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Civil-Military Module Discussion Questions

1. Your oath of loyalty and fealty is to the Constitution, and does not, like the oath of enlisted members, include language about obeying orders. Yet the Constitution clearly establishes the President as Commander-in-Chief and with that goes the presumption of obedience by everyone junior in the chain of command. The system has clear guidance on how to respond to illegal orders. What about "unwise" orders? In dealing with civilian leaders, can your oath to support the Constitution override requests, hints, directions, directives, or even orders that you deem unwise? Under what circumstances and with what processes can senior military people deal with orders they find problematic?

2. Leaving the question of legality, what do you do as a senior leader about orders that you find immoral or unethical? Do you have any recourse, e.g., resign? Quietly or in protest? Can you ask to be relieved or retired in these, or any other, circumstances? What other circumstances?

3. Is it possible to be caught between the executive, legislative, and/or judicial branches of government in a situation or situations in which legal and constitutional authorities over the military are in conflict? Think of some situations; what would you do?

4. Thinking about the so-called civil-military gap, how can we celebrate the distinctiveness of military culture without appearing to disparage civilian culture? Are there aspects of military culture today that need to be adjusted to better track with civilian society? What are they? Are there aspects of military culture today that need to be protected from pressures to conform to civilian society? What are they?

5. How do we go about lessening the suspicion, distrust, tension, and even outright conflict between senior military leaders and the top political leaders, elected and appointed--and still fulfill our responsibilities under various laws pertaining to positions we might hold, to provide advice and execute orders? What avenues are appropriate/inappropriate in circumstances when senior military leaders believe that the civilian leadership is preventing them from providing their professional advice candidly and privately?

6. What responsibilities do senior leaders have to mentor officers under their command on civil-military relations? What venues could be used for that? How could senior leaders go about it?

7. A bedrock of civil-military relations is an a-political, or non-partisan, military. How does that square with retired flag officers endorsing political candidates? Are such endorsements proper for some ranks and not for others? Is there a distinction between endorsing in local elections, and getting involved in local community service--like school boards--that some might consider "political" if not partisan? How about running themselves for office or speaking out/sharing expertise and perspectives on national defense and security? Would that be permissible? Why or why not?

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STRATEGIC STUDIES QUARTERLY - FEATURE ARTICLE

Civil-Military Relations in the United States: What Senior Leaders Need to Know (and Usually Don't)

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Abstract

Most flag and general military officers participate in civil-military relations (CMR) daily whether or not they realize it. Yet while these leaders recognize and support the principle of civilian control, they have thought little over time about how it works or the difficulties involved, much less the larger framework of civil-military relations. Likewise, civilian leaders in the national security establishment, whether career civil servants or political appointees, contribute—for good or for ill—to American civil-military relations. They seem to think about CMR even less. This article analyzes the two broad categories of interaction that compose CMR using several discrete topics within each area. The article highlights the paradox in CMR and the best practices that previous generations of leaders experienced and learned in navigating CMR issues successfully.

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Upon commissioning into the US armed forces, every military officer swears to preserve, protect, and defend the Constitution of the United States. Upon promotion, all officers repeat that oath, again committing their loyalty and, if necessary, their lives to a system of government that at its foundation is based on civilian control of the military. While those words do not appear in the Constitution, the structure of the government, the powers assigned to each branch, the limitations on those powers, and the many individual provisions, authorities, and responsibilities put the military—active duty and reserves—under the control of civilian officials atop the chain of command. Those civilian authorities are defined by laws duly passed under constitutional procedures. Thus, civilian control is the defining principle of the relationship but not the sum total of civil-military relations, as senior leaders quickly discover.

