information of fraud, waste, and abuse within the defense establishment and otherwise keep the "agents" on their toes.

Extensive screening of officers for critical positions as a monitoring technique was usually reserved for 4-star billets after McNamara's tenure as Secretary of Defense, but when Secretary Rumsfeld returned to the Pentagon he pushed that down to the 1 and 2-star level in many instances. Picking generals favorably disposed to support controversial policy positions or because they will be less inclined to oppose certain initiatives is a form of subjective control of the military, but is available to principals within the Agency theory model as well. Related, Bob Woodward in *State of Denial* spends over 20 pages detailing how General Richard Myers was selected as the next Chairman during the summer 2001. Woodward cites several other examples where Rumsfeld's extensive use of screening and selecting three and four star generals irked flag officers in the Pentagon.[9]

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6 Deborah Avant, "Are the Reluctant Warriors Out of Control? Why the US Military Is Averse to Responding to Post-Cold War Low-Level Threats," *Security Studies*, Vol. 6, No. 2 (Winter 1996–97): pp. 51–90.

7 See Morton H. Halperin and Arnold Kanter, "The Bureaucratic Perspective," in *Readings in Foreign Policy*, Halperin and Kanter (eds) (Boston: Little, Brown and Company, Inc., 1973), pp. 3–40.

8 Michael Meese, PhD Dissertation, Princeton University, "Defense Decisionmaking under Budget Stringency: Examining Downsizing in the US Army," 2000.

9 Woodward, *State of Denial*, pp. 53–74.

Finally according to Feaver, civilians can always tighten or loosen the degree of oversight to entice military compliance with civilian direction. Feaver's point here is similar to Huntington's notion of autonomy as an incentive to promote military professionalism.

Feaver's agency model is a significant and lasting contribution to the field of civil–military relations. This normative approach absorbs many of the useful tenets of Objective and Subjective Control but since agency theory envisions *choices* by principals, it injects flexibility into the civil–military relationship. The focus on fostering military expert knowledge is available for civilian managers who choose less intrusive methods of management and control. If circumstances dictate more direct involvement and intensive oversight, these methods are available within the agency model, too. This approach also appreciates the extensive amount of overlap that exists between civilian and military officials in the civil–military nexus of the national security decisionmaking process. Feaver advises civilian masters to approach civil–military relations thoughtfully because the choices they make with regard to supervisory techniques impact the dynamic. Decisions taken to tighten or loosen the reigns on the military should be made consciously and with full knowledge of the potential implications on the dynamic. Feaver's ideas have significantly shaped the development of this work. But my praise is neither without limit nor my analysis without criticism.[10]

Problems with Agency Theory

There are some challenges with carrying over this business model of management to civil–military relations. Chief among them is that the US political system has "dual principals" – the President and Congress.[11] Presidents and Members of Congress may employ differing methods of civilian control having the effect of confusing the military, possibly even altering the agent's response to the initial choice of oversight.

As with the civilian side, the assumption that Feaver makes with regard to unitary choices and positions among the military is also problematic. The military might respond to methods of civilian control in a unitary way but that is far from assured. The respective services have a long history of viewing administration policies in different lights. Even if the military does approach issues monolithically, they may divide the principals. If one institution (the executive or legislative branches) chooses

10 It should also be noted that this treatment of Feaver's "agency theory" has focused almost exclusively on the normative dimension of his work, which was not what inspired him to develop the model. Feaver, in the main, was attempting to *explain* post-Cold War civil–military relations and on that score his agency theory has made an especially significant contribution to the field. But beyond its explanatory power, agency theory provides a good starting point for *normative* theory; that is, it provides a departure point for assembling a guide for how civilian leaders should approach their relationship with the military.

11 To be fair, Feaver himself acknowledges this shortcoming in the approach. See Feaver, *Armed Servants*, p. 62. "Dual principles" pertains to the shared responsibility these branches possess for controlling the military. Clearly there can be only one Commander-in-Chief.

a more onerous method of management, the military may attempt to work its actions in a strategic way among these institutions to optimize outcomes. This is what Huntington was referring to when he argued that the civilian voice was too fractured to employ civilian control methods as partisan and/or institutional competition might call into question civilian control techniques as merely political maneuvering.

The significant flaw in this normative design in my estimation is that it treats DOD political appointees and civilians as principals. These advisors, like the military, exist to help elected leaders exercise their constitutional responsibilities.[12]

The American people could get more democratic accountability and effectiveness in their national security establishment by recognizing the existence of the civil–military nexus and recasting those relationships among top-level civilian and military leaders at the Pentagon so that they are more balanced. What is meant by "balance" is a system where elected leaders get access to strategic analysis, options and advice from all participants of the civil–military nexus (political appointees and general officers). This Madisonian approach assumes that both civilian and military leaders will work together and offer elected leaders competitive advice and built-in oversight mechanisms. As noted in Chapter 3, policy outcomes were better when the top-level civilian and military leaders approached their duties and responsibilities from that perspective.[13] All of this would follow the logic of the Founders who were inspired by the concept of countervailing power as a means to not only check ambition, but to transform it from vice to virtue.[14]

There is one final problem with Feaver's conception of agency theory, specifically his treatment of *asymmetry of information* – a key concept for this approach. This disagreement gets to the heart of what's expected of the various parties in the relationship. Feaver argues that competencies inherent in one's profession and specific billet produce asymmetries of knowledge or expertise that cannot be broached or overcome. He maintains that the military officer has a special "moral competence" because of combat experience or the potential for it, and civilians often defer to soldiers on matters pertaining to the use of force; as after all, it is the soldier who will face the risks and bear the costs associated with these decisions. They also possess "technical competence" (soldiers know the trade of war better than their

12 See also Plato and his bifurcation of the concept "Guardian" into two classes: "rulers" and "auxiliaries." If one accepts that Republican forms of government empower elected representatives to make the laws and govern society, then Plato's rulers are the elected leaders. All those who assist rulers are auxiliaries. Hence, politically appointed officials at the Pentagon, like military professionals, are auxiliaries with the purpose of assisting elected leaders with their duties as rulers. See Plato, *Republic*, Books II, and III in John Cooper, (ed.), *Plato: Complete Works* (Indianapolis, Indiana: Hackett Publishing Company, 1997), pp. 998–1052.

13 The reference here is to the relationships between Generals Washington and the Continental Congress and General Marshall and Secretary of War Stimson. These examples are in contrast to the negative outcomes witnessed with General Wheeler and Secretary McNamara and General Myers and Secretary Rumsfeld, when dominating structures led to ineffective policies.

14 *Federalist Papers*, Nos. 10 and 51 in Isaac Kramnick (ed.), James Madison, Alexander Hamilton, and John Jay: *The Federalist Papers* (New York: Penguin Books, 1987).

civilian counterparts). Similarly, Feaver contends that civilians possess a "political competence" (the ability to judge risks, weigh casualty predictions and make the best decisions about what is in the nation's best interests) that cannot be equaled by their military counterparts.[15]

This often may be the case in practice, but there is a problem with making this claim *a priori* and without specific case-by-case analysis. In earlier research, I found examples that contradicted all of these assumptions.[16] First of all, at times the US has had civilian leaders with previous decorations for valor in combat in bureaucratic disagreements with military officers with no combat pedigree (granted, this is much less likely these days, but it has occurred in the past and it's reasonable to conclude it could happen again). At the same time there have been occasions when military officers have had ascendancy beyond their civilian counter-parts by virtue of their other than military experience – General Powell, for example, could speak powerfully on matters of race given his status as both a general officer and prominent black American. To be clear, Feaver is right that asymmetry of information and knowledge is a relevant factor in civil–military relations; however, these terms are not static with preordained values and ascendancy. To the contrary, knowledge, expertise and even moral competence vary depending on the situation and actors involved, sometimes dominated by civilian or military officials and at other times balanced among these agents in the Department of Defense. For this reason, and because managing asymmetry of knowledge and expertise is so central to preserving balance in a relationship, it is strongly recommended that this kind of information be tracked by DOD personnel offices. There will be more on this later in the final chapter.

Still the parsimony of Feaver's model coupled with its known utility within the business community portends its usefulness for civil–military relations. Later in the text when the Madisonian approach is outlined in detail it will employ key aspects of agency theory, even as it offers a different definition for "agents." But first the argument turns to two other commentaries on normative civil–military relations in the post-Cold War era – the return of objective and subjective control as approaches to control the military.

The Objective Control Reprise

One of the responses to the perceived civil–military imbalance during the 1990s was a call for the military to stop inserting itself into the political process. The leading voice among those scholars was Richard H. Kohn of the University of North Carolina.[17] Kohn is a renowned and accomplished military scholar who for many

15 Feaver, "Delegation, Monitoring, and Civilian Control of the Military: Agency Theory and American Civil–Military Relations," John M. Olin Institute for Strategic Studies, *Project on US Post Cold-War Civil–Military Relations*, Working Paper No. 4, p. 17.

16 Gibson, "Countervailing Forces," PhD Dissertation, Cornell University, pp. 135–177.

17 At the 2007 USMA Senior Conference on civil–military relations, and earlier at the author's workshop in March, Professor Kohn repudiated objective control as a normative approach to controlling the military. This came as a surprise to some in attendance, including this author. In this section I will describe, analyze, and critique Kohn's earlier publications

years served as the official historian of the US Air Force. He has written many books and professional journal articles and is considered an expert on the Founding Era and civil–military relations scholars.[18]

Kohn rightly urges military officers to stay out of partisan politics and to respect national leaders, but the *effect* of his analysis and recommendations found in his published works conveys the message that military officers should play a diminished role (if any) in the civil–military nexus. Given his status as one of the leading scholars in US civil–military relations, Kohn's ideas as found in his published works (at least prior to 2007), even if unintended, have likely contributed to the fostering of norms within the officer corps that devolve the constitutional authority for civilian control of the military to the position of Secretary of Defense when the Founders intended for those responsibilities to be retained and shared by the President and Congress. On balance though Kohn's enormous grasp and understanding of history has much to offer when developing a normative approach to civil–military relations so helpful insights will also be identified in the subsequent passages.

In his influential piece "Out of Control," published in the journal *National Interest* in 1994, Kohn described the military as alienated from society and the national leadership. Kohn believed that the dysfunctional nature of civil–military relations was an emerging crisis in American politics.[19] He identified the growth in size of the military since World War II, the military's reaction to former Secretary of Defense Robert McNamara's micromanagement style, the fear of another Vietnam, and the peculiar circumstances of a very powerful, popular and political general (Colin Powell) and an inexperienced and vulnerable commander-in-chief (President Clinton), as factors that contributed to the growth of military influence in the political sphere.[20]

Kohn made three central charges against the military: that it was becoming bitterly and openly partisan in favor of Republicans; that it was meddling in politics and policymaking; and, his most serious allegation, that it was showing contempt for and resisting civilian control. In the pages that follow these claims are analyzed.

Regarding partisanship, Kohn cited an incident where US Senator Strom Thurmond was introduced to a group of military officers at the Army's Command and General Staff College, and when the master of ceremonies noted that Thurmond had

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which closely comport with the objective control model. The published articles that most closely support objective control are Kohn, "Out of Control," *National Interest* (Spring 1994): 3–17, and, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002), pp. 9–59. Kohn's most recent work where he rejects the objective control model is "The Huntington Challenge: Maximizing National Security and Civilian Control of the Military," USMA Senior Conference Paper, May 2007. For another prominent work similar to Kohn's see, Russell F. Weigley, "The American Civil–Military Cultural Gap: A Historical Perspective, Colonial Times to the Present," in Feaver and Kohn, *Soldiers and Civilians*, pp. 215–246.

18 See for example, Richard Kohn, *Eagle and Sword: The Federalists and Creation of the Military Establishment in America, 1783–1802* (New York: Free Press, 1975) and *The Constitution and The US Army* (Carlisle Barracks, Pa: The Army War College, 1988).

19 Richard Kohn, "Out of Control," *National Interest* (Spring 1994): 3–17.

20 Ibid.

changed his party affiliation (to Republican) since arriving in Congress, the audience allegedly cheered. Kohn also argued that the military's initial distaste for President Bill Clinton provided further proof of its partisan nature (among other reasons Kohn suggests for Clinton's popularity with the military).[21] These were not proud moments in US civil–military relations. Officers should not be publicly expressing their party affiliation. Kohn's anecdotes were informed by former Pulitzer Prize winner Tom Ricks' news reporting and the research of his colleague at nearby Duke University, Ole Holsti. Both were investigating the civil–military divide in the early 1990s.[22]

Still, this is a topic that deserves careful treatment. There are no comprehensive records of individual military officer party affiliation even as some survey data exits. Holsti's study found that over the time period 1976 to 1996, the percentage of military officers who identified with the Republican Party jumped from 33 per cent to 67 per cent. This change was not reflective of a significant decline in identification with the Democratic Party, however, which saw only a 5 per cent drop. The increase in Republican identification nearly all came from those who changed from being Independents.[23]

In any case, recent polling data suggests that the trend witnessed during 1990s towards more affiliation with the Republican Party has been reversed. This is perhaps not surprising given the difficulties with the war in Iraq and the conclusions of a series of *New York Times* bestsellers chronicling same. In a poll conducted in 2006, *Military Times* found that the percentage of military respondents who identified themselves as Republicans was 46 per cent. There are some comparison problems here (for example, Holsti's study focused on officers and the *Military Times* poll sampled all ranks) but it does seem apparent that the fear that the military was becoming ever increasingly Republican has turned out to be overblown and more of a fleeting phenomenon.[24] Perhaps future research will illuminate the topic, but again, given the legal prohibitions that restrict formal collection of data of this kind, any findings should be analyzed with due skepticism.

To the larger point on political affiliations; a long-term attachment could be harmful to civil–military relations, but short-term connections such as the most recent

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21 Ibid., pp. 3–4.

22 Ole Holsti, "A Widening Gap between the US Military and Civilian Society? Some Evidence, 1976–1996," *International Security*, Vol. 23, No. 2 (Winter 1998–99): 5–42. Thomas Ricks, "On American Soil: The Widening Gap between the US Military and US Society," John M. Olin Institute for Strategic Studies, *Project on US Post Cold-War Civil–Military Relations*, Working Paper No. 3, May 1996. For party affiliation see, Ole Holsti and J.N. Rosenau, "Party Identification: Military and Civilian Leaders," in the *FPLP Surveys of American Opinion Leaders, 1976–1996*. For historical comparison see, Janowitz, *The Professional Soldier*, pp. 236–241. For those interested, the *Army Times* has also published findings on military voting in presidential elections although caution is urged as scientific methods were not employed in gathering these data.

23 Holsti and Rosenau drew this data from a sampling of military officers at the National War College and from a random selection from the Pentagon phone book.

24 Rosa Brooks, "Weaning the Military From the GOP: A Less Partisan Military is Good for Democracy and Allows a more frank Debate on National Security," *LA Times*, 5 January 2007.

one Kohn identified, *so long as they are private*, are less concerning. Besides, think of the difficulty in regulating private beliefs and voting preferences. Any attempt to do so would be impracticable and unenforceable, not to mention philosophically problematic from the standpoint of a society that values freedom. The proper concern should center on *public* displays of partisanship and the DOD regulation as currently written forbids it.[25]

Kohn also argued that the military was overtly meddling in the Washington, DC political process – a more serious charge. Here Kohn intimated about the outgoing Chairman's involvement to undermine Defense Secretary Les Aspin's credibility after the firefight in Somalia cost the lives of 18 Rangers in October 1993.[26] He also criticized the General Powell for publishing an editorial in the *New York Times* and an article in *Foreign Affairs*.[27] Kohn argued further that when the JCS provided only one possible course of action to the president it meddled in politics by "stacking the deck" to get its way. Kohn cited the "gays in the military" controversy as further evidence that the military was meddling in the political sphere. He blamed the military for "rolling" the inexperienced and vulnerable commander-in-chief, causing his presidency to get off to a weak start.[28]

Some of these accusations are true and cause for concern. General Powell's inappropriate behavior has already been addressed earlier in the text, in Chapter 2. Military officers must avoid partisan politics and are prohibited from influencing the outcome of elections. The "gays in the military" episode was also a regrettable development in the history of US civil–military relations.

There are problems with the way that Kohn approaches this topic, however. Chief among them is that he fails to properly appreciate the context for military involvement in the policymaking process in the first place. Kohn does not acknowledge the existence of the civil–military nexus and the role that military officers must play in it to appropriately serve elected leaders. Top general officers operating in the civil–military nexus are required to provide strategic analysis, options, and advice (same goes for top-level political appointees). When does proper and appropriate advice, even advocacy, turn into meddling in the policymaking process? Kohn does not provide the answer because the issue is not framed adequately. Undeniably, as Kohn pointed out, General Powell was more active in this area then other officers who came before him.[29] Like other Vietnam veterans who rose to the top of the

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25 The rights and limitations of service-members regarding political activities can be found in *DOD Directive 1344.10*, dated 2 August 2004.

26 Kohn points notwithstanding, my understanding of the circumstances surrounding Secretary Aspin's dismissal are chiefly influenced by former House Armed Services Chairman Congressman Ronald Dellums of California. In my interview with him in 1997 he conveyed that it was primarily Democrats in Congress who convinced the President Clinton to dismiss Aspin.

