

Out of Control: The Crisis in Civil-Military Relations

Author(s): Richard H. Kohn

Source: *The National Interest*, No. 35 (Spring 1994), pp. 3-17

Published by: Center for the National Interest

Stable URL: <http://www.jstor.org/stable/42894926>

Accessed: 12-01-2018 19:40 UTC

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <http://about.jstor.org/terms>



JSTOR

Center for the National Interest is collaborating with JSTOR to digitize, preserve and extend access to *The National Interest*

Out of Control

The Crisis in Civil-Military Relations

Richard H. Kohn

THE U.S. MILITARY is now more alienated from its civilian leadership than at any time in American history, and more vocal about it.

The warning signs are very clear, most noticeably in the frequency with which officers have expressed disgust for the President over the last year.

When Clinton visited the carrier *Theodore Roosevelt*, the Atlantic Fleet commander had to arrive at the ship beforehand to assure a proper reception. The Air Force Chief of Staff had to issue an open demand to his service to respect the President and for proper behavior to be accorded him—and still had to retire a two-star general for disparaging remarks made in public. At the Army's elite Command and General Staff College, a respected Congressman was "jeered" by the class when he "repeatedly lectured officers" about Congress's role and powers—and was greeted by "catcalls" at the mention of the President (*Kansas City Star*, April 17, 1993.)

Richard H. Kohn chairs the Curriculum in Peace, War, and Defense at the University of North Carolina at Chapel Hill. From 1981 to 1991 the Chief of Air Force History for the USAF, he recently completed two terms as president of the Society for Military History. He edited *The United States Military Under the Constitution of the United States, 1789-1989* published by New York University Press in 1991.

But the problem goes much deeper, sometimes manifest in small symbols. When Senator Strom Thurmond was introduced for an award at the Association of the United States Army last fall, and the speaker noted Thurmond's change of party from the Democrats to the Republicans in 1964, the audience burst into applause, an open sign of just how partisan the military has become in the last generation. There was, in the wake of the Somalia disaster, a concerted effort to undermine Les Aspin, fed by criticism from within the Pentagon's uniformed ranks, aided and abetted by a steady stream of rumors and leaks in the *Washington Times*. (Ten years ago when I asked that paper's first editor what the perspective of the new newspaper was, she replied, "Pro-military.")

An Air Force legal officer wrote a thesis at the prestigious National War College hypothesizing the conditions that could lead to a coup—something officers *never* mention in public and barely ever whisper in private—and won the top writing prize, and publication in the Army's leading professional journal.

Last year one of the senior commanders from the Gulf War described a mistake in combat that, he believed at the time it happened, would bring down restrictions on his operational freedom of action. After reporting the problem up his chain of command, he said, he waited to hear that the "the Deputy Undersecretary for Sewage Disposal and Family Housing" had recommended the

limitations. It never happened, but what was striking was the attitude of that commander toward civilian control.

WHILE THESE incidents have put the problem in high relief, the roots of the crisis go back to the beginning of the Cold War, when the creation of a large, "peacetime" standing military establishment overloaded the traditional process by which civilian control was exercised. By the end of Eisenhower's presidency, the situation had so deteriorated that the only soldier-president of the twentieth century left office warning of the danger to democracy of a "military-industrial complex."¹

During the Kennedy and Johnson administrations in the 1960s, Secretary of Defense Robert S. McNamara restored a degree of civilian control, but for a generation after, in response to his heavy-handed efforts and the rending divisions of Vietnam, successive Republican administrations weakened these controls. Military affairs became highly politicized in more partisan ways. Simultaneously, and for partly the same reasons, the professional officer corps also became politicized and partisan. Divorced now from broad parts of American society, the military, increasingly Washington-wise, was determined never again to be committed to combat without the resources, public support, and freedom on the battlefield to win.

By Bill Clinton's inauguration a year ago, the military had accepted "downsizing" and reorganization, but not changes that invaded too dramatically the traditional functions of each of the individual armed services, or that changed too radically the social composition of the forces, or cut too deeply into combat readiness, or otherwise undermined the quality and ability of the military to fulfill its functions. In Chairman of the Joint Chiefs of Staff General Colin L. Powell, the military had its most formidable leader since the Second World War. And in Bill Clinton, the administration had a president with less experience, interest, understanding, and credibility in mil-

itary affairs than any since the 1920s.

The Consequences of Growth

THE BREAKDOWN in the peacetime balance between civilian and military began in the late 1940s, when the military establishment grew so large, warfare so complex, and the threat to the United States so unprecedented that neither Congress nor the Secretary of Defense had the staff to determine the proper policies, strategies, size, structure, and budget for national security, or even to administer the defense establishment and decide upon an appropriate division of function and authority between civilian and military.

By the 1950s the new standing military establishment had begun to penetrate into every aspect of American life. Because of the draft, every able-bodied American man was eligible, for the first peacetime period in American history, for military service. American military forces—land, sea, and air—were now deployed around the world and allied to foreign establishments, again for the first time in American history. This gargantuan establishment consumed weapons and food and other materiel in such quantities as to require a network of arms producers and business suppliers that touched every community in the nation. Its very size gave the military unexpected influence over the nation's foreign policy and domestic affairs. The institutions were simply too large, their activities too diverse, and their influence too pervasive for effective oversight by the normal legislative or bureaucratic procedures traditionally used by civilians on Capitol Hill and in the executive branch.