Civil-military relations is a broad subject encompassing diverse issues and innumerable topics. It includes the legal foundations for the use of force and the psychological processes that turn ordinary citizens into fighters. It also encompasses ethical conundrums regarding professional obligations in a hierarchy that asks individuals to risk their lives and how press statements by senior military officers affect public opinion.[1] Military leaders must understand the fundamentals of the civil-military relationship in order to fulfill their duty as custodians of the nation's defense and the military profession. They can develop a stronger understanding of this relationship by appreciating two broad sets of dealings. The first is civil-military interactions in making policy and executing strategy at the senior-most levels of government. The second is civil-military interactions across societies, from the individual and group to military and civilian institutions. Each of these sets of interactions contains discrete topics that all senior military leaders can expect to confront at some point in their professional careers. And each has a paradox that frames relations between the civilian and military spheres in the United States today.

Civil-Military Relations for Setting Policy and Strategy

Since the founding of the republic under the Constitution, the United States has enjoyed an enviable and unbroken record of civilian control of the military. When measured by the traditional extreme of civil-military relations—a coup-d'état—there has never been a successful coup or even a serious coup attempt in the US. Academics and pundits may debate whether the violence at the Capitol on 6 January 2021 met a definition of "attempted coup." However, in the terms that most concerned the Framers of the Constitution and that have dominated American civil-military relations ever since, those attacks—horrible as they were—in no way fit the definition of a coup. That is, military leaders were not using military units under their command to attempt to seize political power. There is much to criticize about whether the military prepared adequately or adapted quickly to the unfolding events. Certainly, a few veterans and reservists took part in the violence, much to their shame and dishonor. But it was not an attempted seizure of political power by the military. America's record of unbroken civilian control stands if measured by the absence of coups.

Nonetheless, since the United States has become a global superpower, almost every secretary of defense from James Forrestal to today (with the possible exception of President Trump's defense secretaries, as discussed below) has come into power with concerns that civil-military relations under his predecessor got out of balance, with the military gaining too

much influence. Hence, the paradox is this: the unbroken record of civilian control and the nearly unbroken record of worry about civilian control.

There are many reasons for this paradox, beginning with the simple fact that the military establishment in the superpower era has enjoyed remarkable power—in fiscal, political, and prestige terms—far in excess of what the Framers of the Constitution would have thought was proper or safe for the preservation of a free republic.[2] Such power may be necessary to meet the constellation of threats but poses a latent threat of its own. Political leaders naturally and rightly fret about this concern in an "ounce of prevention is worth a pound of cure" sort of way.[3] It is also true that the regular turnover of administrations, sometimes involving a change in the party in control, brings with it doubt about the reliability of current senior civil and uniformed officials.

We think the root of the paradox lies in the differing worlds, experiences, and priorities exacerbated by the contradictory expectations civilian and military leaders bring to the relationship. Since the participants from the two realms do not share expectations, each ends up disappointing and disturbing the other. Leaders are a bit like a newlywed couple, each spouse having some idea of what his or her own—and their partner's—role in the relationship would be. Unfortunately, if the spouses do not share the same role expectations, each is surprised to discover that the other keeps getting it "wrong" by behaving in unexpected ways.[4]

American military officers enter the relationship with a view of "proper" civil-military relations derived from the classic argument laid out by Samuel P. Huntington in the mid-1950s. His *Soldier and the State* proposes a relatively clean division of responsibility. Civilians should properly determine policy and grand strategy matters with advice from the military. The military should decide on issues largely centering on weapons, operations, and tactics according to the dictates of war, experience, and professional expertise.[5] In Huntington's view, the military voluntarily subordinates itself to civilian direction in exchange for civilians respecting this division of responsibility. Civilians decide the weighty matter of who to fight and when, how much military budgets will be, what weapons will be purchased, and what policies will govern the military. They then give the military autonomy on the implementation of how to fight and how to execute civilian decisions. As one experienced journalist explained to us, "Civilians tell us where they want to go but leave the driving to us." Huntington's real genius was in describing an approach that already aligned with a traditional military point of view. His argument is still taught in professional military educa-

tion as the "normal" theory of civil-military relations, leaving attentive officers to assume that this is the approved model.[6]