27 Colin Powell, "United States Forces: Challenges Ahead," *Foreign Affairs* (Winter 1992/93): 32–45.

28 Kohn, "Out of Control," *National Interest* (Spring 1994): 4.

29 Colin L. Powell, "Why Generals Get Nervous," *New York Times*, 8 October 1992; and Powell, "United States Forces: Challenges Ahead," *Foreign Affairs* (Winter 1992/1993): 32–45.

ranks, Powell was passionately committed to helping elected leaders see clearly the risks associated with use of force so that best intentioned leaders did not take the country to open-ended conflicts unwittingly. That zealousness likely influenced his judgment when he published the op-ed piece during a presidential election campaign of 1992, and he was wrong to do it then and in that way. But Powell also played a pivotal role in educating elected leaders and the public regarding the advantages and disadvantages of using military force to secure political aims. With proper sanction and remediation for his inappropriate behavior during the presidential campaign and in the early months of the Clinton administration, General Powell's conduct otherwise was appropriate and effective in the civil–military nexus.

The larger point Kohn is making in "Out of Control" and reaffirmed in "The Erosion of Civilian Control" published in 2002, deals with the relative influence of the military in the national security decisionmaking process. Kohn believes that the military was dominating the Clinton administration.[30] Other political scientists have disagreed. Noted civil–military relations expert Michael Desch's data set displayed a near parity among civilian and military preferences adopted over the period that Kohn described.[31]

To be sure, the Clinton's administration's first year was especially bumpy politically (charges that it was ignoring campaign pledges, health care reform failure, difficulty passing its budget through a Democratically controlled Congress, Somalia, "gays in the military," etc.) and civil–military relations were also noticeably strained. But matters improved. The tenure of Defense Secretary William Perry (1994–1997) was one which saw the recasting of the national military strategy to better address the post-Cold War era, something that the civilian leadership at the Pentagon played a vital role in crafting.[32]

Defense Secretary Perry was paired with Army General John Shalikashvili as his Chairman and their mutually respecting dynamic was widely recognized in Washington, DC and in many ways mirrored that of Secretary Stimson and General Marshall. The personal friendship between these two men, forged during those challenging years they worked together at the Pentagon, remains strong to this day a testament to their mutually respecting, balanced approach to their duties in the civil–military nexus while they served in DC. In terms of issues, especially contentious ones like the use of force, throughout the mid-to-late 1990s, the US military successfully conducted campaigns in various places in the Balkans despite their initial reluctance to do so. Kohn's point of military dominance was inaccurate.[33]

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30 Richard H. Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002), pp. 9–59.

31 Michael Desch, *Civilian Control of the Military: The Changing Security Environment* (Baltimore: Johns Hopkins Press, 1999), pp.135–138.

32 See Ashton B. Carter and William J. Perry, *Preventive Defense: A New Security Strategy for America* (Washington, DC: The Brookings Institution, 1999).

33 It is not my intent here to overstate the success of military operations in the Balkans. The results were, at times, mixed. In Kosovo, for example, even as NATO was pursuing the bombing campaign the Serbs were able to continue their policy of sectarian killings. For more see McMaster, "Crack in the Foundation," pp. 44–49. Still, looking back on the 1990s, the operations in the Balkans did achieve the basic objective of restoring stability to the region

The final charge Kohn levies is the most serious – that the military was increasingly questioning civilian control of the armed forces. To support that claim, he described a story he had heard about a general who complained about civilian interference during the Gulf War by a "meddling Deputy Undersecretary of Defense."[34] Further, he pointed to a thesis written by Air Force legal officer, Lieutenant Colonel Charles Dunlap, at the National War College that hypothetically stated the conditions under which the military might stage a coup in the United States.[35]

There are problems with the support for this final claim. To be fair though, it is not likely that Kohn himself believed the military was really questioning civilian control of the military. His larger aims were probably to bring attention to this issue by dramatically putting the final charge on the table for consideration.

The central theme found throughout Kohn's works is a focus on "who's on top" – an examination of the policy decisionmaking process. He looks at civilian and military preferences and when military preferences prevail he equates this to too much military power during policy debates.[36] Indeed, Kohn's works fixate on "control" as the defining issue for the national security establishment. But by over-emphasizing "who's on top" one undervalues the importance of, and legal requirement for, professional advice from top officers in the civil–military nexus of the national security decisionmaking process.[37] By US law, the system is designed to ensure that elected leaders have access to professional advice as they consider weighty decisions. There should not be alarm when professional advice is heeded (or, for that matter, when professional advice is thoroughly considered and not heeded). To properly understand the civil–military dynamic and to stay apprised of trends, scholars should continue to gather and interpret data such on preferences versus policy outcomes, but policymakers should be cautious with what is done with those findings recognizing that the first responsibility of the civil–military nexus is to support elected leaders who are endeavoring to provide the best security possible for the American people within the context of the liberal democratic way of life. It is only natural that elected leaders will take seriously the opinion of military professionals.

By approaching civil–military relations *first* from the vantage of control (as Kohn and others do) is to skip over the vital, first order function, of the national security

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once ravished by civil war. For the Administration's account on Bosnia see Carter and Perry, *Preventive Defense*, Chapter 1.

34 Ibid.

35 Charles Dunlap, "Welcome to the Junta: The Erosion of Civilian Control of the United States Military," *Wake Forest Law Review*, Vol. 29, No. 2 (1994): 341.

36 In Kohn's own words he looks at "who is framing, controlling, and shaping the outcome" with emphasis also on identifying situations where civilian choice is impacted by "bureaucratic manipulation or threats," among other methods. Correspondence from Professor Kohn while reviewing the manuscript.

37 Professor Kohn's articles explicitly acknowledge the requirement for military advice in the process, but from at least this author's reading, the summation of his works prior to 2007 give the overall impression that the military's role should be deferring to political appointees in the civil–military nexus. Readers are encouraged to read his most prominent works and draw their own conclusions.

establishment. The civil–military nexus exists to help elected leaders, including the Commander-in-Chief, win the nation's wars and to otherwise advance US national interests. The American people expect the national security establishment to accomplish these responsibilities in a way that reinforces (and not negatively affects) their way of life; and that is where issues of "control" come into play. By putting control first (and misunderstanding it), one is much more likely to embrace dysfunctional civil–military relationships where top general officers are selected and applauded for remaining silent when what is really needed is a competent contributor to the civil–military nexus. Fixating on control, one is more likely to embrace dominating constructs in the civil–military nexus of the national security decisionmaking process, and as the historical record suggests, more likely to end up in strategic struggles like Vietnam and Iraq. Professor Kohn expressed dismay in 2002 that more Americans were not condemning what he perceived as inappropriate military influence in the policymaking process. But what is more harmful to the overall health of the Republic, a civil–military nexus where professional advice resonates or repeating Vietnam every other generation in cases when it does not?[38]

Before concluding this analysis of Kohn's works, one more major area must be addressed – Kohn's interpretation of history as it relates to the contributions of General Marshall and the applicability of the Founding era to today's civil–military dynamic. Kohn's views arguably are more radical than Huntington's original objective control model. Kohn argues rightly that military officers must remain publicly non-partisan. This is a fundamental tenet of civilian control contested by no one. But Kohn further believes that military officers should not belong to a political party nor should they vote. He points to General Marshall, an officer who personally refrained from these activities, to support that point.

General Marshall figures prominently in Kohn's treatment of civil–military relations and he holds up the World War II Army Chief as an example of what officer conduct should be when interacting with civilian leadership. General Marshall is clearly deserving of this praise, but the prevailing literature does not have the correct interpretation as to the significance of General Marshall's record on civil–military relations. It's true that he refrained from voting and did not join a political party and these are interesting facts, but they are not as significant as how he conducted himself in the civil–military nexus of the national security decisionmaking process.

General Marshall perceived himself in a partnership with Secretary Stimson and together they did the Army's business and served the American people and the elected leadership in the White House and Congress. If General Marshall were alive today, he likely would have been appalled by the treatment that military officers received at the hands of Secretaries McNamara and Rumsfeld. In "The Erosion of Civilian Control" Kohn cites General Myers as the role model for contemporary officers in the civil–military nexus. The records of Myers and Marshall are far apart on this score.[39]

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38 Richard Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002), pp. 9–59.

39 Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002), pp. 9–59.

While acknowledging Kohn's in-depth study and understanding of the Founding era, some of his interpretations deserve critical treatment. In his published works covering the Founding era Kohn highlights as central the Founders concerns with civilian control of the military. Clearly the Founders were concerned about that. But the Founders had many concerns and civilian control of the military was not on the top of the list. Kohn rightly points out that the Founders feared large standing armies. *But their fear was primarily aimed at the politicians who would direct them, not the officers who would command them*.[40] This is a critical distinction, particularly as it relates to drawing appropriate historical analogies between the Founding era and today. It was *political control* of the military that the Founders dilated on, not civilian control.[41]

The Founders were most concerned that without countervailing forces and checks and balances one arm of government might gain control of the military and use it against the others, the States, and the people.[42] The Founders did not want a situation where either the Congress or the Executive (particularly the latter) usurped constitutional power and then employed the army to implement their political agenda.[43]

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40 As mentioned earlier, Brutus is a notable exception. Of the 20 times that objections to standing armies clause in the proposed Constitution is made in Bailyn's compilation of *The Debate on the Constitution*, part one, only one (Brutus) specifically deals with the officer corps and concerns over civilian control. The objection of the rest centers on political control, fearing the existence of an army under the control of a strong executive, legislative branch, or political party and implementing the expansive and intrusive vision for government outlined in the other sections of the proposed Constitution.

41 See Herbert J. Storing, *What the Anti-Federalists Were For*, specifically Footnote 12, p. 84, where Storing argues that it was anti-Statism and the concern that the military could be used to enforce tyrannical impositions of the government which permeated anti-federalist thought, not the concern for an officer corps that may get out of control. Of course, there were some other notable exceptions to this point. The Pennsylvania Minority in their opposition to the Constitution made specific mention of the requirement for civilian control of the military. Also, Alexander Hamilton in *Federalist Paper* No. 8, addresses the potential adverse impacts on liberal society of extended periods of vigilance to external threats. While making the case for a stronger union and a peacetime army to support it, Hamilton warned that one of the possible negative effects of not adopting the proposed Constitution was the possibility that the 13 States under a Confederacy may feel less secure and thus *each* state would *always* maintain high states of military preparedness which could have deleterious effects on the body politic resulting in fewer civil liberties.

42 Founders political thought was by no means unanimous. In a general sense, there were nationalists or federalists who favored more power in the hands of the central government and anti-federalists or republics who wanted the individual states to retain power equal or greater to that of the central government. And among these two camps philosophical positions varied widely. Still, on the matter of political control of the military there was general agreement that power needed to be divided and shared among the branches of government to prevent tyrannical use of the army. Anti-Federalists, of course, were more strident in this position.

43 See *Federalist Papers*, Nos. 24–28, in Isaac Kramnick (ed.), *James Madison, Alexander Hamilton, and John Jay: The Federalist Papers* (New York: Penguin Books, 1987).

In addition to institutional competition between the respective branches of government, there was deep concern over extra-legal uses of the army among the two major ideological divides, nascent political parties, present at the Founding – the Federalists and anti-Federalists. Anti-Federalists, in particular, were very vocal about their concerns of the Federalists, who they perceived as favoring dangerous accretion of powers in a central government and if that political group gained control of the army, they could further extend these powers to the point that reversing them would not be possible without armed resistance. In short, the anti-Federalists feared a standing army under the control of the Federalists.[44]

After the "the Great Compromise" facilitated the completion of the document, the Constitution was sent forth to the States for ratification in 1787. Among it provisions were sections specifically designed to address matters of war and peace and civil–military relations. To preclude the kinds of potential accumulations and abuses of power in the aforementioned paragraphs, the Founders borrowed heavily from Montesquieu's separation of powers and methods of checks and balances.[45] Congress would be authorized to appropriate monies (and only for periods of two years at a time), author the regulations for the armed forces, confirm high level appointments, and declare war while the President would serve as the Commander-in-Chief with the military under his direct control. The States would have militias to safeguard their liberties and ensure that the federal government did not become tyrannical, at least would have to consider the military power of the states as decisions were pondered.[46] The checks and balances were as much deterrent as they were controls on governmental reach.

In terms of civilian control and stipulations preventing a professional officer corps from seizing control of the apparatus of government, this possibility was considered and addressed but it was not a major concern as the country simply did not have a professional officer corps during the Founding Era and those who were veterans of the Revolution were generally of the highest public standing in terms of republican virtue (Alexander Hamilton was perhaps a notable exception as some mistrusted him). Besides, there was little or no distinction between military and political leaders at that time. Some of the most accomplished generals during the Revolutionary War had no military experience prior to the conflict and it was not until General George

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44 See Richard Henry Lee, "Letters of a Federal Farmer," in Kenneth Dolbeare, *American Political Thought*, 4th edition (Chatham, New Jersey: Chatham House Publishers, 1998). Brutus, *New York Journal*, 28 January 1788.

45 Charles Montesquieu, *Spirit of Laws*, originally translated by Thomas Nugent in 1752 (Kitchener, Ontario: Batoche, 2001).

46 Political control over the militias was also a major concern, particularly for anti-federalists. Again, the chief fear was that with the centralization of power, the executive branch could use military forces against the states or people and this concern extended to the state militias too, which is why careful treatment was given to how this force would be regulated, financed, and commanded. Ultimately the Founders decided to empower the states with the most control of the militias as a countervailing power to federal power. Hamilton answers his critics in a series of *Federalist Papers.* See, in particular, Nos. 24–28 in Isaac Kramnick, (ed.), *James Madison, Alexander Hamilton, and John Jay: The Federalist Papers* (New York: Penguin Books, 1987).

McClellan during the Civil War did a West Point educated officer (read professional) even serve as Commanding General.

Still, the memory of the British Army and its role in oppressing the colonists particularly in the decade prior to the Revolution was real and present in the consciousness of the American people and its representatives in Philadelphia in 1787. Moreover, the recent history in England with the experience of Oliver Cromwell was well known to Americans. The Constitution spoke to this and provided a clear statement on civilian control of the military. A chain of command was established with the President as head of the armed forces. The military possessed no independent ability to pay for its expenses, decide on its size, commission officers, decide where it would be employed, or any authority to house itself among the citizenry without the consent of Congress.[47] *Just like all public institutions*, the governmental design would ensure the preservation of popular rule, rule of law, and democratic ideals and the army and navy would be controlled by duly elected representatives of the people.

The Newburgh Conspiracy is at times cited by scholars to highlight the Founders concern with civilian control of the military. The event was the machinations of several army officers in 1783 to pressure Congress to pay back salaries and pensions to Continental soldiers. But even as Kohn himself pointed out, because of the way information was controlled in the immediate aftermath of this incident, the public's perception was that the Army actually rejected these notions and acted virtuously, protecting liberty and the nascent government. So the perception of the Army as the Founders convened for the constitutional convention was not colored or jaded against the Army.[48]

Further, this covert movement was led by officers, including Robert Morris and Alexander Hamilton, aligned with the nationalists (soon to be Federalists, and Federalist political party) and with a larger agenda of expanding central power with the issue of soldiers pay and pensions a convenient excuse to support their ulterior motives. Newburgh, too, was more about political control of the military than civilian control, at least as far as its relevancy for today's debate.[49]

The larger point here is that drawing analogies between the Founding era and today with the intent of using the logic of the preeminent statesmen of that time to squelch or diminish the military's role in advising elected leaders and representing the profession in the civil–military nexus of the national security policy development process are without sufficient grounding. Arguments such as these should be advanced on their own merits and not rest upon the sanctity of the Founders, because the preponderance of evidence does not support such associations. The Constitution empowered the President and Congress to control the military but did not provide for unelected political appointees to dominate the military. Of course subsequent US law has empowered the position of Defense Secretary, especially since World War II,

47 Indeed, the Third Amendment to the US Constitution was a direct result of the colonist experience with the occupying British Army before the Revolution.

48 Richard Kohn, *Eagle and Sword*, p. 34.

49 Richard Kohn, *Eagle and Sword*, pp. 17–39.

but the distinction is worth making. Laws change frequently, the Constitution only 26 times since the Founding.

In summary, Professor Kohn's works should be widely read and considered. He has tremendously enhanced my understanding of US history and civil–military relations. But his policy prescriptions for limiting the role of military officers in the civil–military nexus, recommendations that closely align him with Huntington's Objective Control model, should be rejected. Kohn certainly acknowledges a role of military advice, but he decries the acceptance of it as "imposing its own perspective on many policies and decisions."[50] Kohn criticizes public statements by military officers when they are not in line with the administration's views, but in condemning these actions there is not sensitive treatment to the military officer's requirement to provide candid testimony to Congress.[51]

Kohn holds up General Myers as the model Chairman of the Joint Chiefs for his circumspect demeanor. Kohn believes that the military should refrain from playing a role in informing the debate in America and in the Congress regarding security situations around the world.[52] Such positions deny the military profession at least one of their primary tasks – to develop, refine, apply and *explain* expert knowledge. All professions do this and the military should be no different.

At no point is professional advice despotic. Lawyers provide clients with options and clients chose accordingly. Doctors provide advice to patients, including the risks, advantages and disadvantages of the various options. Patients decide. The same holds true for the profession of arms. The American people expect their Representatives and the President to make the best decisions possible, particularly when it comes to matters of war and peace, and for this to occur, information and analysis must be made available. Administrations may wish to manage information with discipline and ask officers to "stay on message" accordingly. From time to time operational security demands such an approach, but when testifying before Congress military officers must speak candidly and truthfully.

General Shinseki was put in a difficult position before Congress in February 2003. When he provided his best military judgment, which was not in line with the administration's thinking, and he was roundly chastised by the top political appointees at the Pentagon. But General Shinseki did the right thing. The administration

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50 Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002): 9.

51 While criticizing Powell for being too vocal, Kohn states, "Certainly Generals Shalikashvili and Shelton have been fairly circumspect about speaking out on issues of policy, and the current chairman, Air Force general Richard B. Myers, even more." See Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002): 19. One reading this article in 2002 would likely draw the conclusion that to Kohn, General Myers is the model officer because he tempered his views. However, the accounts found in Gordon and Trainor, Ricks, and Woodward describes General Myers as a minor player in the civil–military nexus. Professional advice from the Chairman and JCS was not a major factor in the campaign plan development. The *effect* of Kohn's normative approach to civil–military relations is to dampen military voices from properly representing the profession, even if his intention may be otherwise.