Furthermore, the civilian leadership after World War II faced military problems

¹Samuel P. Huntington, in his now classic *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Harvard University Press, 1957), titled Part III "The Crisis of American Civil-Military Relations, 1940-1955."

unprecedented in scope and complexity. Military issues now assumed great prominence in American politics, if for no other reason than their impact on the government's expenditures. Reigning economic theory warned against massive deficit spending, which for most of the 1940s and 1950s put the military under great budgetary pressure, thus pitting the military leadership against successive presidential administrations. War was now a joint enterprise requiring the cooperation of land, sea, and air forces, but how to organize them and how to divide responsibilities while still insuring trained, effective, ready forces, under one responsible commander, was unclear.

The services themselves—fully formed, coherent, and cohesive bureaucracies with comprehensive doctrines, many powerful friends and constituencies, and enormous prestige and credibility from the winning of World War II—fell into vicious internal fights over roles and missions, exacerbated by the President's insistence on severely limiting the funds available for defense. The worst battle over roles and missions the country ever experienced occurred between 1946 and 1949. When civilian leadership in the Pentagon and the White House could not contain the services' struggle for survival and resources, the disputes boiled over into Congress and the press, the Navy leadership erupted into open revolt over purchase of a new class of aircraft carrier, and the strain drove the first Secretary of Defense from office and contributed to his suicide a few weeks later.

Another new factor affecting civil-military relations was atomic weapons. It was now imperative to take authority to use these weapons away from the military, lest operational commanders displace Congress and the President in determining whether the country would go to war. Special procedures were instituted to insure presidential control over their use, but this, combined with worries about U.S. and Soviet forces coming into conflict during normal operations in hot

spots around the globe, now required civilians to invade traditional military operational authority. During the 1950s and after, the line between civilian and military was increasingly blurred, the military having to learn business management and other civilian skills and values, while civilians had to become versed in military strategy and operations.

The tension worsened with the advent of limited war, first in Korea, then in Vietnam. No longer could civilian authorities afford to allow commanders in the field to make the broader operational decisions concerning when, where, and how to fight an enemy, since control of operations might prevent the widening of war, or prevent regional confrontations from escalating, or stop the use of atomic and nuclear weapons. This circumscribing of traditional military prerogatives burst into open crisis in the Korean War in 1950-51, when the legendary Douglas MacArthur resisted the restrictive rules of engagement, attempted to control policy, and was fired by President Truman. Other controls over military authority less than fifteen years later in Vietnam, in many operational and tactical areas and in far more intrusive and restrictive ways, caused enormous stress between military leaders and their civilian masters, with consequences still felt today.

The effort on the part of the Kennedy-Johnson administrations in the early 1960s, in the person of Robert McNamara, to regain control over the military establishment—over not only its use in conflict but every aspect of military policy and affairs—marked the most important turning point in the postwar history of civilian control. The significance of the McNamara years was really the re-imposition of civilian control through bureaucratic procedures and structures, the traditional method for exercising presidential authority over the military in peacetime. McNamara's Programming-Planning-Budgeting System, his "Whiz Kids" operations analysts, his "management

by objectives," all attempted to link policy with military strategy and then force structure, so as to produce a military establishment that would achieve America's Cold War objectives at affordable costs.

He believed that civilians, not the military services, should decide these things, all the way down to the nature and numbers of American weapons, the process for discovering, developing, and purchasing them, and the policies and procedures for their use—especially the nuclear deterrent. McNamara shifted power from the armed services to the Office of the Secretary of Defense. He ignored or dismissed military advice, disparaged military experience and expertise, and circumvented or sacked generals and admirals who opposed him. The warfare inside the Pentagon was intense and vicious.

At the very same time, the Kennedy and Johnson administrations, desperately afraid that military recklessness would provoke a nuclear war with the Soviet Union, moved in the wake of the unsuccessful Bay of Pigs operation of 1961 and the successful (but carefully controlled) confrontation with the Soviets in the Cuban Missile Crisis of 1962, to impose the same restraints on military operations. They did so not just in nuclear matters but in conventional war, and particularly in Vietnam.

These events, particularly President Johnson's choosing of bombing targets in North Vietnam and the restrictive rules McNamara imposed on the fighting at every level, opened a chasm between military and civilian over the command and control of military operations. Civilians believed that they were limiting the fighting in order to avoid Soviet or Chinese intervention, and molding military operations to the political objectives of defeating an insurgency and securing a non-communist South Vietnam. Military officers believed arrogant, uninformed, irresponsible politicians were not only preventing the winning of the war, but squandering American resources, and worse,

lives. The experience still rankles military officers today.

The reaction against McNamara's administration of the Pentagon reversed the trend toward greater civilian control. McNamara provoked a tremendous backlash from the military and its friends on both sides of the aisle in Congress. For twenty of the next twenty-four years (1969-1993), successive Republican administrations loosened the restrictions and permitted the military greater authority inside the Pentagon and out in the field. The reasons were many: reaction to McNamara's rigid decision-making methods and peremptory dismissal of military judgment (which was seen as partly responsible for the defeat in Southeast Asia); the need to soften civil-military tensions during the latter stages of a deeply divisive war; the desire during the 1980s to rebuild the military's confidence and battlefield effectiveness; and finally sheer partisanship.

Post-Vietnam Syndromes

THE 1960s constituted a political divide in military affairs in two other important, related respects. First, national security became a matter of intense partisanship. The Republicans supported high military spending, confrontation with the Soviets, and military interventions overseas—stressing "patriotism" and "a strong national defense." The Democrats, so divided by Vietnam, opposed interventions and tried repeatedly to cut military spending and influence to the bone.

Second, the military itself began to change in the 1960s, but instead of dividing, it came together. In retaliation against McNamara and the left wing of the Democratic party, the senior leadership closed ranks and muted the open warfare in the Joint Chiefs of Staff (JCS). It began to unite against the Secretary and to maneuver inside the executive branch and with Congress for the policies and resources it believed important. For example, in the

1970s, faced with inadequate funding, the senior leadership agreed to gut readiness in exchange for force structure and weapons modernization. To cite another example, the Army organized its divisions with “roundout” brigades from the reserve forces so that the country could not go to war without mobilizing the reserves, and thus (so the thinking went) public support.