Nevertheless, few civilian leaders—including those assigned to senior national security posts—have spent much time, if any, thinking through civil-military relations either in theory or practice. Even those who have thought about it generally act in a way that aligns with a very different model. The rest simply act according to a logic internally consistent with the dictates of civilian politics.[7] Civilians know that there is no fixed division between what is "civilian" and what is "military." The dividing line is where civilian leaders say it is at any given time, and where they draw it can change. This line may fluctuate with the president's personal interests, the threat and political stakes, changes in technology, larger national security considerations, and even with what is going viral in social media that day. Frequently, the dividing line between a decision that civilians believe is theirs to make on strategy and operations can fall far into the domain that the military believes is best insulated from civilian encroachment. In such cases, the recurring lament of American military leaders is that civilians misunderstand or are misplaying their role. They especially call out those civilians involved in the national security policy process who are not in the formal chain of command as are the president and secretary of defense. Faced with civilian oversight from anyone other than the narrow chain of command, the military may think or say, "I believe in civilian control, but you are the wrong civilian." Or if the president or secretary of defense is in the scenario, the military may counter, "You are violating best practice by micromanaging us."[8] Of course, it is the president and secretary of defense's prerogative to micromanage if they deem it necessary. Moreover, while it would be inappropriate for any civilian other than those two to issue an actual order to the military, it is not inappropriate for other civilians to request information for and visibility into military matters if the president or secretary of defense has tasked them to oversee military affairs. The point stands: service members and civilians in the policy-making process often believe they are acting properly while the other is falling short in some way, and those beliefs derive from different standards and expectations of how relations ought to go in the ideal.

Likewise, civilian policy makers attempt to make decisions as late as possible in the interest of flexibility to preserve the president's political options. The priority for the military is to seek clarity and secure a decision as soon as possible to maximize the time for, and effectiveness of, the plans or strategy that follows. The priority for civilians, particularly those closest to the president, is not to tie the hands of the president by committing to

a course of action that cannot be adjusted, walked back, or abandoned if circumstances warrant. In response to adverse geopolitical surprises, civilians seek options while the military leans strongly toward one clearly defined choice. The military's failure or delay in providing alternative looks like foot-dragging. Civilians' failure to provide clear objectives looks like purposeful delay that could compromise strategy and operations, perhaps undermining the objectives, and lead to the unnecessary waste of lives and treasure. It can be a dialogue of the deaf, sometimes made even more frustrating by each side speaking in jargon, acronyms, and code incomprehensible to the other.

Such competing expectations make for a rocky relationship until civilian and military leaders understand one another. This helps explain why American civil-military relations in practice has so many episodes of friction and mistrust even when both sides strive for outcomes important to both, and even when the specter of allowing the military to dominate in some way is nowhere in view. What undermines compromise and cooperation—even the integrity of the process and the possibility of success—is distrust, perhaps fear, on both sides of being dragged by conditions or circumstances into a decision neither wanted and to a purpose incommensurate with the costs.

There is one crucial way the marriage analogy breaks down, for this is a decidedly unequal relationship not based on love and often unchosen by either partner. Democratic theory and historical practice recognize that military members are professionals with distinctive expertise that gives them an indispensable voice worth respecting in discussions of strategy. But they are the agents, not the principals. Military subordination to civilian authority is a defining feature of most governments, particularly republican ones, and democracy cannot survive for long without it. Civilian authority derives not from some superior wisdom but from the fact that civilian politicians are chosen and unchosen by the ultimate principal: the electorate. Civilians oversee national security decisions not because they are right but because the Constitution and laws give them the right, the authority, and the responsibility. And it is their right, even when they are wrong in the choices they make. They have a right to be wrong.[9]

Against this backdrop, as military and civilian learn to understand and relate to one another, they must work together to overcome numerous obstacles. We highlight three that have arisen in every post-1945 administration and a fourth that reflects the unusual tenure of President Donald Trump.

What is "Best Military Advice"?