52 Ibid., p. 30.

expected political control of the military, but the Constitution demands civilian control, a responsibility shared among the executive and legislative branches. General Shinseki understood this and acted accordingly, even as he tried very hard to satisfy both bosses.

Professor Kohn has had a distinguished career as a scholar and has made lasting contributions to the field. With modifications, his policy prescriptions could serve the American people well. Without acknowledgement of the civil–military nexus and the role that the professional military plays within, his views have *the effect* of muting the military voice.[53]

When someone is sick and needs surgery, one does not go to the Secretary of Health and Human Services to perform it, although that person is very influential in setting the conditions for best medical practices to develop (and may even be, coincidentally, a medical doctor). When surgery is needed individuals go to a professional – a medical doctor. Likewise, when military advice is needed, the professionals should be consulted, too. This does not mean that civilian national security professionals at the Pentagon or in academia should be ignored. To the contrary, the Madisonian approach recommends going there for advice as well. Elected leaders would do well to seek advice widely prior to making major decisions. By embracing a more competitive and comprehensive process this kind of approach is more likely to generate a broad range of well considered options to choose from with better contingency plans to address unexpected developments.

The Subjective Control Reprise

Eliot Cohen, like Richard Kohn, is among the leading scholars in US civil–military relations. A professor of the Johns Hopkins, School for Advanced International Studies (SAIS), Cohen also is considered an expert on national security strategy and publishes widely, including in the op-ed pages of the nation's leading newspapers, and was a member of the Defense Policy Board responsible for advising Defense Secretary Rumsfeld. His commercially successful book, *Supreme Command*, was

53 Richard Kohn served as a visiting professor at the US Army War College, for academic year 2006–2007. On 6 December 2006 he delivered a major speech to the student body entitled, "Dealing with the Devil: Assertive Secretaries of Defense and How to Deal with Them." Professor Kohn provided helpful advice for dealing with Secretaries practicing techniques that comport with techniques found within the subjective control model. Advice on dealing with assertive secretaries would have been especially helpful in 2001 when the military was struggling to find its proper role and voice with former Defense Secretary Rumsfeld. However, at that time Professor Kohn was still publishing accounts admonishing the military for inappropriate actions and exhorting it to restrain its behavior with civilian officials and the decisionmaking process. The subsequent domination by the "assertive Secretary" has since been thoroughly documented in the popular media. Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002): 9–59.

read by President Bush and commended to administration officials in the summer of 2002 as the country ramped up for war in Iraq.[54]

This book, the article that preceded it entitled, "The Unequal Dialogue," along with a couple of op-ed pieces that appeared in the summer and fall of 2002 played a role in shaping the national debate over Iraq. Although his specific policy recommendations for controlling the military are markedly different, Cohen shares Kohn's views that the military's role in the civil–military nexus should be diminished and restrained.[55] The main point of *Supreme Command* is that civilian leadership must constantly prod and intensively manage the military, particularly during time of war. According to Cohen, since military officers generally are reluctant to recommend the use force

54 See Dana Milibank, "Bush's Summer Reading List Hints at Iraq," *Washington Post*, 20 August 2002, p. A11. In the article Milibank quotes Cohen when responding to the fact that President Bush was reading Supreme Command, "I'm tickled pink." Milibank goes on to describe the voices of caution within the JCS and retired generals such as Brent Scowcroft and Colin Powell and how they are at odds with neoconservatives, including the author of *Supreme Command*, Eliot Cohen.

55 Cohen's two op-ed pieces in the summer of 2002 were, "Generals, Politicians, and Iraq," which appeared on 18 August 2002 in the *Wall Street Journal* and "Hunting Chicken Hawks," which appeared on 5 September 2002 in the *Washington Post.* See also, Giles Whittell, "All the President's Men" (An Interview between the author, Whittell, and Eliot Cohen) *London Times*, 10 October 2002. Whittell begins this interview with, "When the history of the Second Gulf War comes to be written, its authors will have to look hard at a slim, scholarly volume about four dead white men, none of whom ever heard of Scud missiles or Saddam Hussein. This book is called *Supreme Command*, and the most obvious reason why it is relevant to the storm gathering over Baghdad is that President Bush says he has been reading it." Then Cohen responds, "Here's what I know … when it (Supreme Command) first came out in the US in June, the White House asked for three copies, one autographed to the President, one to Karl Rove, his political advisor, and one blank. And then in August, while I was on vacation up in the mountains of New Hampshire (Bush) told the journalists that he was reading it. That's all." Later in the interview, Cohen defends the administration as it proceeds on course for war in Iraq and as he acknowledges the interviews point that Bush does not have the grasp of the big picture that Churchill did, Cohen states, "bear in mind he's surrounded by an awful lot of others who are big-picture people – Rice, Cheney, Rumsfeld, Wolfowitz – and I think there is an overall picture these folks have that if you overthrow the regime of Saddam Hussein, in addition to averting some potentially disastrous things – an Iraqi nuclear weapon, Iraqi biologicals – there are a load of second and third-order consequences which will be beneficial." Whittell closes this piece with the following section, "He (Cohen) is wary of the American military's dabbling in geopolitics without sufficient expertise, one result of which, he says, is its possibly naïve assumption that the "Arab street" would erupt in protest if America ousted Saddam. He (again, Cohen) is angry with Clinton for having ceded to the military so much control over their own affairs in the 1990s. And he is very close to the current administration: on first-name terms with Rice, the President's national security advisor; friends with her deputy, Stephen Hadley; and a not-infrequent sounding-board for Wolfowitz, Washington's chief hawk. No wonder he will be giving a speech at the White House next month."

to secure national objectives, and because their strategic analysis is often wrong, presidents should be wary of their advice.[56]

As discussed in Chapter 2, reasserting civilian control over the military was a central goal of Defense Secretary Rumsfeld.[57] This view was supported by the research and recommendations of many scholars in the field of civil–military relations, some of which have already been discussed earlier in the text. Arguably, however, the most direct link between academia and the new administration was Professor Eliot Cohen. Cohen was a former colleague of new Deputy Defense Secretary Paul Wolfowitz when the latter was the Dean at SAIS, and both were influential founding members of the Project for a New American Century, an august group of scholars and former governmental officials, who among other objectives were advocates for regime change in Iraq. Notably among this group was the incoming Defense Secretary Donald Rumsfeld and as was already mentioned this association continued when Cohen took the position on the Defense Policy Board.[58]

Cohen provided the intellectual bridge between those who were interested in military transformation, more aggressive advancement of US interests abroad particularly in Iraq, and tighter civilian control of the military. Indeed, he was considered an expert in all three fields. The intellectual underpinnings and justification to support the managerial predilections of Donald Rumsfeld were now in place and supported by Cohen's reasoning that the best wartime leaders abandon "normal civil–military relations" and embrace aggressive and invasive supervisory tactics to compel subordinates.[59]

Given his access to the new administration, it's worth covering in some detail the content of Cohen's writings. Central to his thesis is that nearly all aspects of armed conflict should be closely guided and supervised by civilian authorities; this departs from Huntington's notion of a dichotomized split of the political and military, and the Weinberger-Powell approach employed by President G.H. Bush in the Persian Gulf War. Cohen's views are more closely aligned with Janowitz's subjective control, given his endorsement of intensely managing the selection of general officers who share civilian leadership's worldview, the penetration and domination of civilians in the department of defense relative to their military counter-parts, and his positions on the relative merit of military advice when considering matters of war and peace.

In "The Unequal Dialogue" and *Supreme Command*, he delivers to readers a handful of carefully selected and crafted historical vignettes championing civilian leaders who closely supervised the military's prosecution of the wars pursued, concluding that as a direct result of this invasive style, they were victorious. Lincoln,

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56 Eliot Cohen, "Hunting Chicken Hawks, *Washington Post*, 5 September 2002, p. A31.

57 Interview of General LTG (Retired) Bernard Trainor by Bernard Gwertzman of the Council on Foreign Relations, 9 November 2006. That interview can be viewed in its entirety on the CFR website.

58 For more on the *Project for the New American Century*, visit their website at http://www.newamericancentury.org.

59 Cohen, *Supreme Command*, p. 5. See also Cohen's endorsement of Rumsfeld's handling of the military in Stephen Goode, "The Character of Wartime Statesmen: Interview with Eliot Cohen," *Insight on the News*, 30 May 2003.

Clemenceau, Churchill, and Ben Gurion are the heroes. Some of these historical leaders had extensive military experience themselves while others did not. What they all shared was an insatiable curiosity and propensity to manage details so that military operations achieved desired political goals. What the author wants the reader to conclude is that military experience is not a determinate factor in wartime civilian leaders and this is hardly a controversial point. What is significant is the move he makes with this observation; namely, that this renders neutral military experience, particularly as it relates to deciding whether the use of force can achieve desired political goals. Related, and somewhat surprisingly, Cohen cites Vietnam as an example when the lack of civilian involvement contributed to defeat.[60]

Military officers, according to Cohen, are often more cautious when it comes to using force and as such, their counsel should be taken with that limitation in mind.[61] He said as much in his op-ed piece which appeared in the *Wall Street Journal* on 18 August 2002, at a time when significant debate raged inside the Pentagon and throughout Washington, DC over the direction of US policy towards Iraq. Commenting on what he described as a "whisper campaign" by the generals concerned with the direction of war planning, Cohen quickly comes to his point.

> … Clemenceau was right: War is too important to be left to the generals. The 85-year-old dictum applies no less to an attack on Iraq than to the concluding stages of World War I.[62]

Cohen's piece was widely circulated and included in the Early Bird, a department of defense daily compilation of national security related articles and cited by pundits on the Sunday morning talk shows and other mediums. It was read by national security specialists (civilian and military) the world over and he was specifically addressing what was increasingly becoming known in Washington, DC – that there were military leaders with serious doubts about the impending invasion of Iraq and especially about the way the administration was proceeding with the assumptions of what lie ahead and the plan developed to meet those challenges and assumptions. Cohen alluded to this in the op-ed, "… This is the context in which one should understand the murmurings of uniformed discontent that journalists are discovering in the Pentagon in recent days."[63]

The crux of the matter, of course, comes down to how one perceives the national security decisionmaking process, particularly how the duties, responsibilities, and norms at the Pentagon should be arranged. Cohen's op-ed is subject to multiple interpretations. Take the following passage for example:

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60 Cohen, "The Unequal Dialogue," in Feaver and Kohn, *Soldiers and Civilians*.

61 For Cohen's critical treatment of General Colin Powell's memoir My American Journey see, "Playing Powell Politics," *Foreign Affairs*, Vol. 74, No. 6 (November/December 1995): 102–110.

62 Eliot Cohen, "Generals, Politicians and Iraq," *The Wall Street Journal*, 18 August 2002.

63 Ibid.

> … Healthy civil–military relationships rest not on milky comity, which usually means that one side or the other has failed to do its job, but on friction and tension, tempered by unflinching candor, grudging respect and, ultimately, military deference to civilian intentions.[64]

There is little controversy or disagreement about this position if one is referring to civil–military interactions between the President, Congress, and the military. Military officers serve elected leaders and must always accept their decisions and enthusiastically work to make them successful.[65] But if conflict ends inside the Pentagon and within the civil–military nexus before reaching elected leaders, this denies to those who are responsible to the American people under the US Constitution, the concerns and advice of the nation's top military officers. Such was the situation that White House Chief of Staff Andrew Card described of the civil–military dynamic he witnessed, believing that the Chairman of the JCS, General Myers was often an "echo" for Secretary Rumsfeld, a rubber stamp to the Secretary's views and plans. Cohen published this op-ed at a time when the Pentagon was developing, analyzing, and refining the war plan while top generals were sparring with civilians in the Department of Defense. Among Cohen's points is that when considering whether to invade Iraq, national leaders should discount the concerns of generals who are prone to over-cautious views and recommendations fearing for the safety of their troops should invasion be ordered. Quoting Lord Salisbury, Cohen pointed out, "if you ask the soldiers, nothing is safe."[66] In his other op-ed, "Hunting 'Chicken Hawks'" which appeared a couple of weeks later in the *Washington Post*, Cohen is more direct.

> ... The expertise of generals lies chiefly in the operational, not the strategic sphere – how to wage war, not whether it should be fought ... In matters of war and peace veterans should receive no special consideration for their views.[67]

Considering the timing of these pieces and how widely they were circulated within the national security establishment, their significance on the dynamic inside the civil–military nexus should not be discounted. Cohen is advocating that the generals stop resisting Defense Secretary Rumsfeld and his assistants. These pieces were published *before* the President's critical meetings with the Joint Chiefs of Staff in October 2002 and January 2003 on the war plan.[68] When these articles were appearing

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64 Ibid.

65 Active involvement and interest from the President and Members of Congress helps ensure that the military is developed and employed consistent with the will of the American people. Indeed, more Presidential and Congressional prodding on the post-war planning assumptions and details might have been helpful.

66 Eliot Cohen, "Generals, Politicians and Iraq," *The Wall Street Journal*, 18 August 2002.

67 Eliot Cohen, "Hunting 'Chicken Hawks,'" *Washington Post*, 5 September 2002. p. A31.

68 Also in "Generals, Politicians, and Iraq" Cohen's cited General Myers as an exemplary role model for officers operating in the civil–military nexus, comparing him to General Marshall. Such comparisons are not accurate, especially when examining relationships.

in print members of the JCS, including Generals Shinseki and Jones, were still trying to influence the campaign planning process and the plan to address areas that were thought deficient. Generals Shinseki and Jones actions within the civil–military nexus were appropriate.

The point here is not that if military advice had been heeded the US would not have invaded Iraq. In the end, civilians always decide – President Bush was destined to make the final call. Rather, by allowing military voices (particularly within the JCS) to resonate and be heard, among other alterations a different war plan would have emerged that included more ground troops during the initial phase which would have significantly altered the dynamic during the first 30–60 days after the fall of Hussein.[69] By extending the sphere and including more voices in the process, particularly the JCS, the war plan would have had different assumptions, more contingencies, and greater inclusion of non-security related US government resources, all necessary for circumstances when regime change is the desired strategic objective.

As noted in previous chapters, one of the members of the JCS, Army Chief of Staff General Eric Shinseki, when testifying before Congress prior to the war stated that several hundred thousand troops might be necessary to stabilize Iraq after a successful invasion.[70] General Shinseki had his staff study past historical cases to help him form that view which was also informed by his experiences commanding US forces in Bosnia, a region fraught sectarian conflict.[71] But his opinion was not only ignored, General Shinseki was severely criticized for even giving it. Deputy Defense Secretary Paul Wolfowitz, an official with less experience in post-conflict stability operations than General Shinseki, pointed out in his Congressional testimony a couple of days later that General Shinseki's estimate was "widely off the mark" and the DOD continued its efforts to alienate and discredit the outgoing Army's Chief in the weeks that followed.[72]

Secretary Stimson and Marshall enjoyed a balanced relationship, the same was not the case between Myers and Rumsfeld, even if they were friendly to one another.

69 Vernon Loeb and Thomas Ricks, "Rumsfeld's Style, Goals Strain Ties in Pentagon," *Washington Post*, 16 October 2002, p. A1. Eric Schmitt, "Pentagon Contradicts General on Iraq Occupation Force's Size," *New York Times*, 28 February 2003. David Moniz, "Ex-Army boss: Pentagon won't admit reality in Iraq," *USA Today*, 2 June 2003. In this piece former Secretary of the Army Tom White states, DOD leaders "are unwilling to come to grips" with the scale of the effort required in Iraq and the number of troops required to get the job done. And, "this is not what they were selling before the war."

70 Transcripts of Congressional testimony before the Senate Armed Services Committee, 24 February 2003.

71 Thomas Ricks, *Fiasco*, p. 96.

72 Ricks, *Fiasco*, p. 97. Surprisingly, the nation's top military man, General Myers did not stand up for his general in his moment of need. It is hard to imagine that General Marshall would have idly stood by as a Deputy Secretary impugned the professionalism and loyalty of one of his generals for rendering his best military judgment as he saw it. Yet, when Myers spoke about the matter at a later time he acknowledged, "There were some mistakes made by, I think, some of the senior civilian leadership in taking General Shinseki on about that comment." See Richard Halloran, "When Gatekeepers of War Disagree," *Honolulu Advertiser*, 23 April 2006. Such comments are appreciated by military professionals, but have less of an effect when they are not timely.

The week after Baghdad fell in April 2003, the Army Secretary Tom White, a popular figure within the service, was fired. White's actual departure date was rushed by the DOD adding more insult to the situation for the Secretary and his service. When General Shinseki retired in mid-June Secretary Rumsfeld and Deputy Secretary Wolfowitz did not attend. The take-away from those in the Army was discipline in message was expected and any top level military men who spoke their conscience or provided military advice contrary to what the civilian leaders in the OSD was thinking could expect to be silenced and sent away.[73] War, after all, was too important to be left to generals.[74]

Cohen in an interview in May 2003 endorsed Defense Secretary Rumsfeld's approach to dealing with the military[75] but given the ongoing struggles in Iraq, it appears that the reprise of subjective control is faring no better than it did during McNamara's days at the Pentagon.[76]

From a theoretical standpoint, the reprise of subjective control did not overcome the shortcomings of the original version offered by Janowitz. Since civilian and military leaders in the civil–military nexus share responsibilities to provide elected leaders with strategic advice, alternatives and advice, why should politically appointed civilian leaders dominate the nexus, especially when US law requires the inclusion of military perspectives?