At the same time, the professional military became politicized, abandoning its century-and-a-half tradition of non-partisanship. It began thinking, voting, and even espousing Republicanism with a capital R. Jimmy Carter’s contemptuously anti-military administration only exacerbated the trend. Furthermore, this was a different military. In the wake of Vietnam, the officer corps began to attract a larger percentage of its people from the most traditional or conservative parts of the country. The switch from the draft to all-volunteer forces further diminished whatever ideological diversity had existed in the officer corps. The military became even more traditional in its values: Republican, conservative, and increasingly conscious of itself as a separate entity in American society. A politicized military and a much more partisan division over national security would prove to be a dangerous combination.

It must be borne in mind that, under the Constitution, the military actually answers to two civilian masters, the President and Congress. For most of American history, serious civil-military friction has occurred mainly inside the executive branch, between the President and the military or between Secretaries of War or the Navy and their uniformed subordinates. To be sure, there has been conflict between Congress and the military, but until the 1960s it existed largely out of the public eye. Congress exercised its proper role of oversight and appropriation with its usual caprice (the military view) and the military reacted with the usual mixture of deference, awe, supplication, and (private) contempt.

Beginning in the 1960s, however, the Democratic majorities in Congress grew increasingly frustrated trying to unravel the enormous and complicated military budget requests (just as George C. Marshall had hoped in the 1940s, when he argued for a unified department of defense). Congress responded by adding staff, and by the 1980s Congress and the Pentagon had become locked in a kind of continuous subterranean brawl, never open enough to alert the cops (i.e. the press or the public), but warfare nonetheless, on all sorts of issues, minor and major. Congress tried to exercise its oversight and policy function, and save money for social programs. The Pentagon tried to escape the kind of micromanagement, the rules and regulations, that it found increasingly burdensome, expensive, inefficient, and sometimes even dangerous.

Before the 1960s, the military had occasionally played the President off against the Congress—the young turk naval officers agitating for a steel and steam navy in the 1880s, the epic battles of Adjutant General Fred C. Ainsworth to avoid or cripple the General Staff early in the twentieth century, the Air Corps’ use of the press and Congress to try to gain its independence in the 1920s and 1930s, and others. But now, in the Cold War, and especially in response to McNamara and Vietnam, the military refined into art the pitting of Congress and President against each other, in pursuit of its own ends, particularly larger budgets and newer weapons. More than ever before in American history, civilian control of the military became a three-cornered game, with the military playing one branch off against the other. The result was less civilian control.

Enter the Chairman

THE TWELVE years of Republican rule beginning in 1981 accelerated these trends and further weakened the relative weight of the civilians. It was not that Caspar Weinberger was a weak Secretary of

Defense. He was certainly decisive. But he conceived his role as chief cheerleader for Ronald Reagan's military buildup and as the procurer of appropriations from a reluctant, Democratic Congress. He showered money on the services and, in an effort to get it spent, gave them considerable authority over its use, frequently ignoring or circumventing his own office of Program Analysis and Evaluation, one of the chief tools McNamara had used to vet the recommendations of the military services. After an initial two years in which much loose talk about the use of American forces, particularly in the nuclear arena, aroused considerable concern and caused the military itself to become much more cautious, Weinberger in a milestone speech adopted the military's views about intervention and the use of troops abroad—listing six conditions that had to be met before the country should commit its forces to combat. Weinberger rebuilt the military: the forces, the institution, and with President Reagan's help, the pride and the image in American consciousness.

Reagan and Weinberger frankly and purposefully became the military's advocates—and powerful and effective ones they were. Military influence on policy and the military's status in society rose accordingly. This twelve years of Republican rule was the longest one-party string of years since Franklin D. Roosevelt. It coincided with an enormous reaction to the Vietnam War, the desire to give the military more rope and respect, and an exorcism of the anti-military binge of the 1960s and 1970s.

Into this situation stepped a new set of military leaders. As Admiral Crowe, who was Chairman of the Joint Chiefs from 1985 to 1989, says in his memoirs, "Few officers these days made it into the higher ranks without a firm grasp of international relations, congressional politics, and public affairs....The old military was gone." Crowe himself chose to play an "inside" game as Chairman, using his position and influence

quietly and cautiously, especially when he disagreed with his civilian superiors.

On the Goldwater-Nichols proposal to strengthen cooperation between the armed forces and the powers of the Chairman by making him principal military adviser to the President and Secretary of Defense, Crowe remembers that "Somehow . . . I had to do what I could to encourage [it]" even though Weinberger and the Chiefs opposed it. Crowe's strategy "was to stay out of the public debate while doing what I could behind the scenes."

Crowe used his position to influence foreign policy. He threw his weight behind American ships escorting Kuwaiti tankers through the Iran-Iraq conflict in the Persian Gulf because he thought it was positive for American interests in the region—as though the Chairman of the Joint Chiefs is supposed to have an independent voice on matters of foreign policy. He played off Secretary of State George Schultz against Weinberger in order to develop a relationship with his Soviet counterpart, Marshal Sergei Akhromeyev, even though Weinberger opposed it, going so far as to set up a private, secret channel of communication to help avoid war. Crowe and the Chiefs worked very hard to rein in Reagan's pet project, the Strategic Defense Initiative, seeking to lower both its profile and funding. Crowe in his memoirs is quite open about all this—as well as about his conscious cultivation of the press and the military's manipulation of Congress.²

But Crowe's expanded power, which he says he increased consciously, was used mostly behind the scenes, inside the bureaucracy, a subtle push here or a spin there, on one policy initiative or another. General Colin L.