With objective control and subjective control wanting and the principal-agent approach promising, but still lacking, it seems apparent new ideas are needed.

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73 See Dan K. Thomasson, "The Rumsfeld Ambuscade," *Washington Times*, 20 April 2006, p. 19.

74 During this period I served as a Congressional Fellow and the reason passed from Pentagon officials inside the Office of the Secretary of Defense to the offices of selected members of Congress pertaining to why Secretary White was fired was that he did not rein in or punish General Shinseki for breaking with the administration's talking points on the war. The logic offered was that the President's man should have taken care of this himself. Even if this was untrue or exaggeration on the part of the OSD aides, that perception alone which circulated on the Hill hurt the Army's reputation and had a chilling effect on military advice and civil–military relations. See also, David Moniz, "Ex-Army boss: Pentagon won't admit reality in Iraq," *USA Today*, 2 June 2003 and Rowan Scarborough, *Rumsfeld's War* (Washington, DC: Regnery Publishers, 2004), Chapter 5, for corroboration and similar analysis.

75 Stephen Goode, "The Character of Wartime Statesmen: Interview with Eliot Cohen," *Insight on the News*, 30 May 2003.

76 It should be noted that like Professor Kohn, Professor Cohen appears to be re-assessing his views, at least on Iraq, if not civil–military relations. In a series of op-eds since 2005, Cohen has been increasingly critical of how the US Government has pursued the occupation of Iraq. For an especially thoughtful piece see, "A Hawk Questions Himself as his Son goes to War," *Washington Post*, 10 July 2005, p. B1.

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Chapter 6

A Madisonian Approach for Civil–Military Relations

The story of US civil–military relations over the past four decades has been one of far ranging swings in one-sided domination or questionable levels of over-influence by one side or the other. Is there a way to avoid these destabilizing oscillations, excesses and over-corrections? Is it possible to escape these non-productive and unhealthy patterns of elite relationships so that the US can better secure the state while preserving its cherished Lockean liberal way of life?

Given the troubles in Iraq some scholars are already anticipating the backlash within the military.[1] It is clear that alterations to the system are necessary, but what is lacking is an effective framework (a coherent set of structure and norms) from which to guide the details of reform. Without an anchor, a set of agreed upon inter-related principles, without normative theory, if history is any guide another over-correction should be expected.

In some ways, the Founders grappled with similar questions. They had the difficult challenge of producing a government that could control the governed but then control itself.[2] The history of mankind is devoid of example where absolute power did not corrupt or disappoint. Indeed, the history of unchecked power *is* the history of tyranny. For the Founders, even the most virtuous man (in those days that was widely believed to be George Washington) would be corrupted with unlimited power. Madison concluded the only solution to this problem was to *put the virtue in the system*. Man's ambitious inclinations should be arranged in such a way that they negated or attenuated their tyrannical tendencies – countervailing forces was the key to preventing tyranny. This same thought process, that institutions with overlapping responsibilities, sharing power, and inspiring the best efforts for those they serve, the very animating concept of the Constitution, may provide the logic the US needs to put its relations in the civil–military nexus on a better foundation.

For this "Madisonian" approach to civil–military relations, first order principles are enduring and drawn from the Constitution.

1. Elected leaders always have the final say and there is nothing beyond their purview.

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1 See, for example, Lawrence Kaplan, "A Military Estranged From The Architects Of War," *London Times*, 9 August 2006.

2 See *Federalist Papers*, Nos. 10 and 51 in Isaac Kramnick, (ed.), *James Madison, Alexander Hamilton, and John Jay: The Federalist Papers* (New York: Penguin Books, 1987).

2. Members of the military must always remain non-partisan in their public life.
3. Like so many other facets of the US constitutional arrangement, civilian control of the military is shared between the President, who serves as the Commander-in-Chief of the armed forces and the Congress which retains vast authority over the military as outlined in Article I, Section 8 of the Constitution. Together, these elected leaders control the military establishment, providing it guidance, funding, and supervision.

The Limits of a Madisonian Approach

Before going any further, the limits and weaknesses inherent in any Madisonian approach to government should be recognized to help bound the proposed normative framework and policy recommendations that follow. Something that certainly transcends civil–military relations and national security, is that by diffusing power to prevent tyranny and protect liberty, one accepts the potential inefficiency and difficulty that comes when such a designed organization or system attempts to develop a coherent position, articulate that position, and subsequently implement the plan that follows. While it is possible to be at once less efficient, but overall more effective, it should be recognized that from the outset that much frustration comes with the otherwise beauty that is American Madisonian way of government. National security strategy development does not escape this problem. National security experts (civilian or military) may study Clausewitz, but it is an entirely different enterprise to get the US government to think about strategy in a comprehensive "Clausewitzian way," much less articulate a doctrine in such a manner. This is especially so because power and responsibility is diffused in so many different institutions which share roles and duties and compete with one another as they do for influence and budget shares.

This project aims to improve a key aspect of the national security decisionmaking process, the civil–military nexus at the Pentagon, by moderating the effects of potential tyranny (tyranny of a certain kind) in the position of the Secretary of Defense. But it should be recognized that the reforms advanced here may make the government work harder to achieve overall unity of effort. Thus, more burden is placed on the nation's elected leaders; but isn't this where the burden should be in a democracy?

Despite potential weaknesses with a Madisonian approach, it is still worth pursuing. Among the competing bogeymen that accompany the polar opposites of the "tyranny of the one" and the "chaos of the many," tyranny is the more despised foe. As it relates to civil–military relations, it seems clear from recent history that elected leaders should get a wider range of fully developed options to choose from.

But there are other limits to this study and the Madisonian approach. Looking at the inter-agency struggles associated with the entire US government's efforts in Iraq, it seems clear that comprehensive reform is needed beyond just that of Pentagon relations. The President appears not to have the staffing support and processes necessary to develop, enunciate, and supervise grand strategy. Congress too does

not appear optimally organized to facilitate the accomplishment of its oversight and legislative functions attendant to national security.[3]

The National Security Council Staff as currently configured lacks a robust regional expertise (although some positions are dedicated to that requirement now), and it is clear from the problems encountered in Iraq, and it has been known long before that the US Government needs an entity that can *integrate* in a meaningful way all dimensions of national power: military, diplomatic, economic, and information instruments.

These issues are beyond the scope of this project, but they must be mentioned here because the reforms and recommendations offered in this work ultimately will need to be nested within any changes made to the grander US governmental structure.[4] Depending on the results of broader reform initiatives, the specific recommendations advanced here may need to be revised to be properly nested.

The Madisonian Theoretical Model

That stipulated; the significant move proposed in this model pertains specifically to interactions within the Department of Defense, where the Madisonian approach provides a different way for conceptualizing the key relationships in top-tier positions – the president's political appointees and the nation's top military officers. Under this approach, top civilian and military leaders would forge a partnership to provide the nation's elected leaders with the best military advice and information to guide their executive decisions. Although the top military officer would still report to the Secretary of Defense, the subjective control model practiced during the McNamara and Rumsfeld years is discarded for a more collaborative approach employed during World War II.

Under the Madisonian approach, after receiving civilian direction from elected leaders, most immediately from the President as the Commander-in-Chief, but shared over the long-run with the Congress within their jurisdictions, these national security experts within the Department of Defense (civilian and military) develop competing plans to accomplish such directives. These national security experts critique each others ideas and concepts and provide such analysis, replete with advantages and disadvantages, to the President and Congress for review, comment and decision. There is no requirement for consensus in the civil–military nexus – separate proposals for executive deliberation are encouraged. The relationship between Secretary Stimson and General Marshall provides the historical guide.[5]

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3 Such a study was conducted recently at the Center for Strategic and International Studies, the "Beyond Goldwater-Nichols" project. The reform effort is now in its second phase and is led by Clark A. Murdock and Michele A. Flournoy and their latest report found on their website, dated July 2005. See specifically pp. 6–7.

4 The Beyond Goldwater-Nichols Project has made a similar recommendation. See their Phase 2 Report dated July 2005, p. 6.

5 Pogue, "Marshall on Civil–Military Relationships," in Richard Kohn (ed.), *The United States Military Under the Constitution* (New York: New York University Press, 1991).

As pointed out earlier in the text when the termination of conflict during the First Persian Gulf War was covered, there are times when issues within the civil–military nexus clearly have a lead. In that case of conflict termination, political appointees with the Departments of State and Defense should have been more involved and in the lead. For matters of policy in general, political appointees should be out front although prior to elevating matters to national decisionmakers, military advice should be incorporated and adequately considered. Especially when dealing with foreign leaders the Secretary of Defense should be the lead for these matters within the Department of Defense. Most of this work is still inside the civil–military nexus, but the Madisonian approach recognizes that professional preparation in these instances generally favors political appointees with professional military advice supporting by thoroughly reviewing potential courses of action for assumption viability and execution feasibility in addition to analysis on second and third order effects. Conversely, there are moments when military officers should be in the lead as with operational planning. To be clear, such activities reside in the civil–military nexus and political appointees and their civilian national security experts play a prominent role critiquing military plans for assumption viability, execution feasibility and analysis of second and third order effects. Differing alternatives or variants of specific aspects of plans is encouraged as well. The difference with the Madisonian approach in contrast to how processes work now is that under the new normative approach, elected leaders will be presented with more fully developed options. Also importantly, the reconstructed civil–military nexus would not require compromise and option consolidation prior to reaching the President or Congress.

To devise the details of this Madisonian theoretical approach one must begin, as Isaac Newton once acknowledged, "by standing on the shoulders of giants."[6] In this case, these "giants" are the same scholars who have been criticized in preceding chapters. But significant aspects of their models remain useful and some of their tenets are incorporated here even as they are recast and reinterpreted for inclusion with the Madisonian approach.

The Madisonian approach begins with Feaver and his agency theory.[7] The President and Congress are the principals and as such provide the guidance, render decisions, and then make informed choices regarding how best to supervise the implementation of policy to achieve desired goals and objectives. Feaver's agency theory provides a well developed set of choices that principals can choose from when picking a supervisory method and they are carried over to the Madisonian approach. Where the Madisonian approach differs from Feaver's agency theory is in conception of the "agents." Instead of the Secretary of Defense being included with the other principals (the President and Congress), he or she is considered an "agent" along with the military and both are responsive to the will of the nation's elected leaders.

Arranged in such a fashion there are real opportunities for employment of more non-invasive monitoring techniques (e.g. inter-DOD rivalry and internal "fire

6 Isaac Newton, *Opticks: A Treatise of the Reflections, Refractions, Inflections and Colours of Light*, Edmund Whittaker (ed.) (New York: Dover Publications, 1979).

7 Peter Feaver, *Armed Servant*, 2003.

alarms") because the nature of the relationship at the Pentagon would be such that the competing views of civilian and military agents would keep elected leaders better informed and armed with more fully developed divergent options from which to choose. Through a Madisonian approach to civil–military relations at the Pentagon the US may be able to escape from, or at least attenuate, the seemingly concomitant relationship between the degree of intrusiveness of oversight techniques, the level of compliance, and effectiveness – aspects of the dynamic Feaver maintains are highly correlated. Whereas in the past principals had to make tough choices on trade-offs between compliance and morale-related effectiveness, the Madisonian approach may offer better possibilities. By setting up countervailing forces at the Pentagon it may be possible to at once get more accountability (or in Feaver's parlance less shirking) and more effective policy outcomes, the result of more freedom during initial stages of policy development and enhanced vetting of options during wargaming among civilian and military officials at the political-military nexus.

The Madisonian approach also pulls in ideas from other scholars. From Huntington, incorporated is the military's primary focus on the development of expert knowledge; warrior skills, and the cultivation of the profession at arms.[8] Congress helps here by providing general guidance on the kind of military force desired. National Security experts within the DOD (civilian and military) collaborate with the Congress to flesh out the details of force development and how professional knowledge is defined. Indeed; all hands collaborate in helping define the future of the profession.[9] In the Madisonian approach, however, the definition of professionalism is expanded to include joint services competencies, multinational forces integration, governance skills, and appreciation for the US national security decisionmaking process all skills that should enhance preparation to serve in the civil–military nexus.[10] According to Huntington these additive duties were more in the domain of the civilian, but drawing on the experiences over the past four decades, and indeed, especially from the examples of Washington and Marshall, it is clear that they are duties found within the civil–military nexus, and having those competencies resident in senior military officers benefits the nation, even and especially the nation's elected leaders. Also incorporated from Huntington into the Madisonian approach, officers must remain publicly non-partisan. The instant this is violated, even the most virtuous acts are looked at in a different light and with suspicion.

From Janowitz, the Madisonian approach acknowledges the futility in strictly separating roles and responsibilities of civilian and military leaders at the Pentagon.[11] Beyond conventional war competencies, the military officer must also be the proverbial "man for all seasons." He or she must be able to fight and win wars, big

8 Huntington, *The Soldier and the State*, pp. 8–9.

9 A must read on military professionalism is, Don M. Snider and Lloyd J. Matthews, project director and editor, *The Future of the Army Profession*, 2nd edition (New York: McGraw Hill Companies, Inc., 2005).

10 See Michael J. Meese and Sean M. Morgan, "New Requirements for Army Expert Knowledge: Afghanistan and Iraq," in *The Future of the Army Profession*, 2nd edition, Don M. Snider project director, Lloyd J. Matthews (ed.) (New York: McGraw Hill, 2005): 349–366.

11 Janowitz, *The Professional Soldier*, pp. 422–423.

and small, and be employed in any way that the nation's elected leaders decide. As Janowitz argued, the military must have a constabulary capability – full spectrum possibilities.

Revisions to Goldwater-Nichols

At this point the argument moves from the theoretical to the practical and to the realm of policy recommendations. Beyond changes in norms (addressed in greater detail later), changes in structure are needed to facilitate pluralistic views and strengthen the ability for military voices to resonate to elected leaders. Changes in norms alone will not be sufficient to ensure that the President and Congress get the kind of military advice they need. Changes in law are needed to prevent the reemergence of domination and dysfunction in the relationship. The US needs an update to the Goldwater-Nichols legislation of 1986.

The top military leaders in the respective services, the members of the JCS, need to be included in a more meaningful and systemic way in the deliberations and drafting of war plans and all facets military preparedness so that when their advice is sought by the country's elected leadership they speak from a personally informed and invested perspective. To make this so, the combatant commands should be realigned to fall under the command of the top military officer who should be the Commanding General (CG) of the US Armed Forces, a position that would replace the currently existing billet of Chairman, Joint Chiefs of Staff. [12]

According to this proposal, the CG would be placed above the Joint Chiefs and Joint Staff as well. It is worth pointing out that the Army had the position of Commanding General about a century ago, but it was eliminated in 1903 in favor of a Chief of Staff (a move which counter-intuitively was implemented to *strengthen* the nation's top Army officer), and the time is right to reinstitute the position of CG, but this time as a *Joint Billet* in charge of all US forces.

The catalyst for the realignment back in 1903 was to address the disastrous support the Field Army received from the War Department during the Spanish

12 Obviously during those times when a Naval officer held the position, he/she would be the *Commander,* US Armed Forces vice CG as flag officers in the Navy are admirals not generals. Still, better to keep the billet labeled "Commanding General" and make the exception for the times when it's occupied by an Admiral to ordinarily mark the contrast between the top military officer and the President who is "Commander-in-Chief." This reinforces civilian control of the military. Related, in the process of passing this manuscript around for review some have suggested that instead of moving to a Commanding General the US should instead retain the current Chairman, JCS position, but make that officer a 5-star general. After thinking that through in detail, this recommendation is rejected. The purpose of moving to a Commanding General is to change the focus of the top military officer from that of staff and services facilitator to commander responsible for the effectiveness of the armed forces and held accountable for same. Moreover, the US history with such endeavors is such that by making the top officer a 5-star general, that elevation would likely over-politicize the position. What the US needs is an effective and accountable military commander who, while sensitive of the political environment/process and capable of representing the profession in the civil–military nexus, is not an essentially political figure.

American War. By making the Commanding General the Chief of Staff instead, the nation's top Army officer had power over the War Department, something the CG lacked. Thus this reform was implemented to bring about more responsiveness from the logistical and support side of the service. Converting the position of Chairman to Commanding General should only enhance the responsiveness of the DOD towards the fielded forces so the problems from the 19th century should be avoided with this change.[13]

By re-establishing the position of Commanding General and requiring all combatant commanders to report to one military officer who has the benefit of the Joint Chiefs and the Joint Staff to develop and vet course of action development, this will ensure that the individual who has the statutory responsibility to advise the President and Congress is materially and substantively involved in the development and assessment of war plans.[14] Given the change in portfolio for the top military officer (with emphasis on *command* instead of staff and services facilitation), it would be helpful (although not required) to select the Commanding General from the list of sitting Combatant Commanders. By converting the Chairman to the Commanding General, this would also help make the point that in accordance with a Madisonian Approach, the Secretary of Defense, while senior to the nation's top military officer, has an obligation to carefully consider the CG's advice and help it get to the nation's elected leaders unfiltered.[15] The Secretary, of course, would be free to disagree with the CG's advice and to offer his own and independent analysis flowing

13 Stephen Skowronek, *Building A New American State: The Expansion of National Administrative Capacities, 1877–1920*, pp. 219–221. See also, Matthew Moten, "Root, Miles, and Carter: Political-Cultural Expertise and an Earlier Army Transformation," in *The Future of the Army Profession*, 2nd edition, Don M. Snider Project Director, Lloyd J. Matthews, (ed.) (New York: McGraw-Hill Companies, 2005): 723–748.

14 Bruce Palmer, "Introduction," in *Assessing the Vietnam War* (New York: Pergamon-Brassey's International Defense Publishers, 1987), p. ix.

15 As Professor Steven Brint has persuasively argued, since the significant expansion of the size of professions post-World War II, somewhat counter-intuitively, professional advice has increasingly given way to more political control/direction by political appointees within the various Departments of the US government during policy debates. In essence, because political appointees now have access to so many "experts" they are increasingly able to find the one or two that support their set of opinions and recommendations and use these voices to carry the day against mainstream professional judgment and advice. As a consequence, political appointees have come to dominate professionals within their department and the policymaking process in general. Brint's findings and analysis provide substantial weight and support for my recommendation to create the position of Commanding General – to ensure that professional military judgment and advice is available to the elected leaders of the US. Political appointees may find other general officers within the Department of Defense to support their analysis and recommendations, but only the Commanding General *speaks for the profession*. His advice represents "best military judgment." The professionally informed opinion of the Defense Secretary is "best national security professional judgment" not "best military judgment" and the distinction is worth making so that elected leaders can be so advised when making their choices. See Steven Brint, *In an Age of Experts: The Changing Role of Professionals in Politics and Public Life* (Princeton: Princeton University Press, 1994), pp. 135–137.

from the Under Secretary of Defense for Policy, or possibly from other military voices including other Members of the JCS. But the civilian leadership at the DOD should recognize that when major disagreements occur in the civil–military nexus, the views of top military officers (including the CG and the Joint Chiefs) should be included along with all other positions conveyed to the President and Congress (when they have jurisdiction).[16]

Moreover, to enhance the Commanding General's effectiveness across the services and to promote more "jointness" in campaign plans development and peacetime force development support activities, the respective service chiefs should report directly to the Commanding General who in turn reports to the Secretary of Defense. The Commanding General retains his current role as principal military advisor to the President, National Security Council, Congress, and the Secretary of Defense. The Joint Chiefs too, retain their advisory role to the President, National Security Council, Congress, and Secretary, with annual and periodic meetings with the President and NSC continued, along with the series of testimony required of service chiefs and service secretaries before the Congress. The Commanding General exercises command authority over the combatant commanders and respective services, but the advice of each service chief is also conveyed to the President and Congress, along with the views of the Secretary of Defense. Elected leaders receive multiple sets of advice and analysis from which to decide policy.

This reform should not only enhance operational/contingency planning and execution, but also research, development, procurement and force development too as combatant commanders and the service chiefs will funnel their advice to the Commanding General who has the joint staff available to vet and consider recommendations. When the CG presents his recommendations to the Secretary of Defense and the rest of the National Security Council including the President, they will have the joint perspective that has eluded many such discussions in the past.

The service secretaries are retained under this system and are teamed with their respective service chief as a countervailing force to the Commanding General and Secretary of Defense. The model for this relationship is also that of Marshall and Stimson.[17] In recent times Chiefs of Staff have cited the criticality of this civil–military teamwork within the services. In his remarks at his retirement ceremony, General Shinseki spoke of the recently retired (actually fired) Army Secretary Tom White:

> … Leadership is essential in any profession, but effective leadership is paramount in the profession of arms – for those who wear the uniform and those who do not. We, in The Army, have been blessed with tremendous civilian leadership – most notably the service of Secretary Tom White, whom we farewelled last month. We understand that leadership is not an exclusive function of uniformed service. So when some suggest that we, in The

16 The JCS has had this kind of command authority previously. Per the 1948 Key West Agreement, the JCS was designated executive agents for unified and specified commands and it stayed that way until 1953. See *Joint Staff Officer's Guide*, 2000, pp. 1–21.

17 Marshall described his relationship with Stimson as indispensable and could not imagine doing his job well without him. For more see Marshall's interviews with Forrest Pogue, *Interviews and Reminiscences*, p. 621.

> Army, don't understand the importance of civilian control of the military – well, that's just not helpful – and it isn't true. The Army has always understood the primacy of civilian control – we reinforce that principle to those with whom we train all around the world.[18]

In some respects, under this proposal there will be a centralizing and unifying of power (bringing the combatant commanders and service chiefs under the Commanding General), but in other respects, at the highest levels of the DOD, there will be a diffusing and balancing of power (competing advice from the CG and Secretary of Defense and competing advice from the services and the DOD leadership), thereby providing for pluralistic advice (civilian and uniformed) for elected leaders, the President and Congress.

Proposed Goldwater-Nichols Revisions and the DOD Management Systems

In this section a series of figures are provided to depict how changes attendant to the Madisonian approach would impact the existing DOD management systems. The first figure (below) drawn from the *Joint Staff Officer's Guide*, displays the series of planning and management systems as they exist today.

When examining the chart (Figure 6.1) what is immediately clear is that the process is dynamic and iterative with continual review and assessment at all levels. However, there may be some duplication of effort with multiple inputs for some of the sub-systems. By consolidating functions there may be an opportunity to at once enhance clarity, reduce bureaucracy, and improve effectiveness while incorporating Madisonian principles of civilian control. The streamlined Madisonian DOD management system is depicted in Figure 6.2.

It is essential that all ongoing efforts in the US government be nested with higher guidance and purpose and that this direction comes from elected leadership. The primary document that outlines the US grand strategy is published by the President in consultation with Congress. This is the *National Security Strategy*. However, in the past this document has not lived up to expectation as the sole source integrator across the US government to ensure unity of effort of policies and operations. As the reconstruction effort in Iraq painfully illustrated, too many times actions among Departments of the US Government were not coordinated and synchronized. As mentioned earlier, while fixing problems such as these is beyond the reach of this study, they are mentioned because changes to the superstructure may result in modifications to the Madisonian Approach. Upon receipt of the *National Security Strategy* the Pentagon drafts for Presidential approval and Congressional consideration, the *National Military Strategy*, another core document that currently exists. But among the problems presently is that this document competes with other documents (Joint Vision documents, for example) for primacy in providing guidance for campaign planning. The US should consider revising and expanding the content

18 General Eric Shinseki, remarks at the occasion of his retirement, 11 June 2003. General Shinseki's farewell speech can be assessed by those with Army Knowledge Online privileges. Copy downloaded and possessed by author.

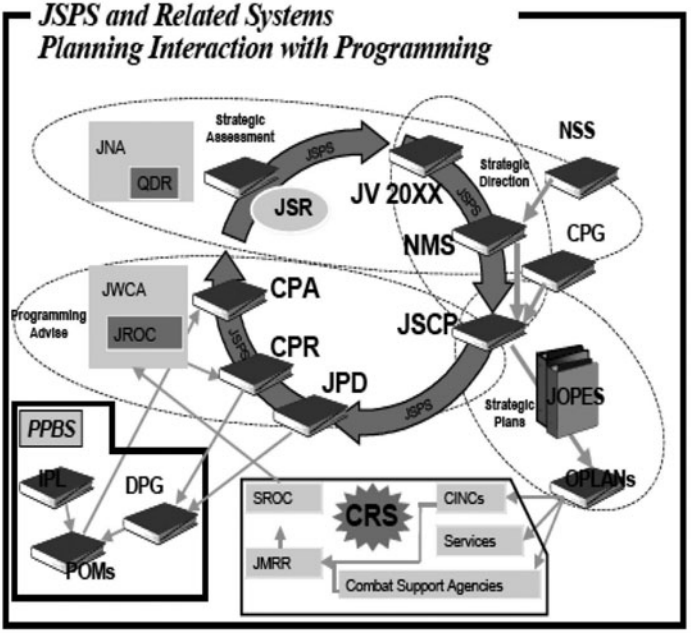

Figure 6.1 The Existing DOD Management Systems[19]

of the *National Military Strategy* so that it is a sole source document designed to influence campaign planning.[20]

Subsequently, campaign planning (both deliberate and crisis action) should be used to identify joint force requirements/force development, which in turn should drive the respective services programming and budgeting activities. Thus, rather than a system of systems depicted in Figure 6.1 (the current set of DOD arrangements) the superstructure should be changed to look like that represented in Figure 6.2 (Madisonian Approach to Pentagon Management Systems).

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19 Joint Staff Officer's Guide, Chapter 1. A legend for the Acronyms follows. NSS is National Security Strategy. CPG is Chairman's Program Guidance. NMS is National Military Strategy. JSCP is Joint Strategic Capabilities Plans. JOPES is Joint Operational Planning and Execution System. OPLANs is Operations Plans. JSPS is Joint Strategic Planning System. CRS is Chairman's Readiness System. JMRR is Joint Monthly Readiness Review. SROC is Senior Readiness Oversight Council. JPD is Joint Planning Document. CPR is Chairman's Program Review. CPA is Chairman's Program Assessment, JSR is Joint Strategic Review. JNA is Joint Net Assessment. QDR is Quadrennial Defense Review. JWCA is Joint Warfighting Capabilities Analysis. JROC is Joint Requirements Oversight Council. PPBS is Planning, Programming, Budgeting System. POM is Program Objective Memorandum. IPL is Integrated Priority List. DPG is Defense Planning Guidance.

20 David Aumuller, "Hey Brother Can You Spare a DIME?" An Examination of National Power as Part of the Our Grand Strategy," Hoover National Security Affairs Monograph, 2007.

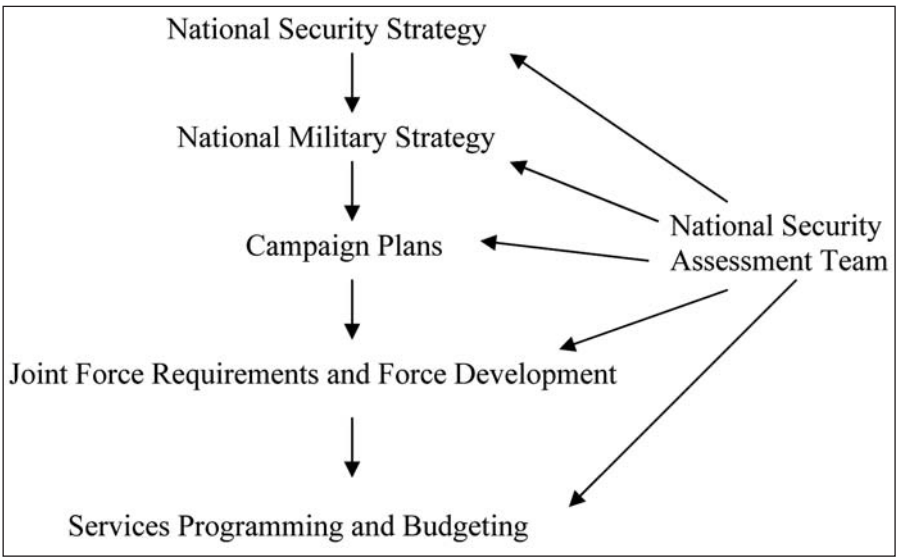

Figure 6.2 The Pentagon Management System with Madisonian Revisions

The subsequent figures (6.3–6.6) depict how the Pentagon Management System would look after Madisonian reforms to the superstructure. Figure 6.3 shows the proposed process for developing the *National Military Strategy.* Figure 6.4 displays the proposed process for developing Campaign Plans. Figure 6.5 illustrates the proposed process for identifying Joint Force Requirements and facilitating Force Development. Finally, Figure 6.6 depicts the proposed Programming and Budgeting process in accordance with the Madisonian Approach.

The proposed system above is much more streamlined than the current set of processes but the difficulties with it are at least twofold. First, this system assumes a top-down approach where guidance and direction from above will be forthcoming and timely. Without clarity in the previous step, the overall process is stymied and such imperfections have occurred often in US history. Still, past failures on this score should not discourage the US now from trying to inject more rationality and effectiveness into the process. The second aspect that is problematic about this proposed approach is that it puts huge expectations on the National Security Assessment Team to accurately capture the current status and effectiveness of each individual step. An ineffectual National Security Assessment Team would significantly impair military preparedness.

That acknowledged; the DOD should ensure that the composition of the National Security Assessment Team is both professionally knowledgeable/ competent and populated with military *and* civilian national security professionals of the highest caliber. In terms of leadership, the Secretary of Defense, the Commanding General, and the Joint Chiefs would be ex-officio members of the National Security Assessment Team. Rather than creating a new organization at the Pentagon, the Office of Net Assessment, subsections from the Office of Program Analysis and Evaluation and

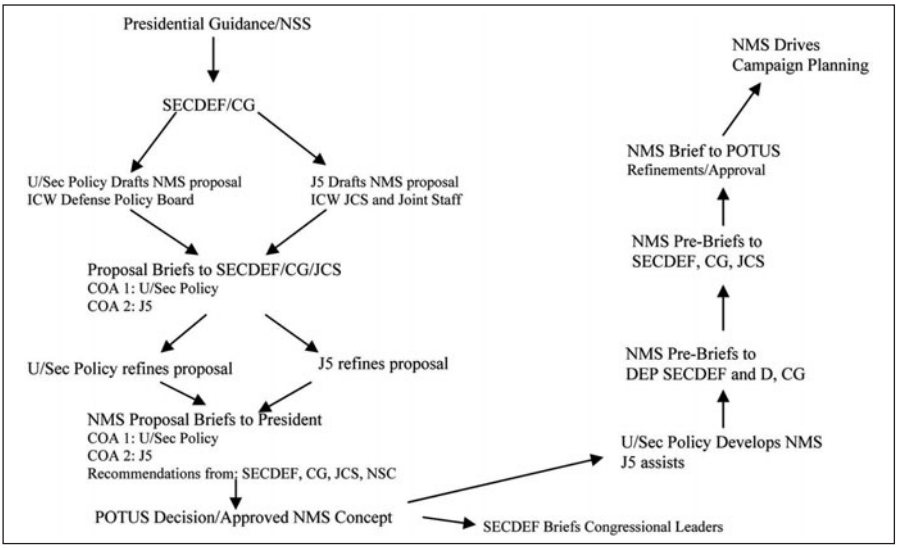

Figure 6.3 Process for Developing the National Military Strategy under the Madisonian Approach

the J8 Staff Directorate should be combined with selected members of the Defense Policy Board and other civilian experts to form the National Security Assessment Team – the national security consultants for the US Government.

Under this approach the National Military Strategy would still be derived from the National Security Strategy but be the result of a competitive process where divergent concepts would be developed and proposed by political appointees in the Office of the Under Secretary for Policy and the J5 staff directorate of the Joint Staff. The Secretary of Defense, Commanding General, and Joint Chiefs all would play instrumental roles in shaping the proposals which ultimately would be briefed to the National Security Council and President for decision. The fully developed and approved National Military Strategy would drive campaign planning. In Figure 6.3 note the inclusion of Congress in the Madisonian Approach as the Defense Secretary would be responsible for briefing leaders on Capitol Hill after the President approved the concept.[21]

The campaign planning process (Figure 6.4) would also be competitive with the Office of the Under Secretary of Policy playing a key role in developing alternative concepts which would provide the President with additional options beyond that of the military advice. The process would include steps for pre-briefings so that each side of the civil–military nexus could critique the work of the other, a dynamic process that should thoroughly vet all assumptions and key dimensions of the

21 For more on the role of the US Congress in the larger US National Security Establishment see the special edition of *Military Review* that was dedicated to this topic published in March-April 1999, and Matthew Moten and Christopher P. Gibson, "The Soldier and Congress," *Military Review* (March-April 1999): 65–68.

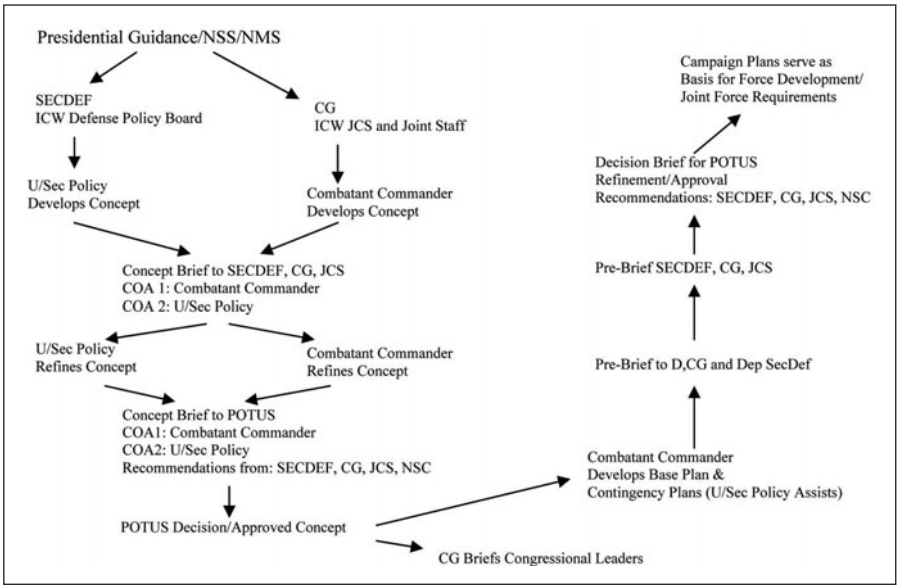

Figure 6.4 Campaign Planning under the Madisonian Approach

proposed course of action. The culmination of the campaign planning process would feed into the joint force requirements/force development process Figure 6.5). Note again the inclusion of Congress with the CG briefing leaders on Capitol Hill after the President approved the campaign concept.

The Madisonian Approach for force design does not include specific competing proposals from the DOD and Joint Staff, but it does alter the process to provide more weight to the respective Service Secretaries and Chiefs and less independent consideration of the voices of the Combatant Commanders whose positions should be adequately defended by the Commanding General, US Armed Forces and whose requirements should already be identified in the campaign plans which drive the force development process. In some respects this is a reversal of the Goldwater-Nichols legislation which gave more weight to the Combatant Commanders regarding force design, but in other respects this is a validation of the basic premise of the existing law that the Service Secretaries and Chiefs are in the best position to take the validated requirements coming from the campaign plans (and compiled and conveyed to the service staffs by the J5) and to translate these into coherent force development plans. Pre-briefs with the Deputy Commanding General and later with the SECDEF and CG should make the entire process more integrated and joint with the Joint Staff procedurally validating that the service plans meet all the requirements of the Combatant Commanders as identified in the campaign plans. Another change to the process under the Madisonian Approach is that the Congress is brought into the Force Development process much earlier than under the current system when they receive such consultation in conjunction with budget requests.