²Admiral William J. Crowe, Jr., *The Line of Fire: From Washington to the Gulf, the Politics and Battles of the New Military* (New York: Simon & Schuster, 1993), pp. 177, 180-185, 212-241, 272, 299-319, 337, 345; see also Bob Woodward, *The Commanders* (New York: Simon & Schuster, 1991), p. 40.

Powell, who succeeded Crowe in 1989, was much bolder. If civilian control is defined first by the relative influence of the military as opposed to civilians in military affairs, and second by the appropriateness of the areas in which the military exercises its influence, then it was under Colin Powell's tenure that civilian control eroded most since the rise of the military establishment in the 1940s and 1950s.

The Power of Powell

COLIN POWELL has been the most powerful military leader since George C. Marshall, the most popular since Dwight D. Eisenhower, and the most political since Douglas MacArthur. Except for four brief command assignments (none longer than fifteen months), Powell served in Washington from 1969 until his retirement in 1993. He held a succession of increasingly powerful, and political, jobs, including Senior Military Assistant to the Secretary of Defense and President Reagan's National Security Adviser. His power had many sources: his experience, his shrewdness and adeptness, his personal charm and charisma, the web of contacts of people who knew and trusted him, his obscurity-to-fame personal story, his race.

His power was expanded by the utter success of American forces in interventions during his tenure (particularly the Gulf War, with its seemingly decisive results and its unbelievably low American casualties), and, most of all, by the new powers imparted to his office by the Goldwater-Nichols law. The law assigns to the Chairman, rather than to the Chiefs as a whole, the planning and policy formulation for the uniformed military. He now controls the Joint Staff with the help of a Vice Chairman, the second-ranking American military officer. No longer required to have the Chiefs vote on issues or present composite advice to civilian superiors, the Chairman can act on his own on all issues and functions, as the single point of advice to the Secretary of Defense and President, unless they specifically ask for other views, and the Chairman is free

to represent his own thinking, rather than that of the Chiefs. For all these reasons, Colin Powell became the most formidable military figure in this country in two generations.³

But what was striking was his willingness to use his power and wield his influence, and his effectiveness in doing so. One leading national reporter called Powell "a formidable bureaucratic foe who knows how to manipulate Congress, the media, interest groups and public opinion."⁴ One of his own four-stars, who worked for him on the Joint Staff, echoed this: "the master of the Washington bureaucracy."⁵

Even before assuming the chairmanship in the fall of 1989, Powell concluded that the Cold War was over and that fundamental changes in American strategy and force structure were necessary. Without any authorization from superiors, he developed a set of concepts designed to reconfigure the entire military establishment. He pushed his vision of a new national strategy and significantly reduced and revamped military services.

In effect, General Powell—not the President, nor the National Security Council, nor the Department of Defense—thought through a new national security policy for the

³Powell's career can be followed in Howard Means, *Colin Powell: Soldier/Statesman, Statesman/Soldier* (New York: Donald I. Fine, Inc., 1992), pp. 163-179, 187ff; David Roth, *Sacred Honor: A Biography of Colin Powell* (Grand Rapids, MI: Zondervan Publishing House, 1993), pp. 90ff. The latter volume, written by one of Powell's former public affairs officers and copyrighted by the General himself, uses the term "political general" to describe him. See also, Kurt Campbell's "All Rise for Chairman Powell," *The National Interest*, Spring 1991.

⁴Steven B. Roberts, with Bruce B. Auster, "Colin Powell Superstar: From the Pentagon to the White House?" *U.S. News & World Report*, Sept. 20, 1993, p. 51.

⁵General George Lee Butler, "Disestablishing SAC," *Air Power History*, Fall 1993, p. 10.

country, one based on his own political and international forecasts about Soviet collapse, de-communization in Eastern Europe, German unification, accelerated arms reductions, lessened tensions, and a new focus by the United States on regional conflicts rather than worldwide confrontation with the Soviet Union. The General did not consult the other Chiefs and circumvented the established programming/budgeting procedures in place in the Defense Department since the early 1960s. He developed his plans without any guidance from the President or Secretary of Defense, and he sold the plan to the White House and Congress, in spite of Secretary of Defense Dick Cheney's initial disagreement with its assumptions about the Soviet threat and opposition from other senior Pentagon civilians.

Powell's goal was to maintain a strong defense and America's superpower status. He even went so far as to advocate a public campaign in order to forestall "a movement toward isolationism" on the part of the American people or Congress. In the spring of 1990, he set the campaign in motion. Partly he wanted to "deflect criticism that the Defense Department wasn't responding to the changed strategic situation," and partly he wished to pre-empt Senator Sam Nunn's announced intention to address the nation's new defense needs from Capitol Hill.