As with Joint Force Development, the Madisonian Approach does not recommend specific competing budget proposals among the civilian and military leaders of the

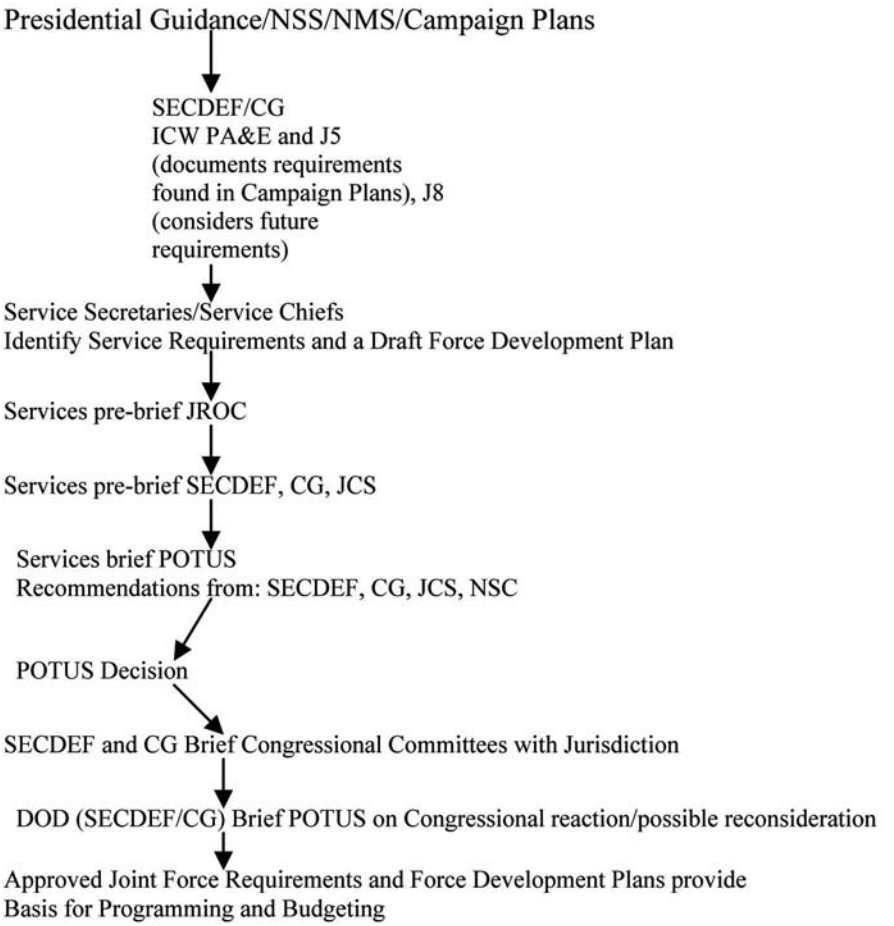

Figure 6.5 Joint Force Requirements/Force Development under the Madisonian Approach

Pentagon. Rather, what is endorsed is more careful consideration of senior military voices in a process that still has the Defense Secretary in the lead and in charge. To help achieve this intent, the CG and Service Chiefs are given a Budget Pre-Brief just prior to it reaching the Defense Secretary so that the CG can ensure that the views and needs of the Combatant Commanders are adequately represented and so that the Service Chiefs can at least understand the rationale for the hard choices that will be put before the Defense Secretary for decision. This will also enable the Services to prepare their arguments should they desire to challenge the consolidated budget recommendations of the DOD Comptroller. Another characteristic of the Madisonian Approach is that there is more transparency with Congress. Budget Assessments from the CG, Service Secretaries and Chiefs to the President through the Director of the OMB are provided to the Congressional Committees with jurisdiction for their consideration.

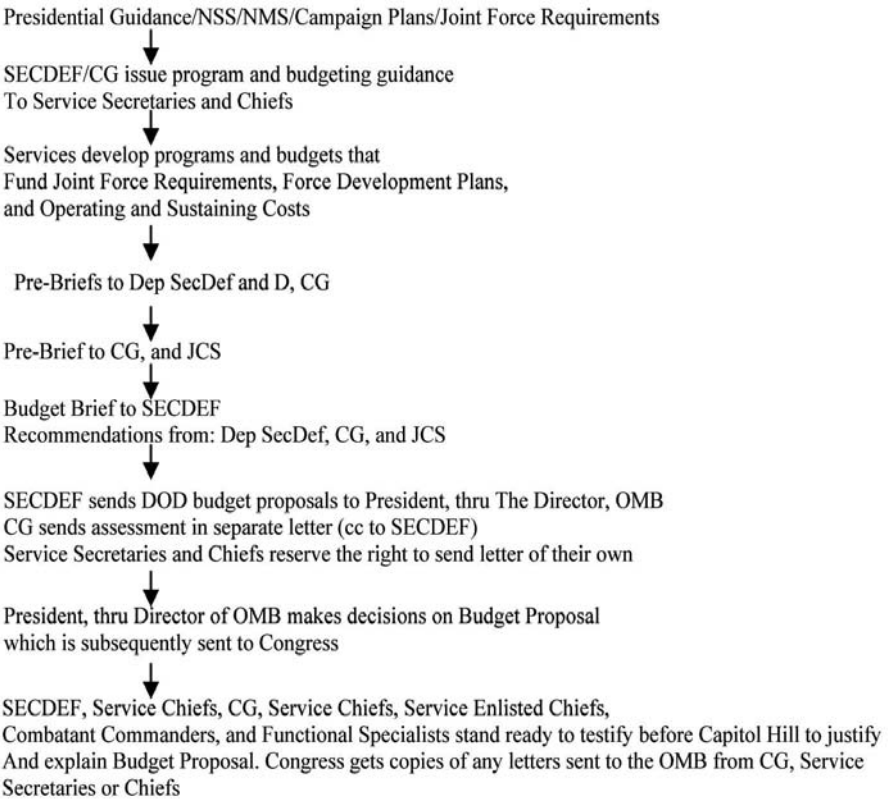

Figure 6.6 Programming and Budgeting under the Madisonian Approach

Before finishing this section the Madisonian approach will be analyzed in relation to the concept of "Cabinet Government" the method of organizing the executive branch where the various secretaries operate with vast degrees of autonomy to instantiate the will of the American people as derived from election mandates. There are problems with this approach from the outset as the US constitution provides for an executive branch led by the president, not by cabinet secretaries, the latter a practice more common in parliamentary systems (e.g. Great Britain) where the party that wins a majority of the parliament has the constitutional authority to form a government and control the executive branch. In those systems the executive branch is a creature of the legislative branch so populating ministries with legislators who have wider latitude in the execution of their duties makes more sense.[22]

Still, the "Cabinet Government" approach is advocated by some US political scientists because it is thought to enhance efficiency (by bringing best business practices to the government) and responsiveness (through unity of effort within

22 Bert A. Rockman, "The American Presidency in Comparative Perspective: Systems, Situations, and Leaders," in *The Presidency and the Political System*, Michael Nelson (ed.), 4th edition (Washington, DC: CQ Press, 1995), pp. 61–90.

a department exercised by the Cabinet Secretary).[23] This normative theory of government, while popular in some circles of the scholarly community, in reality has seldom has been practiced in US history. On the rare occasions when it has been adopted (such as in the Department of Defense during the tenures of Robert McNamara and Donald Rumsfeld) among the consequences has been the relegating of professional advice and judgment to a diminished and secondary role as the Cabinet Secretary and his coterie of political appointees wield enormous influence, set agendas, and drive policy. Although cabinet government offers the prospect of some advantages in *efficiency*, because it does so at the expense of excluding or diminishing professional advice and judgment, commensurate increases in *effectiveness* may be questionable. Indeed, the record of Cabinet Government at least as found in the examples of this study has been the replacing of professional experience and education by exogenous business models and fiat from dictatorial-like Cabinet Secretaries. The limited history of Cabinet government as it's been practiced at the Pentagon since World War II has been antithetical to the principles of the Founding because power tended to centralized in one person, an unelected official, at the expense of those who have spent an adult lifetime developing, refining, and applying expert knowledge – the members of the profession of arms. There must be a better way of incorporating best business practices without alienating professions and professionals.[24]

This is not an argument for weak Cabinet Secretaries nor should the possibility of perfecting the best aspects of Cabinet government (*viz.* enhancing efficiency and responsiveness) be abandoned. To the contrary, the US needs the strongest possible leaders in charge of its government departments. *But there should be an arrangement that has the kind of structure and norms that enable Cabinet leaders to get the most out of the professions that work under their charge and a decisionmaking process that ensures that elected leaders have access to their unique professional knowledge and experience*. Towards that end, what might be helpful is more theoretical work on how a reconstructed Cabinet government approach would better incorporate professional analysis and judgment. Ultimately what is needed is a balanced approach across the Departments of government that provides for political direction from the elected leaders of the country without being anti-professional in practice.

The Criticality of Rough Parity in Professional Preparation

This Madisonian, pluralistic approach to civil–military relations requires a high degree of professional preparation (in terms of education of the right kind, and grooming in assignment history) to perform effectively in the civil–military nexus of the national security decisionmaking process.[25] *It also assumes a rough parity in professional preparation among civilian and military leaders – the nation's national security professionals.* If asymmetries emerge among the respective participants,

23 Ibid.

24 Steven Brint, *In an Age of Experts*, Chapter 7.

25 Christopher P. Gibson and Don M. Snider, "Civil–Military Relations and the Potential to Influence: A Look at the National Security Decision-making Process," *Armed Forces & Society*, Vol. 25, No. 2 (Winter 1999): 193–218.

imbalance and dysfunctionality could creep into the dynamic, which historically leads to less creative options and advice for elected leaders responsible to the American people for providing national security. Therefore, active management and constant review of professional preparation status among civilian and military participants is needed. Congress, in their oversight role, should be organized accordingly and track the relative professional preparation of nominees for top-level positions in the DOD.[26]

The Army has recently adopted some initiatives in executive leader development that may provide a useful model across the full spectrum of DOD senior management – both military and civilian. In 2004, following recommendations from Major General David Huntoon and "Team Bench" the Army created the Senior Leadership Development office, combining and expanding what formerly were Colonels Branch and General Officer Management Branch.[27] This new office seeks to fully develop the potential of, and then make effective utilization of, the skills and attributes of senior leaders. Carefully selected assignments that best suit the strengths of officers, additional schooling opportunities, expanded fellowships outside of one's basic branch, and increased access to senior general officers for focused mentorship and development are among the components of this new approach.[28]

But these developments go well beyond the Army, since the post-Vietnam era all branches of the military have focused on developing its senior leaders to participate successfully in the civil–military nexus.[29] As mentioned above, however, this is an area that requires constant reevaluation and fine-tuning to ensure that professional development programs remain on track with outcome goals. For example, one of the unintended consequences of Army personnel reform in the late 1990s was that in an effort to provide more than one route to the top of the ranks and to increase the amount of time with troops for operational leaders, by 2005 it was becoming clear that Brigade Commanders were rising to that level with a decreased amount of joint and interagency experience and fewer had earned quality civilian graduate degrees. All of this portended to diminished levels of professional preparation for Army future leaders destined to populate the civil–military nexus in the following decade. When the Army recognized this trend it gave impetus for "Team Bench" and its attendant recommendations for human development reform.

Regardless of what program is implemented, the point of the foregoing analysis is to stress the point that a Madisonian approach to civil–military relations requires an investment in leader development among *both* civilian and military officials and that imbalance in professional preparation will likely impact the relationship's

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26 For this reason the Under Secretary of Defense for Personnel should track relative professional preparation among top level civilian and military officers in top tier assignments. Similarly, the House and Senate Armed Services Committees should track this data, too.

27 The US Air Force, too, has adopted similar personnel management practices. Interview with Air Force Lieutenant Colonel Scott Murray, 5 January 2007.

28 See Army Personnel Message 06–083 Establishment of the Senior Leader Development Office, Issued: 13 March 2006.

29 Christopher P. Gibson and Don M. Snider, "Civil–Military Relations and the Potential to Influence: A Look at the National Security Decision-making Process," *Armed Forces & Society*, Vol. 25, No. 2 (Winter 1999): 193–218.

dynamic. Inherent in this analysis and the Madisonian approach is an acceptance of what Janowitz described as an important dimension of subjective control of the military – detailed attention paid to the selection and grooming of senior leaders. The difference between this approach and Janowitz is that in a Madisonian approach the intent for such detailed oversight of senior personnel management is to keep the relationship balanced, not dominated, and the salient characteristic for selection is competence not political fealty.

Given that the services appear to be investing in this area now, the major concerns deal with the civilian side. The US Government needs a comprehensive development program now for civilian national security specialists and it should build upon some existing initiatives currently working well, like the Joint Civilian Orientation Conference.[30] But what's needed are more expansive programs such as routine professional military education assignments for political appointees and senior executive service (SES) personnel and other fellowships and exchanges experiences throughout the national security establishment.[31] Political appointees should have a professional development program dedicated exclusively to them that has a requirement for 4–6 weeks of residency at the National Defense University in Washington, DC where they are exposed to a curriculum that includes: civil–military relations, grand strategy, the strategic planning process, the joint operational and crisis action planning process, and the program and budgeting process. They should also be armed with a "take-away" product that has an annotated bibliography pertaining to national security affairs related works and a list of points of contact at the National Defense University should questions arise that need further consultation during their tenure with the Department of Defense.

Given the frenetic nature of the first few months of a new administration, special emphasis will need to be placed on making new political appointees attend the training and education. Since time is always at premium, resistance to these educational priorities should be expected. Along these lines, one can expect that the logic employed to oppose political appointee/SES education will be similar to that which was argued by the respective military services in the early 1980s when they opposed Congressional efforts to force more joint education and training on military officers, initiatives which eventually made their way into the landmark Goldwater-Nichols Act of 1986. There is never enough time to complete all worthy tasks on a busy person's "to-do" list. But among all the things that one could be doing, what should one be doing? Investing in human capital reaps dividends. The country should make enhancing the professional preparation of civilian national security experts a priority. Even if it means a month without a political appointee on the job at the Pentagon, when that person arrives (or returns) he or she will be

30 The Beyond Goldwater-Nichols project at CSIS has made a similar recommendation. See their Phase 2 Report, dated July 2005, p. 7. See also, "White House Planning Major Overhaul of National Security Education," *Inside the Pentagon*. 22 February 2007. This article claims that the President is getting ready to issue an Executive Order enacting sweeping changes in education programs and career development for the federal workforce.

31 Edward J. Shanahan, "Military Alone Can't Deliver Us Peace," *Hartford Courant*, 11 September 2006.

operating on a different level (assuming that the education is first-rate, which it must be) and have networked with other subject-matter-experts in the policy community. If the curriculum is fashioned to be relevant and helpful, the time at NDU will be invaluable for political appointees and time well spent.

Still, recognizing the challenges associated with periods of presidential transition and the need to have some political appointees on board as soon as possible after inauguration, the NDU should consider running classes during each summer that would include an even class seat distribution among Democratic and Republican national security professionals. This would create a ready-pool of school trained defense intellectuals certified to assume high-level posts shortly after a new administration takes over.

National Security Professionals in the civil service need human development, too. Senior Leadership Development offices of the respective services should be expanded to include members of their SES, and War College Attendance, Joint Professional Military Education (JPME) and joint assignments should be mandatory for their promotions as is already required of senior military officers.

The US should also explore the possibility of linking these initiatives with some of the academic and scholarly efforts already underway in Washington, DC (e.g. Council on Foreign Relations, Institute of Peace, etc.). It may also be possible to bring more formalization to the various security studies programs among the nation's top-tier graduate schools – efforts to bring some levels of standardization in curriculum and offer widely national security conferences and fellowship opportunities. Places like the Center for International Security and Cooperation (CISAC) at Stanford, the Olin Institute at Harvard and the School of Advanced International Studies (SAIS) at Johns Hopkins are outstanding breeding grounds for future civilian national security professionals but what would be helpful is tie together these efforts to the Office of the Secretary of Defense in a way similar to how Arroyo/Rand helps the Army and Project Air Force/Rand assists the US Air Force.[32] In sum, the US Government needs to invest in developing human capital among its civilian national security professionals and then it should exploit those competencies with repetitive assignments of increasing responsibility in the Office of the Secretary of Defense.

The Need for New Norms

Beyond changes in law and more comprehensive human development and personnel management reforms, new norms are needed too so that top-level military officers approach their responsibilities in the civil–military nexus of the national security decisionmaking process in a way that enables their voice to resonate and be carefully considered by elected leadership. This is not the first study to make the argument that

32 For more on these organizations visit their websites: http://cisac.stanford.edu/docs/about/; http://www.sais-jhu.edu/; http://www.wcfia.harvard.edu/olin/; http://www.rand.org/ard/.

the military needs to reexamine norms in light of the developments since the end of the Cold War.[33]

Before extensive treatment of norms can be rendered, however, the issue should be put in broader context. The critical examination of norms should be viewed in the larger context of renewal of the military profession. As the military pursues professional renewal (including identifying and mapping new areas of jurisdiction and codifying new requirements for expert knowledge), specifying the proper conduct of participants in the civil–military nexus is an important dimension. Such an endeavor starts with the belief that professions, all professions including the military, have four broad and enduring tasks they perform for society with respect to expert knowledge. Professions *develop*, *refine*, *explain*, and *apply* expert knowledge.[34]

The leading scholar in the effort to renew the military profession is probably Professor (and retired Army Colonel) Don M. Snider of West Point. He has outlined four broad sets of competencies that officers must possess to properly and effectively fulfill responsibilities attendant to the oath of office. These competencies include: military technical, moral-ethical, political-cultural, and human development. Moreover, these areas of competencies correspond with the self-identity of the officer corps; that of warrior (military technical), leader of character (moral-ethical), servant of the nation (political-cultural), and member of a profession (human development). Properly fostering and applying this knowledge renders an officer's service effective, virtuous and honorable – values are at the core of this pursuit of knowledge. To properly and effectively *explain* expert knowledge (including performing the advisory function) the military must foster political-cultural competency. Thus, identifying norms for the proper and effective conduct of officers in the civil–military nexus is a critical component of professional renewal.[35]

In the section below proposed norms are outlined to stimulate the debate on this topic. Included in this list are issue areas that have proven controversial in the past as officers have operated in the civil–military nexus and the broader national security decisionmaking process. The purpose of this section is not to provide the definitive answer to such challenges and dilemmas (although I stand by those vignettes and the advice offered) but rather to serve as the departure point for an extended investigation

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33 Army War College Scholar Marybeth Peterson Ulrich also has published in this area of identifying civil–military norms for military officers. See, "Infusing Normative Civil–Military Relations Principles in the Officer Corps," in Don M. Snider, project director and Lloyd Matthews (ed.), *The Future of the Army Profession*, 2nd edition (New York: McGraw Hill, 2005): 655–682. See also, Marybeth Ulrich and Martin Cook, "US Civil–Military Relations since 9/11: Issues in Ethics and Policy Development," *Journal of Military Ethics*, Vol. 5, No. 3 (November 2006): 161–182.

34 Andrew Abbott, *The System of Professions* (Chicago, IL: University of Chicago Press, 1988).

35 Don M. Snider, "The Shared Identity and Professional Practice of Army Officers," in *The Future of the Army Profession*, 2nd edition, Lloyd J. Matthews (ed.) (New York: McGraw Hill, 2005), pp. 143–145. See also, Matthew Moten, "Root, Miles, and Carter: Political-Cultural Expertise and an Earlier Army Transformation," in Don Snider, *The Future of the Army Profession*, 2nd edition (New York: McGraw-Hill Companies, Inc., 2005), pp. 723–748.

and professional dialogue about how military officers should conduct themselves in accordance with a new model in civil–military relations.

Norms for Officers under a Madisonian Approach to civil–military relations

Dos:

- Develop *expert knowledge* in one's field and competencies across the spectrum of conflict[36] and an appreciation for the varying roles and responsibilities of all parties in the civil–military nexus to ensure that one can adequately represent the profession during joint, multi-national, and inter-agency deliberations.[37]
- Put forward one's best advice when participating in meetings that are shaping policies and plans. This advice should be informed by past experiences and study and unconstrained by politics, although to be cognizant of political sensitivities and limitations may be helpful to the conversation.
- Put forward candid assessments in meetings designed to review ongoing operations for effectiveness and progress towards accomplishing declared strategic aims, goals, and objectives. In these closed doors meetings move beyond "talking points" to extended conversations supported by quantitative and qualitative analysis pertaining to the progress or lack thereof of ongoing operations. Have recommendations or insights on possible solutions for areas where you see deficiencies, although it is not generally helpful to speak in areas beyond your expertise. Do not let any potentially elevated moral status a soldier may enjoy in time of war serve as license for "firing out of impact." Talk about what you know, and know what you are talking about.
- Be a team player in interagency meetings and carefully listen to and help civilian participants develop effective policies, plans, and programs. Help facilitate civilian national security professional expertise. The central idea animating a Madisonian approach is to facilitate a range of viable options and provide exhaustive and candid review of their respective advantages and disadvantages so that elected leaders can make the best choices possible for the American people. A Madisonian approach does not value winning bureaucratic competitions, but rather the adoption of best courses of action with developed contingency plans should situations arise causing the country to come off original plan. Competition is healthy when it pushes all sides to hone their arguments and utilize their intellectual powers to their fullest. It is

36 See, in particular, Michael J. Meese and Sean Morgan, "New Requirements for Army Expert Knowledge: Afghanistan and Iraq," in Don Snider, *The Future of the Army Profession*, 2nd edition (New York: McGraw-Hill Companies, Inc., 2005), pp. 349–366.

37 For an excellent treatment of desired competencies for flag officers see, Leonard Wong and Donald M. Snider, "Strategic Leadership of the Army Profession," in *The Future of the Army Profession*, 2nd edition (New York: McGraw-Hill Companies, 2005), pp. 601–624 and the *Strategic Leadership Primer*, 2nd Edition, Department of Command, Leadership, and Management, United States Army War College.

unhealthy when the intent is not virtuous, winning for winning's sake, and undermining the other person or his or hers position.

- Keep in mind the officer's first duty is to uphold the constitution and serve the American people. Towards that end, officers work for the administration, but also must be responsive to and serve the Congress. Seek to build trust with all participants in the national security decisionmaking process. Balancing these multiple civilian masters has proven difficult over the years, but for the officer seeking truth and the common good, and committed to fulfilling his or her duty, one's conscience and professional judgment will provide the guide. Set aside time for introspection often. Particularly in the highest positions of authority, even well meaning officers can be vulnerable to rationalizing parochial behavior or stifling oneself when duty demands words of candor and action.
- Appreciate the complexities and nuances that come with a representative democracy. The Founders devised a complex system of checks and balances so that liberty could prevail in a system of government that responded to the will of the people while respecting minority rights. Matters of the highest import, such as matters of war and peace, were meant to be debated deliberatively before public votes on record were taken by duly elected representatives of the people. *The officer is duty bound to ensure that this debate is fully informed and accurate to the best of one's ability.* The nation's top military officer is directly responsible for this requirement and should be held accountable for seeing that this occurs. National security may, at times, require secrecy, but there is a difference between operational security and political machinations to obscure and truncate the debate about matters of war and the use of force. A soldier's first duty in this regard is to the administration, but also includes the Congress. The press in a free society plays a critical role in ensuring that a full and informed debate occurs on matters of high import. Military officers and members of the press share a desire and concern that the American people's interests are looked after and military-to-press relations are healthy to the Republic so long as they advance the public interest and general will. Should there ever be a case when the American people are not informed about information so critically important that it would substantially alter the public debate about the worthiness of whether to go to war or use force, then the officer is duty bound to make it known through the executive and legislative branches, even over personal concerns regarding the potential impact on one's career. The foregoing does not change the basic nature of how officers render best military judgment and advice. These activities are meant primarily to be in private. The advice military leaders render to the President, NSC, and Congress should stay in those circles whenever possible. However, it is recognized that hearings before the Congress are often open to the public and media and that is not an excuse to withhold relevant facts, analysis, and judgment during testimony. Should there be a case when sensitive topics are expected to be discussed; one way to handle these matters without pubic disclosure is to request a private meeting with the leaders of both parties before the hearing so that the sensitive information may be conveyed in a

more discreet manner. How Members of Congress handle the information after military officers convey it is not an officer's concern beyond clearly stating whether such information is classified and offering an assessment as to the potential harm that could occur should such information make its way into the public domain. In no cases is it permissible to lie to the Congress or press or to anyone else for that matter, although withholding information or embargoing its publication may be necessary at times to preserve operational security. In those cases, the civilian leadership at the DOD must be kept apprised of all aspects and significant developments.

- Serve the American people. Unity of command still applies in a Madisonian approach to civil–military relations. This alternative model features more friction and lively debate in the civil–military nexus prior to decisions are taken, but once they are, providing that decisions are legal and ethical, all officers are expected to fully support them and do their best to secure successful implementation. Officers who have met their service obligations and who feel they can't fully support a chosen course, are duty-bound to retire or resign if they are not eligible to retire.[38] Otherwise nothing short of their best effort is required.

Don'ts:

- Military officers must not take a side in partisan struggles. General Powell's op-ed in the *New York Times*,[39] while arguably not a legal violation since it was cleared first by his chain of command, was not appropriate behavior because of some of the specific content (it gave the perception of endorsing a particular candidate) and the timing was questionable too. The *perception* of non-partisanship is just as important as the reality. Related, all those serving on active-duty should understand and comply with the regulations pertaining to permissible and prohibited political behavior as outlined in DOD Directive 1344.10 (this supersedes earlier guidance in DOD Regulation 5500).[40]

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38 The purpose of removing oneself from the situation (as in retirement or resignation) is to allow for new professional representation in the civil–military nexus. As evidently the officer in the advisory role has failed to persuade principals of his or her best military judgment despite their strongest views to the contrary, it is time for new voices to enter the process with fresh perspectives. When departing, officers must not make a spectacle of themselves. The retirement or resignation is not in protest – officers possess no such entitlement – as decisionmaking authority rests solely with elected leaders. For another perspective see Richard Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review* (Summer 2002): 9–59.

39 Colin Powell, "Why General Get Nervous," *New York Times*, 8 October 1992, p. A8.

40 The following is a passage from the DOD Directive 1344.10, dated 2 August 2004. From Enclosure 3, Active duty members of the armed services may: 1) Register, vote, express a personal opinion on political candidates and issues, but not as a representative of the Armed Forces. 2) Promote and encourage other military members to exercise their voting franchise, if such promotion does not constitute an attempt to influence or interfere with the outcome

- Military officers must not violate Article 88 of the UCMJ which prohibits contemptuous words and personal attacks on designated top-level federal officials, and in public settings officers should always display respect for the leaders of the Republic – especially the people's representatives and the President. However, this should not be construed to mean that officers should refrain from candid assessments of ongoing operations when participating

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of an election. 3) Join a political club and attend its meetings when not in uniform. 4) Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with military duties, is performed when not in uniform, and has the prior approval of the Secretary concerned or the Secretary's designee. 5) Sign a petition for specific legislative action or a petition to place a candidate's name on an official election ballet, if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen and not as a representative of the Armed Forces. 6) Write a letter to the editor of a newspaper expressing the member's personal views on public issues or political candidates, if such action is not part of an organized letter-writing campaign or a solicitation of votes for or against a political party or partisan cause or candidate. 7) Make monetary contributions to a political organization, party, or committee favoring a particular candidate or slate of candidates. 8) Display a political sticker on the member's private vehicle. 9) Attend partisan and nonpartisan political meetings or rallies as a spectator when not in uniform.

Active duty members of the armed services may not: 1) Use official authority or influence to: interfere with an election, affect the course or outcome of an election, solicit votes for a particular candidate or issue, or require or solicit political contributions from others. 2) Be a candidate for civil office in Federal, State, or local government (with some exceptions see regulations for them), or engage in public or organized soliciting of others to become partisan candidates for nomination or election to civil office. 3) Participate in partisan political management, campaigns, or conventions (except as a spectator when not in uniform) or make public speeches in the course thereof. 4) Make a contribution to another member of the Armed Forces or a civilian officer or employee of the US for the purpose of promoting a political objective or cause, including a political campaign. 5) Solicit or receive a contribution from another member of the Armed Forces or a civilian officer or employee of the US for the purpose of promoting a political objective or cause, including a political campaign. 6) Allow or cause to be published partisan political articles signed or written by the member that solicits votes for or against a partisan political party, candidate, or cause. 7) Serve in any official capacity or be listed as a sponsor of a partisan political club. 8) Speak before a partisan political gathering, including any gathering that promotes a partisan political party, candidate or cause. 9) Participate in any radio, television, or other program or group discussion as an advocate for or against a partisan political party, candidate, or cause. 10) Conduct a political opinion survey under the auspices of a partisan political group or distribute partisan political literature. 11) Use contemptuous words against the officeholders described in 10 USC. 12) Perform clerical or other duties for a partisan political committee during a campaign or on an election day. 13) Solicit or otherwise engage in fundraising activities in Federal offices or facilities, including military reservations, for a partisan political cause or candidate. 14) March or ride in a partisan political parade. 15) Display a large political sign, banner, or poster (as distinguished from a bumper sticker) on the top or side of a private vehicle. 16) Participate in any organized effort to provide voters with transportation to the polls if the effort is organized by, or associated with, a partisan political party or candidate. 17) Sell tickets for, or otherwise actively promote, political dinners and similar fundraising events. 18) Attend partisan political events as an official representative of the Armed Forces.

in meetings designed towards that end or providing feedback on plans and proposals being debated prior to decision and implementation. The stipulation in the UCMJ exists to bound comments of a personal nature. Disagreement is not personal nor is it disrespectful. Before Congress, officers must be forthright with their assessments and opinions. In the past there has been a norm that officers should conceal their views from the Congress if they were not in line with administration positions. It is the officer's duty to candidly share their views and back them up with evidence and experience related vignettes. At moments like those, if one feels it applies, it may be wise to point out that there are often many possible solutions to the problem at hand and that since the decision has been taken, all hands are now working diligently to make the policy successful. After all, the principle of unity of command still applies, even after contested debate, decisions must be taken and the US system provides for civilian control of the military. Officers adhering to a Madisonian approach who struggle mightily with their civilian counterpart at the DOD while working in the civil–military nexus are duty bound to work indefatigably to make policies successful regardless of whether military advice was followed, even as Members of Congress get a full accounting during congressional testimony. Officers in academic settings should be afforded the freedom to critique all aspects of national security decisionmaking and execution so long as it is for the purpose of perfecting such matters in future endeavors. Personal attacks on political grounds or criticisms of non-national security related issues or processes are inappropriate even in an academic setting.

- Military officers must not use the media for personal gain or for advocating policy positions not in the best interests of the American people. Using the media to advance the interests of one's service when not in the interests of the American people is inappropriate. This also includes any comments made off the record. This line is bound to be fuzzy, particularly when conveying budget positions so officers are encouraged to seek outside opinion from other services when in a joint setting. The general point is that before a media engagement (on or off the record) it is a good idea to have a "Devil's Advocate" to gain feedback and confirm virtuous standing. The benefit of doubt should go to the public good.
- Military officers should not give the appearance of directing policy and taking advantage of new administrations as they transition to power. The way that the "gays in the military" controversy was handled in 1993 was not helpful to anyone, although it's possible that such a confrontation may not have been avoidable given that it was the media that raised the issue shortly after the election, and not the military. Still, object lessons can be drawn. Particularly at the outset of a new administration, military officers should be actively looking for ways to support new administrations as they make the smooth transition to power and to avoid public confrontation as they are getting their "sea legs." Anticipation and close coordination between the Clinton team and the Joint Chiefs during the transition period may have led to a united temporary position that could have provided time for adequate study of the issue and

inclusion of the Congress in that process (the branch of the Government with jurisdiction on the matter), and ultimately not politically damaging the new administration.

- Military officers must avoid inadvertently undermining ongoing US government efforts in their public statements and published works. In a Madisonian approach to civil–military relations military officers have a role in educating elected leaders and the populace about the advantages and disadvantages of potential military options, but a special effort must be made to ensure that these educational efforts do not undercut the administration's ongoing diplomacy efforts. Clarity on this point can be elusive and controversy may not be avoidable even when an officer is acting appropriately and doing one's duty. Still, elected leaders decide the course of US foreign policy and military leaders follow direction and implement policy. In the process of educating elected leaders and the US populace, if the appearance is given to adversaries that the military is balking at the use of force while the administration is threatening to use force but hoping not to through coercive diplomacy, a self-fulfilling prophecy may occur.

The foregoing list is meant to be illustrative and not exhaustive. There undoubtedly are other vignettes and tenets that should be added and feedback towards that end is welcomed and encouraged. Further research and discussion is needed to better flesh out the details of a Madisonian approach to civilian control of the military.

Final Thoughts

In concert with her allies, the US is now over five years into a war against those who seek the destruction of the West and to remake all of civilization with their extremist vision. The Iraq Study Group, which delivered its report in December 2006, stated the situation in Iraq today is grave and deteriorating.[41] While the situation is indeed serious, the US has faced worse in its history and perhaps there are moments in the past from which inspiration can be drawn now.

In the late summer 1864, after three long years of war with little to show for it and without an end in sight, the Union had taken to despair. Widespread calls for an end to the war were heard in both parties in the lead up to the pivotal presidential election that year. Indeed, a serious movement had sprung within the president's own party to dump him at what was portending to be an unprecedented second nominating convention being quickly put together for late September. Meanwhile, the Democrats led by their presidential candidate former General George McClellan, had adopted a platform calling for peace at the earliest possible opportunity. It appeared that the war was lost; that the South would become a new nation and the abolition of slavery a dead-letter. Then there was General William T. Sherman.[42]

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41 To review the entire report of the Iraq Study Group visit the following website: http://www.usip.org/isg/iraq_study_group_report/report/1206/index.html.

42 Military professionals will enjoy William T. Sherman, *Memoirs of General William T. Sherman by himself*, foreword by B.H. Liddell Hart (Bloomington, Indiana: Indiana

General Sherman had been moving on Atlanta for the whole year to date but unable to secure his prize, Atlanta. The Confederate General Joseph Johnston confounded his rival including pulling off a series of successful attacks on the outskirts of Atlanta in the early summer. A siege set in. Sherman, in what Johnston described as one of the most barbaric actions in the history of warfare began bombing Atlanta. Sherman advised Johnston to evacuate the civilians as the city would be delivered to the Union. His dogged determination prevailed. Atlanta was indeed evacuated, but by the Confederate Army.[43]

The victory electrified the North. Lincoln had proclamations read throughout northern cities. The capturing of Atlanta changed the political tide that fall and Lincoln unexpectedly won re-election – the North went on to win the civil war which ended slavery. Lincoln and the country owed much of this to General Sherman who acted without specific instructions from Washington other than to move on Atlanta. General Sherman, like General Washington at Trenton in 1776, exercised initiative and saved his country.[44]

Is that kind of initiative possible today considering how the senior officer corps views its proper role in the civil–military nexus? In his book *State of Denial*, Bob Woodward described a scene where General John Abizaid, the former Commanding General of Central Command responsible for the campaigns in Iraq and Afghanistan is sitting with his old friends from West Point. The friends are querying the general about the lack of a winning strategy in Iraq and why he (General Abizaid) and had not developed and implemented one. "That's not my job," stated Abizaid. He was to await guidance from his civilian masters.[45] To be fair, Woodward does not provide a lot of context for this passage, so the reader should allow for some benefit of the doubt.