Powell's larger motives, however, were to establish a floor for the defense cuts he knew to be inevitable, and to work out a coherent strategy and force structure which would prevent the kind of helter-skelter, debilitating reductions common to previous demobilizations after American wars. The result, according to the historian of his effort, "was the first change in national strategy in over forty years and a commitment to restructure the armed forces to support that strategy." Thus in the first two years as Chairman, without guidance from above, Powell pushed through the most significant changes in our military establishment since the 1940s.⁶

Powell was only filling a vacuum, because

George Bush's National Security Council, James Baker's State Department, and Dick Cheney's Defense Department were so devoid of a vision of the future international system, that their only response to the growing pressures from Congress and the public for new foreign and national security policies was a slogan called "the new world order" and Powell's temporarily salable 25 percent reduction of the military establishment. The irony of Powell's power was that Secretary Cheney apparently came into his office in 1989 extremely sensitive to civilian control, having been told by congressional colleagues that the military were out of control under Caspar Weinberger. Cheney, determined to assert his authority, thereupon publicly lashed out at his Air Force Chief of Staff for negotiating on his own—"freelancing"—a deal with Congress over strategic weapons. The charge was untrue, which Cheney soon learned (if he did not know beforehand), but he kept up the pressure by privately reprimanding the CINC-SAC for his public statements. The following year Cheney summarily fired Air Force Chief of Staff Michael Dugan for statements reported in the press about targeting during the Gulf War. Many in the Air Force to this day suspect Powell of encouraging the sacking because General Dugan had visited the war theater before the Chairman, taking reporters along with him, and because Dugan had proved to be an all-too-effective advocate for air power.⁷

General Powell used his power and

⁶Lorna S. Jaffe, *The Development of the Base Force, 1989-1992* (Washington: Joint History Office, Office of the Chairman of the Joint Chiefs of Staff, July 1993), pp. 11-50. Quotations are from pp. 22-23, 28, and 50. For a first-hand look at Powell's actions, from a general who helped him make these changes, see Butler, "Disestablishing SAC," p. 7.

⁷For Cheney's sensitivity to civilian control, see Woodward, *Commanders*, pp. 74-80, 108-109, 110, 290-296.

authority again during the Gulf War. If Bob Woodward's 1991 book *The Commanders* can be believed, and no one has disputed its facts, Powell together with General Schwarzkopf consistently maneuvered to delay the war, to mount overwhelming force, to demand the clearest guidance and direction, and to limit the political objectives. Much research remains to be done on this point, but the literature indicates that the Chairman was a reluctant interventionist who made extraordinary efforts to control his civilian superiors' inclinations to make strategy and to move rapidly into combat.

Certainly General Powell worked hard to prevent the Air Force from selling the administration on an independent air campaign. So effectively did he block briefings up the line that the Undersecretary of Defense for Policy, Paul Wolfowitz, had to hear the Instant Thunder air campaign plan through a casual, off-line invitation to visit Air Force Secretary Donald Rice's office. The President was so insulated that when, over Christmas at Camp David, he heard for the first time what Air Force Chief of Staff Merrill McPeak said the Air Force could do, the President turned in disbelief to National Security Adviser Brent Scowcroft and asked whether McPeak was "for real."

Certainly Powell exercised the same control over Schwarzkopf, who, according to the latter's memoirs, was prohibited by Powell from coming to Washington to brief his own offensive campaign plan. Schwarzkopf communicated with Washington only through Powell (which Schwarzkopf says had advantages but was "unnerving at times, because it kept me in the dark"), and apparently never discussed his activity, plans, or actions with Cheney or Bush unless the latter were visiting the theater. All of this was within the letter of the Goldwater-Nichols Act of 1986, but hardly within its spirit ("An Act to reorganize the Department of Defense and strengthen

civilian authority...").⁸

Goldwater-Nichols strengthened the Chairman by making him principal military adviser to the President and Secretary of Defense, but explicitly designated the chain of command from the President through the Secretary of Defense to the combatant commander, leaving the Chairman out purposely and denying him command authority "over the Joint Chiefs of Staff or any of the armed forces." He is supposed to function as a link in communication between President, Secretary of Defense and field commander only if the President specifically so directs. The truth is that Powell tailored all of his actions in the Gulf War to fit the system of command and control he was then instituting in the Pentagon for the post-Cold War world: according to a senior officer involved, "to give the N[ational] C[ommand] A[uthorities] no options...to control the discussion by presenting just one approach, which was the option of his choice."

Astoundingly, Powell later boasted about reversing the relationship between national goals and military means, turning the age-old Clausewitzian formula about war being an extension of policy on its head: "our [the Joint Chiefs'] military advice was shaping political judgments from the very beginning....[W]e were able to constantly bring the political decisions back to what we could do militarily. And if there's one story that is going to be written out of Desert Storm and Just Cause and everything else we've done, it's how political objectives must be carefully matched to military objectives

⁸Powell admits his role freely, claiming that his interposition in the chain of command was one reason why the war was so successful. Roth, *Sacred Honor*, pp. 195-202. For Schwarzkopf's perspective, see his *General H. Norman Schwarzkopf, The Autobiography: It Doesn't Take a Hero* (New York: Bantam Books, 1992), pp. 297-302, 325-326, 358-362, 366-370, 381, 386-387.

and military means and what is achievable.”⁹

Even more troubling, General Powell took it upon himself to be the arbiter of American military intervention overseas, an unprecedented policy role for a senior military officer, and the most explicit intrusion into policy since MacArthur’s conflict with Truman. It was Powell, as Senior Military Assistant, who oversaw the writing of Weinberger’s 1984 speech outlining the six criteria for American intervention abroad.¹⁰ According to *Washington Post* reporter Don Oberdorfer, Powell resisted intervention in Somalia for at least four months, but surprised the Bush administration by reversing himself, and within a month American soldiers were on the ground.¹¹ Powell’s public statements on the subject in the last two years have been increasingly bold. Under his leadership, the uniformed military gained an enormous public voice on the subject of when, where, and in what circumstances American military power should be used. His opposition to intervention in Bosnia now approaches legend; perhaps more than any single individual he restrained first the Bush, and then the Clinton, administrations from action.

Many became uncomfortable at this military intrusion into foreign policy, particularly when General Powell published, at the height of the presidential campaign in 1992, a *New York Times* op-ed piece, warning explicitly against intervention in Bosnia.¹² Even more unfortunate was an article in *Foreign Affairs* in the Winter 1992-93 issue, the timing of which constituted a clear, public declaration of principles from the Chairman of the Joint Chiefs to an incoming president who ran and won on an exclusively domestic agenda, who possessed little foreign policy experience, and no credibility in military affairs. The uniformed head of the American armed forces defined the American role in the world, commented on American society, and asserted that “I share responsibility for

America’s security...with the president and commander in chief, with the secretary of defense and with the magnificent men and women—volunteers all—of America’s armed forces.” In this article, the General claimed that our nation is “obligated to lead” in the world, and then he repeated the Weinberger formula of conditions, processes, and methods under which American forces can be used to intervene. In its defense of past actions, a defeated administration’s policies, and its strictures for the future, General Powell was offering his own views on foreign policy, in contravention to the tradition of American

⁹Quoted in Roth, *Sacred Honor*, pp. 195-196. In his last National Press Club appearance in uniform, Powell said, “My philosophy in all this is rather simple: match political expectations to military means in a wholly realistic way. Don’t slide in, don’t mislead yourself. This isn’t some syndrome I’m suffering from. It comes from 35 years of experience. As a first lieutenant, I saw what doing otherwise was—results were in the Bay of Pigs—President Kennedy. As a major and a captain and a Lieutenant colonel, I saw what doing otherwise produced in Vietnam. And in Beirut as a major general in 1983, I saw what doing otherwise can result in.” Reuter Transcript Report, National Press Club Luncheon Speaker General Colin Powell, National Press Club Ballroom, Sept. 28, 1993.

¹⁰Barton Gellman, “Powell Resumes Civilian Life After 35 Years,” *Washington Post*, Oct. 1, 1993, p. 21. Gellman states that Powell wrote the speech, but apparently the General only “facilitated” its production.

¹¹Don Oberdorfer, “The Path to Intervention,” *Washington Post*, Dec. 6, 1993, p. 1.

¹²“Why Generals Get Nervous,” *New York Times*, Oct. 8, 1992; for an analysis of the General’s behavior, see Russell F. Weigley, “The American Military and the Principle of Civilian Control from McClellan to Powell,” *Journal of Military History*, 57, No. 5 (Special Issue, October 1993), pp. 28-30.

civil military relations since the beginning of the republic.¹³

Mutiny in the Ranks

THE VERY WORST breach of civilian control occurred just after Bill Clinton's election on the question of homosexuals serving openly in the armed forces. General Powell knew of President-elect Clinton's position. Powell had for a year taken very public stances in support of the existing policy on excluding homosexuals, in spite of the comparison with earlier discrimination against African-Americans and the heat he must have taken from civil rights advocates and allies in the African-American community. General Powell must have felt very strongly indeed on this subject, for he virtually defied the President-elect, never denying publicly the rumors in November-December 1992 that he might resign over the issue, doing nothing to scotch rumors that his fellow chiefs might do the same, doing nothing to discourage retired generals from lobbying on Capitol Hill to form an alliance against lifting the ban. General Powell and the Joint Chiefs then appeared to negotiate publicly with the President at a meeting in late January 1993—and privately through the Secretary of Defense, the press, and Congress—for the compromise finally forced on Bill Clinton last summer. On this issue, the military leadership took full advantage of a young, incoming president with extraordinarily weak authority in military affairs. Nothing did more to harm the launching of the Clinton administration than "gays in the military," for it announced to Washington and the world that the President could be rolled. If the one group pledged by law and tradition to obey could roll him, then everyone could—or at least could try.

Almost forgotten in this great public imbroglio that same January is the fact that General Powell also issued a watered-down roles and missions report to the Congress

after a public call for study and change by Senator Sam Nunn. Under Goldwater-Nichols, the Chairman must periodically study the services (and report to Congress), and perhaps revise their relative roles and missions. These are enormously sensitive issues, for roles and missions mean money and forces. Apparently Powell was more willing to battle the new President over homosexuals and ignore the Chairman of the Senate Armed Services Committee on roles and missions, rather than confront the service chiefs, for he allowed them to delete the most most meaningful proposals for change. As a result, at a time of presidential transition when civilian authority was vulnerable, General Powell was "in the face" of the two most powerful civilians in military affairs.

The implications of this behavior at the beginning of the Clinton administration were enormous. Defiance at the top led to resistance all down the line, and, even more troubling, to the ridicule and contempt expressed openly about the President across the officer corps and throughout a military already reeling from reductions, talk of a pay cut, and the general uncertainties of the end of the Cold War. The problem was both dramatized and aggravated by incidents like those described at the beginning of this article. By the spring of 1993, personal observations and contacts by scholars of civil-military relations, backed up by a wide selection of press reports, indicated that the civil-military relationship between a president and the uniformed military had become the most sour in American history—no commander-in-chief ever so disliked or so reviled, or spoken of with such contempt and dislike by the

¹³Weigley, "Civilian Control," pp. 29-30; Colin L. Powell, "US. Forces: Challenges Ahead," *Foreign Affairs*, Winter 1992/93, pp. 32-42. Powell made a similar foray into foreign policy as National Security Adviser in the interregnum between Bush's election and inauguration in a speech to the Economic Club of Detroit. See Roth, *Sacred Honor*, pp. 129-130.

professional military, as Bill Clinton.