General Abizaid was widely considered to be one of the very best American generals. His intelligence, education and experience levels could be matched by few. In addition, he possessed exceptional interpersonal skills. Indeed, General Abizaid's professional preparation and credentials to serve in the position of CENTCOM Commander were arguably without rival at the time of his selection. On paper General Abizaid arguably surpassed General Sherman in capability and potential for military greatness. Yet both of these military leaders were in receipt of general guidance from their civilian leadership so how then does one account for the marked differences in their actions and how they perceived the extent of their authority to exercise initiative to accomplish the mission?

The easy answer would be Secretary Rumsfeld; that he had created an environment where initiative was not rewarded and possibly could be punished if viewed as not supporting his agenda. But there must be more to it than just fear of punishment or micromanagement. By 1864 President Lincoln had fired more generals than Bush or

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University Press, reprinted in 1957).

43 Victor Davis Hanson, *The Soul of Battle* (New York: Anchor Books, 1999), pp. 131–147.

44 For more see Stephen B. Oates, *With Malice Toward None: The Life of Abraham Lincoln* (New York: Harper & Row, Publishers, 1977), pp. 413–433.

45 Bob Woodward, *State of Denial*, p. 426.

Rumsfeld did; in fact there have not been any field generals relieved in this war, and Lincoln's direct involvement in operational matters is common knowledge.

Perhaps the larger problem is generally how the officer corps views its proper role in interacting with civilian leadership – the norms that guide its behavior in the nexus. During the latter two time periods covered in this study (McNamara/Wheeler and Rumsfeld/Myers) the very highest ranking generals seemed to embrace notions that disagreement equaled disloyalty and that the role of the soldier at the civil–military nexus should be restrained and reactive. These norms contributed to a dynamic where elected leaders were inundated with civilian-dominated military options and analysis from the Pentagon and simply put; this approach has not delivered for the American people.

In contrast, the norms practiced by Generals Washington and Marshall in the two earlier time periods featured in Chapter 3 displayed military leaders playing appropriate and effective, even instrumental roles in the civil–military nexus and ultimately helped contribute to victory. Washington and Marshall recognized the critical contribution that top-level military officers make in the civil–military nexus, particularly the advisory component of the national security decisionmaking process and helping elected leaders sort out options and make effective decisions. In short, Washington and Marshall helped shape norms that conduced to effective policy.

So what explains the acquiescence of senior military officers to Defense Secretary Rumsfeld's dominance during the pre-war campaign planning process and subsequently for them (senior military officers) to hold limited views concerning the extent of their authority in helping elected leaders sort out the strategic challenges in Iraq since 2003?[46] It seems to me that at least a partial explanation was that top-level

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46 Although I agree with some of his analysis and believe that when searching for government officials to hold accountable for pre-Iraq war planning shortcomings the performance of top-ranking generals should be examined, I have at least two significant differences with the argument presented by Paul Yingling in "The Failure of Generalship," recently published by *Armed Forces Journal* (the article can be viewed at http://www.armedforces journal.com/2007/05/2635198). The two major points of disagreement are outlined below. First, in Yingling's article there is inadequate treatment/acknowledgment that *generals are in a relationship* – that they share with political appointees the responsibility for advising the President and Congress. Together the nation's highest ranking generals and top-level political appointees comprise the civil–military nexus and jointly they have responsibilities to help elected leaders, especially the President, make sense of the strategic environment and sort through options prior to making weighty decisions on matters of national security. Related, in a democracy we have "civilian control of the military." What exactly does that mean? I don't think there is consensus on what this means among top-level civilian and military leaders and I think this was part of the problem as we prepared for Iraq. Defense Secretary Rumsfeld famously quipped "the Constitution calls for civilian control of the military and I'm a civilian ..." From what is available now it appears that Generals Franks and Myers essentially agreed with Rumsfeld's definition of civilian control – that he had the right to dominate them independent of what the President thought or wanted. Generals Franks and Myers embraced the wrong norms – they had the wrong conception of duty in relation to their requirement to comply with "civilian control of the military." I disagree with Yingling that it was a lack of moral courage. These generals spoke up and stood up to the SECDEF at different times on other issues, they just believed that once the SECDEF spoke they had to

military officers possessed a very narrow definition of what constituted appropriate behavior in the civil–military nexus – exceptionally capable officers had the wrong norms.

This dysfunctional normative framework and inappropriate conception of civilian control has, to some degree, been foisted upon the officer corps by scholars with a different view on the subject than the same military heroes they cite as shining examples of what the conduct for officers ought to be when interacting in the civil–military nexus. Of course, scholars did not do this alone. This brand of subjective civilian control was advanced at different times in recent history by politically appointed leaders at the Pentagon, but military officers were complicit in the abrogation of their responsibilities to play a vital role at the civil–military nexus – those activities that support elected leaders with decisionmaking support analysis and advice.[47]

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stifle. I don't think that's what the Founders had in mind for civilian control of the military. There can be only one Commander-in-Chief – the President of the US. The ultimate authority to control the military rests with him/her and the Congress. The highest ranking US generals are responsible for providing advice to them even if the SECDEF disagrees and wants them to stay quiet. At least one of the courses of action for Afghanistan and Iraq briefed to the President should have been based upon "best military judgment." That never happened. Those plans were altered to conform to Rumsfeld's vision of war. As I discuss elsewhere in this text, there's nothing wrong at all with the SECDEF offering a war plan, in fact the Madisonian approach strongly recommends varying points of view and multiple options, but the President should not be briefed that "this is Tommy Franks' plan" when it's not. General Franks is complicit because he let this happen. Given that Rumsfeld held decided views for how these wars should be prosecuted, President Bush should have been offered at least two distinct courses of action for Afghanistan and Iraq. The campaign planning process employed for these two conflicts needs critical examination with an eye towards arriving at a more historically supportable and functional definition of "civilian control of the military." My second major disagreement with Yingling's paper is that it does not adequately treat *accountability*. Throughout his article Yingling consistently blames "American generals" when to effectively place accountability, precision is required. If there were problems with campaign planning and the conveyance of military advice; he should state who precisely was responsible for that and then support the claim. In Chapter 3 I argue that key players in the civil–military nexus, specifically Defense Secretary Rumsfeld, General Franks, and General Myers, let the country and its elected leaders down in terms of pre-war planning. Yingling puts this and other shortcomings at the feet of "American generals" and that's way too broad, does not adequately treat civil–military relations, and really does an injustice to the many, many general officers who worked indefatigably, faithfully, courageously, and effectively to serve those appointed over them. The unintended consequence of blanket indictments is that they foment class (read rank) warfare among generations in the officer corps and that's not helpful. *All ranks* need to keep faith with one another. Holding individuals accountable for failures, when done with precision and perceived as just, reinforces standards and cohesion within the organization. When mass charges are levied that can not be sustained and supported such actions do not produce accountability and actually do more harm than good. LTC Yingling is a principled and courageous officer who has raised important issues, but unreconstructed, his argument does little to improve civil–military relations and military effectiveness.

47 For more on the status of the officer corps in relation to its responsibilities to elected leaders and the nation see Fred Kaplan, "After Rumsfeld: What Robert Gates can

US generals certainly should not file in their desk drawers civilian guidance they deem unwise or unwanted and they should act with decorum and respect when dealing with civilian leaders. But they should ensure that as war plans are being developed that their strategic analysis, views, and best military judgment reaches the nation's decisionmakers, including the President, regardless of whether those views square with those of the Defense Secretary or any other political appointee in the Administration. The first proposal briefed to the President by a military officer should be a concept devised by a general officer, not conformed to meet the wishes of a political appointee. There will always be a time and place for the Defense Secretary to make his or her proposal. However, the President should not be told that he or she is receiving a concept briefing from a military officer, one that represents best military judgment, when the concept has been substantially shaped and altered by the political appointee. Proposals significantly shaped by the thinking of political appointees should be considered separate and be presented by the Defense Secretary or his or her designated representative. This will enable the President to properly weigh all options and analysis carefully before deciding. And in the middle of a war when troops are committed in battle, in the absence of specific civilian strategic guidance or plans, the officer corps must develop proposals themselves for Presidential and Congressional consideration and approval, and deliver victory. Even in this vacuum when generals exercise initiative, it is always the prerogative of the President and Congress to provide course correction. If elected civilian leadership does not like a plan offered by the generals at the very least that proposal should serve as a catalyst for other proposals coming from other parts of the US Government, including the Office of the Secretary of Defense.

It is obvious that it will take much more than military action to stabilize Iraq and where necessary the military should help facilitate the planning, coordination, and execution of the various elements of the US government needed to prevail. The military should not have waited until the Iraq Study Group was getting ready to complete its report before embarking on a self-initiated comprehensive strategic review of the war.

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achieve in the next two years," *Slate*, posted 14 November 2006. In his column among his recommendations for Gates, Kaplan mentioned: "Kick some gumption into the active-duty officer corps. It is pathetic to see so many three and four-star generals reduced to quivering yes-men by the dismissive vindictiveness of the sitting secretary of defense. Their kowtowing may be motivated by respect for civilian authority, but obeying lawful orders is different from abrogating professional responsibility. The master-servant relationship that Rumsfeld has established with his officer – and which his officers have too obsequiously accepted – it is terrible thing for morale; it sets an intimidating example to career officers of lower rank; and, most of all, it's bad for national security. A defense secretary shouldn't feel he has to take an officer's advice – quite often, he shouldn't – but he should at least hear it in unvarnished form. If Gates' tenure is to be a period of restoration, one of the most useful things he could do is to persuade senior officers that they can speak their minds again without fear of demotion or reprisal." Kaplan has a point although it's overstated, but the military doesn't need Secretary Gates to "kick some gumption into the officer corps." The officer corps should be capable of renewing itself.

Alas, hope is not lost and the US-led coalition may yet succeed in helping help Iraq stabilize its country. As the summer and fall of 2006 unfolded sectarian violence in Iraq, especially Baghdad, spiked causing wide ranging criticism that the coalition lacked a comprehensive plan – more specifically that strategic efforts were not fully developed, articulated, and resourced. However, in January 2007 the US Government unveiled a new plan for Iraq that has been characterized by the most publicly salient feature, the increase in 20,000+ troops, but in fact this new approach spans the spectrum of political, economic, social, and military dimensions.[48] Although far from perfect and very late in coming, it represents the best comprehensive plan the Coalition has had for Iraq to date. Had such a plan been issued and resourced in 2003, the Coalition would be much closer to achieving its strategic objectives now. Given what is at stake if Iraq is not stabilized, all in the military and throughout the US Government should now rally around this new plan to make it work. The support of the American people would help. This is likely the last hope for stabilizing a democratic Iraq.[49]

This study has dialogued with three different audiences: American citizens concerned about the common defense, scholars in the field of civil–military relations, and the US military officer corps. Scholars were directly addressed in several chapters and this study has argued for more normative work and heightened self-awareness among scholars regarding the implications/effects of their policy prescriptions because they are taken seriously, particularly among the officer corps. Towards that end, there have been unintended negative consequences to the dynamic in the civil–military nexus. Now the definition of "civilian control of the military" needs refinement and thereafter widespread dissemination, particularly among the officer corps. The primary responsibilities of those serving in the civil–military nexus is to provide elected leaders with strategic analysis, options, and advice. Defining civilian control of the military to mean that top general officers should have a limited role in supporting the policy making process is not helpful, and further to cite the Constitution as the authority for doing so is inaccurate.

There are three common misperceptions of American history in the prevailing literature and these misperceptions have adversely impacted post-World War II civil–military relations. Scholars should correct the record. The three are summarized again below. 1) An under-appreciation of the degree of balance in General Marshall's relationship with Secretary Stimson. While Marshall was apolitical, he was especially effective in representing the profession in the civil–military nexus because he understood his profession and the US political system and could operate and move between the two; 2) Misdiagnosing the signal concerns of the Founders

48 It is worth noting that even after figuring in all of the anticipated troop increases, the total number of troops in Iraq will still be close to the number that were there in December 2005. This plan has many facets; a surge of troops being one of them, but certainly not the only one. Also contrary to conventional thought, much of what is being implemented now by the US Government can be found in the recommendations section of the Baker-Hamilton Iraq Study Group Report.

49 The text of President Bush's 10 January 2007 speech to the nation which contains the details of his new plan for Iraq can be found at the following website: http://www. whitehouse. gov/news /releases/2007/01/20070110-7.html.

as it related to national security which were *providing for the common defense* and guarding against *political control of the military*, but the literature today over-emphasizes *civilian control of the military* which while a legitimate concern found in the historical record of the 18th century, was not more important than the two aforementioned points; and 3) Assuming that the armed forces work primarily for the executive branch when the Founders devised a system that *shared responsibilities* for national security and the military among the executive and legislative branches in a political superstructure that employed countervailing forces to guard against the consolidation and abuse of power. To ensure unity of effort the President was made the Commander-in-Chief and the military reports to the executive branch on a day-to-day basis, but Congress' role was expected to be central in devising the policies for the armed forces, providing for their funding, and deciding when they would be committed in the defense of the country. Beyond that, Congress was granted the authority to help decide the *essence of the military* as its policymaking powers give it jurisdiction over the development of *expert knowledge*, powers which are often alluded to today as defining "roles and missions" but which in fact go well beyond that to include working with the armed forces to make conscious choices pertaining to *what kind of military* the US should possess.

The 20th century witnessed the significant expansion of the powers of the Presidency to deal with the challenges of the industrial age and that consolidation raised fundamental questions about the nature of the American Republic. Now, given the enormous changes attendant to the information age, the time seems right for an evaluation of the distributed powers within the US government, including those pertaining to civil–military relations.

Not satisfied with the existing theories and frameworks available to elected leaders today to help sort out civil–military relations, the "Madisonian approach" was advanced. Presently elected leaders have a dearth of options to choose from when it comes to organizing their relationships with the national security establishment and they need more help. Among other goals, this book is a call to academia to generate more options, additional normative models – a coherent and well developed set of *structure* and *norms* to guide key civil–military relationships. A brief comparison of the three choices available now is provided in Table 6.1.

Specifically for military officers, a section with recommended norms was included to help guide professional behavior in the civil–military nexus. Moreover, historical examples were employed to illustrate virtuous and effective performance (and its antithesis). Generals Washington and Marshall are the right role models for senior officers operating in the civil–military nexus, but it is important to know why that is so. The examples hopefully answered those questions. There is much professional renewal needed across the full spectrum of the military ethos, of which sorting out responsibilities and improving performance in the civil–military nexus are included.

Finally, to the largest audience, Americans concerned about how the US organizes for the common defense, over the next few years as America and her allies struggle to prevail in Iraq and Afghanistan and otherwise take action to protect the homeland and the liberal democratic way of life, all of this will occur on the watch of a new Defense Secretary and what portends to be a period of noticeably improved civil–

military relationships characterized by mutual respect and trust.[50] It is important not to let this period of momentary comity detract from the need for more long-term structural and cultural change within national security institutions. Personalities will always play a key role in the nexus at the Pentagon, but without anchoring key relationships with structural and cultural reforms, the US will be doomed to repeat the wild oscillations in civil–military relations witnessed over the past 40 years. It will only be a matter of time before a dominating personality in the Office of the Secretary of Defense takes the reins of power and once again embraces a dysfunctional form of subjective control of the military. If history is any guide, this will be done in the name of civilian control of the military and bureaucratic efficiency and it will likely be accompanied by a long, painful and costly military misadventure.

The US Government should take the necessary steps now to put civil–military relations on a foundation that can withstand the powerful winds of domineering personalities. By reforming the civil–military nexus of the national security decisionmaking process through revisions to the Goldwater-Nichols legislation and embracing new norms and a more balanced approach to civil–military relations within the Pentagon, America can better secure the state.

50 The Honorable Bob Gates stated this as one of his chief goals during his testimony before the Senate Armed Services Committee on 5 December 2006. See also, Peter Grier, "A New Chief At The Pentagon," *Christian Science Monitor*, 8 December 2006, p. 1.

Table 6.1 Normative Models for Civil–Military Relations

	Separate Spheres	Civilian Involvement in Military Matters	Military Involvement in Nat'l Security D-M	Power Construct
Objective Control	Yes	No – limited military autonomy	No – Policy development is the civilian domain	Civil-military confrontation is avoided (theoretically) by dividing roles; civilian control is assured because military loyalty is secured through the bargain of limited autonomy
Subjective Control	No	Yes, so that military thinking and actions generally match administration's views	Yes, Civilian leaders highlight/ publicize that military advice which aligns with their views	Civilian control is assured by fiat, Civil-military conflict is sublimated
Madisonian Control	No	Yes, to ensure that the will of elected leaders is implemented with due consideration of best military judgement/advice, no area is beyond civilian reach	Yes, to support the President and Congress with analysis, options and advice	Elected leaders direct and control military, top-level leaders in the civil–military nexus partner to assist, civil–military tension within the nexus is managed with structure and norms designed to keep the relationship balanced and competitive so that elected leaders are provided with varied options and pluralistic advice

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