In fairness to General Powell, it could be argued that in each case he acted with pure motives to get the best policy outcome he could, in the best interest of the country at the time and in the circumstances. After all, if there is a policy vacuum and the Congress must conclude a budget for the armed forces, should not the Chairman step in? If the President, the Secretaries of State and Defense, and the National Security Adviser abrogated their responsibilities to make foreign and national security policy, should not the Chairman offer one? In an intervention like the Gulf, should not the Chairman mediate between the civilians and military, provide proper advice, prevent what he believes are misleading and dangerous plans from percolating up the chain of command, and otherwise act in a manner to secure proper, usable policy guidance from above and innovative, winning strategies from below? Should not the American people have the benefit of the views of senior military officers in policy debates so that the appropriate military action can be considered and the public debate informed? Should not the new administration be informed of military views on admitting homosexuals, the implications of such a step, and an acceptable outcome produced even if the process gets a bit messy and embarrassing?

If civilian control has eroded, are not civilians at least partly responsible? After all, it was Bill Clinton (or his staff) who put the homosexual issue on the table within 48 hours of the election victory. Our system of government frequently puts civilians into positions of great responsibility without proper preparation or experience. They stay a few years and move on. Twenty years ago, one scholar and veteran of the civil-military battles of McNamara's Pentagon wrote that "military men are anxious to receive policy guidance from their civilian 'masters,' at the same time they seek to protect their professional autonomy...." "The problem is not the overweening military," he concluded, "but

the inadequate civilians, who, lacking the means, cannot even test their determination to exercise effective control. The danger... is not that the military may take over the country, but that the country is not able to preside over the military."¹⁴

But stepping back from the totality of General Powell's actions leads one to conclude that he cannot escape responsibility. He allowed to be published, at a critical time in our presidential election cycle, two articles on foreign policy in leading publications that would have been bold statements by any officer, at *any* time. His disclaimers have been weak. Given his actions and inaction in the struggle over homosexuals, it was misleading to tell a homosexual alumnus at Harvard's commencement, "I have no brief against any group of Americans, but I represent an institution that changes very slowly and with great reluctance. I'm doing my best to make it change as fast as I think it effectively can."¹⁵

The General has also been disingenuous about his own role. In his last press breakfast as Chairman, he described himself only as "an adviser" who did not "command anything except the joint staff," whose "legal power is quite limited," the "principal military adviser to the president, period," an official who "never" gives "any orders except in the name of the secretary or the president." But, in his first public speech after retirement, to businessmen in Minneapolis, Powell gave a quite different account of his power. He compared "his role as chairman of the Joint Chiefs to being CEO of a vast corporation," "the equivalent of running the biggest business in the world" with "a \$270-billion-a-year budget, 4 million employees, a book value of \$1 trillion and 535 'outside direc-

¹⁴Adam Yarmolinsky, "Civilian Control: New Perspectives for New Problems," *Indiana Law Journal*, Vol. 49 (1974), pp. 654, 655.

¹⁵Stephen Hanan, "Commencement Postscript: Making a Stand," *Harvard Magazine*, September/October 1993, p. 10.

tors' in Congress as its bosses."¹⁶

Colin Powell emerged by the end of his tenure larger than life, and clearly more powerful than ever could be deemed proper under the American system of civilian control of the military. He escaped criticism in part because of his outstanding record, in part because of his ability and his achievements. But the very politicization of the military that has contributed to the problem acted to protect the General from criticism. The natural critics of a general overstepping his role would have been the liberal Democrats, but they saw no profit and much danger in criticizing the first African-American Chairman of the Joint Chiefs, whose position on the most emotional military issue of the age—intervention in foreign wars with American troops—more or less matches their own. It is ironic that General Powell's position on intervention, on the process and method as well as the substance, lay rooted in the same nightmare memories of Vietnam as the liberal and centrist Democrats.

Restoring Civilian Control

THE STUNNING withdrawal of Admiral Bobby Ray Inman from nomination as Secretary of Defense rescued the Clinton administration from one of its most dangerous mistakes. The quirky, independent Inman would have been impossible to control; having replaced Les Aspin in less than a year, the President could not have easily have fired Inman, and the Admiral knew it. But the greater danger to the country was that Inman, because he is a military officer, could not have succeeded in solving Bill Clinton's most pressing military problem: bridging the enormous chasm between the President and the professional military.

Few commentators on Aspin's firing and Inman's selection have realized that one of Bill Clinton's chief requirements for Secretary of Defense has been someone who could sell the President to the officer corps

and create for President Clinton the one public persona that has so far eluded him: commander-in-chief. His mistake was in thinking that a military man could do the job. Bill Clinton must take control of the military, while at the same time marginalizing military affairs in favor of his (and the American people's) domestic agenda. The choice of Inman would have weakened civilian control by militarizing the key link in the chain of civilian control: the cabinet officer responsible for national defense. Bill Clinton very nearly dealt civilian control of the military one of the most damaging blows of the twentieth century.

When Americans speak or write about civilian control, lurking in the background lays a concern about a coup d'etat, the man on horseback, that goes back to the formation of our political system in seventeenth- and eighteenth-century English and American politics. Military revolt was a real fear of the generation that established the United States and wrote the state and federal constitutions in the 1770s and 1780s. In every major defense reorganization in American history since that time, this concern for military subordination to civilian authority has been voiced, and inevitably written in some way into the legislation.

And yet a coup has never really been a serious threat, and the chances today, even of an attempt, are virtually nil. Civilian control is too deeply rooted in our tradition and in a political system based on the rule and the legitimacy of law. Americans are too imbued with constitutionalism: reverence for a sup-

¹⁶Quotations are from Reuter Transcript Report, Defense Writers' Group Breakfast Meeting, Westin Hotel, Washington, DC, Sept. 23, 1993; Susan Feyder, "Chief of charm: Colin Powell gets warm reception from Convention Center crowd," *Minneapolis Star Tribune*, Nov. 12, 1993, p. 1; and Dave Beal, "Powell: Perot's wrong about business savvy," *Duluth (MN) News-Tribune*, Nov. 12, 1993, p. 6.

ple, adaptable system of government described in four manuscript pages, that provides consciously and explicitly for military subordination to civilian authority. Except for a few instances notable for their infrequency, our military officers have, historically, recoiled instinctively from even thinking about open insubordination, overturning constituted authority, or abrogating the Constitution.

If a coup is not the issue, then what does civilian control really mean? *First*, and most fundamentally, it means that civic power in society—government—lays in the hands of civilians and civilian institutions. All three of the independent branches of American government are headed and controlled by civilians, at every level, and at all times—peace and war—with the single exception of martial law, exercised only temporarily in specific areas under specified conditions, and then instituted by civilian authority.

Second, civilian control means that the policies and procedures governing our military affairs—at home and abroad, during peace and war, from matters of great magnitude like grand strategy to matters of minor detail such as the penalty for an infraction of the rules by a private at some distant post—are determined by civilian authorities: in the first example by the president in his role as commander-in-chief, in the second by Congress in the Uniform Code of Military Justice. Civilians decide the kind of weapons to build and forces to have, how many of them and how to get them, where to deploy them, and under what circumstances they will be used. It is civilians who decide the extent to which the professional military is to be consulted and heard and where to divide responsibility and authority between civilian and military, even in the business of military operations and tactics. These civilians may be more or less knowledgeable or experienced, more or less honest and forthright, more or less openminded, but they define the border between civil and military authority. To make a crude analogy to card playing,

civilians possess not only all the face cards and all the trumps, but make up the rules of the game. At least, that is the theory.

The *true* character of the relationship is far different. What is rarely grasped, even by those who are involved, is that both structurally and operationally, the system does not work smoothly much of the time. The military does obey orders and civilians do make the major decisions, but beneath the surface the process consists of continual conflict and struggle for influence, which on occasion blows up and flares into major confrontation, or the appearance of confrontation. Sometimes, even while there appears to be harmony, there is ongoing negotiation, compromise, conflict, and maneuvering, the reality of which makes “civilian control” a far more complicated and less certain business.¹⁷

Civilian control is not a *fact*, but a *process*, that varies over time and is very much “situational,” that is, dependent on the issues and the personalities, civilian and military, involved at any given point. What has mattered in the United States, especially since the onset of the Cold War and a large standing establishment, has not been whether civilians are in control; given the nature of our government, its divided structure and partisan battles, no one person or institution completely “controls” anything, and certainly not policy outcomes on major issues. The *real problem* of civilian control is the relative weight or influence of the military in the decisions the government makes, not only in military policy and war, but in foreign, defense, economic, and social policy (for much military policy can have vast implications for various aspects of national life). Just

¹⁷Weigley, p. 27, states “At least since General of the Army Douglas MacArthur’s rebellion against President Harry S Truman’s conduct of the Korean War in 1951, however, conflict and bickering between soldiers and civilians have become perennial impediments to the formation of a coherent American foreign and military policy.”

where the line defining civilian control and proper civil-military relationships lies has never been, and cannot be, determined with clarity and finality; that demarcation, too, is situational.

Sometimes the line is clear, as when an Air Force major general openly disparages the President at a military gathering, or an officer patently violates national policy, as General Douglas MacArthur did in 1951. But other instances are not so obvious. For example, who should determine which bases should close, or who should select or approve targets to be bombed in a limited war, or decide whether homosexuals should serve openly in the military, or what policy advice is proper to make public and under what circumstances? While we cannot always draw such clear distinctions between civilian and military roles, most of us can sense when something is wrong, when the military or an officer goes over the line—as Admiral Inman did when he said, at his nomination, in front of the President, that he “did not seek the job...did not want the job... did not vote for President Clinton” and “had to reach a level of comfort that we could work together...in your role as the commander in chief while I was Secretary of Defense....” Like pornography, we can’t always define it, but each generation surely knows it when it sees or hears it. We have been witness this last year and a half, actually this last five years, to the erosion of civilian control of the military, and we ought to recognize it.

Is the Republic in any *immediate* danger? Probably not. If the civil-military relationship varies over time and the relative weight and influence of military and civilian are situational and personal, then the system is our savior. It is then self-governing, regulated by law, tradition, and politics. Colin Powell leaves the scene, and the game changes substantially; Bill Clinton puts the homosexual issue largely, if

not completely, behind him and gains firmer footing as his administration finds focus and accomplishes its goals. Bill Perry will put a civilian defense team into place and it will begin to take back the proper and legal authority that has temporarily (one hopes) migrated to the military staffs in each of the armed services, in the year it has taken the Clintonites to get their administration together.

But active steps will still be needed to reverse the corrosion of proper practice that has occurred. The new Secretary of Defense and his team in the Pentagon will have to undertake a concerted campaign to restore civilian control, a series of initiatives quite beyond asserting themselves on matters of policy or instituting new procedures for management and administration. Not only will they need to reform the weapons acquisition process, but they will have to reassess the service’s roles and missions and make excruciating choices between the readiness of today’s forces and their modernization with expensive new weapons systems.

Most importantly, they will have to rebuild the diversity of the officer corps, particularly with respect to prevailing attitudes and perspectives. Proper civil-military relations will have to be taught to the officer corps at every level, with a new sensitivity and a sophistication of understanding so that present trends can be reversed. Over time, that modicum of trust and confidence between civilian and military that characterized an earlier age must be rekindled. It is not wholly within the power of President Clinton and this generation of senior leadership to repair the damage and heal the wounds, but they must begin. The alternative is simply unacceptable. As one knowledgeable senior officer who worked for General Powell wrote to me privately, “a Powell and a Shelli and one or two or three others may not harm the Republic, but we could be playing with fire.” □