Recent chairmen of the Joint Chiefs of Staff, when pressed to describe their roles, have often responded that one was "to provide best military advice."[10] Viewed in the most positive way, the leaders are trying to indicate that their assignment is to give advice in the policy-making process that conveys their professional judgment about the military dimensions of the problem and that reflects good staff work. It is decidedly not "telling the boss what he or she wants to hear based on political calculations and irrespective of hard military realities." But "best military advice" rarely works in an optimal way. It is misleading as a mantra and, most problematically, often poorly received by civilian superiors when framed that way.[11]

To civilian ears, "best military advice" can sound like a threat. Civilians do not trust the benign connotation, for when do professionals ever render less than their best opinion or judgment? Instead, it comes across as a thinly veiled attempt to box in the decision makers because "best" implies a singularity. Pick it or else. Or else? Sometimes the "else" is explicit and sometimes just implicit. For instance, the consequences might be militarily dangerous or the domestic political costs significant, but the phrase can in any case feel uncomfortably like a threat. If this single recommendation is rejected and it leaks, that advice becomes the basis for criticism of the decision maker. Perhaps there are occasions when professional military opinion embraces only one alternative, but in practice senior civilian leaders quickly learn, as did Abraham Lincoln, that their challenge is not deciding *whether* to listen to the generals but deciding *which* generals to listen to.[12] When in 2006 President George W. Bush had some distinguished military professionals advising in favor of the surge and others advising against it, which was the "best military advice?"[13]

Civilian leaders need their military advisors to inject technical military considerations and military judgment into decision making to offer perspectives that they, as civilians, may lack. Is it a good idea to station a carrier battle group off the coast indefinitely to shape the environment for effective diplomacy as a civilian might recommend? The president should not have to rule on that question until hearing the logistical challenges and second- and third-order effects for future naval operations that such an indefinite show of force might entail. Or perhaps he or she needs to be briefed on the historical experience of similar decisions in that place or under similar circumstances.

Military expertise is indispensable. But fully considered military advice in the form of plans and options can only be developed with an awareness of the larger political context in which the president is operating. The

military has the right and the responsibility to present options, even politically unpalatable ones and even when it knows that such advice will be unwelcome in the Pentagon, Congress, or the Oval Office. Correspondingly, civilian decision makers have a right to review alternatives that better reflect their larger purposes, if only to see clearly why one or another course of action is inappropriate. This is true regardless of whether the military is sure a particular course of action is a bad idea. Inherent in the "right to be wrong" is the right to hear viable options that align with what the president thinks is preferable—if only to see how difficult and problematic that course might be.

Military advisors who try to short-circuit the process by hiding or omitting certain options or information undermine best practices in civil-military policy making. Worse yet, attempting to substitute their preferences for those of their civilian superiors—and slapping the label "best military advice" on such efforts—will not spin that inconvenient truth away. Worst of all, appearing to box in their bosses will forfeit the trust on which effective relations depends when they inevitably seek other military counsel in search of more options. Properly done, military advice entails speaking up, not speaking out. Speaking up is telling the bosses what they need to hear, not what they want to hear. If senior military leaders have a contrary opinion, it is their professional obligation to ensure civilian leaders know before a decision is cast in stone. But speaking up in private within the chain of command is very different from speaking out, which involves going to the press or to influential people with such access. The latter would surely be interpreted as pressuring a president to accede to military preferences. Seasoned military leaders learn to work with their civilian counterparts in an iterative process that is responsive, candid, and flexible, eventually yielding assessments that might differ markedly from where either side in the dialogue began.[14]

At the end of the process, best practice yields a decision followed by full and faithful execution. This may be a decision not to decide, to await events, or to otherwise maintain maximum flexibility for the deciding official. Or the decision may involve a course of action riskier than the military thinks wise. Provided the military was consulted, that decision will have been made with full awareness of its perspective. Even if not, provided that the decision is legal, only one outcome is acceptable: obedience.

Why No Norm of Resignation?

Every American military leader we have engaged on this subject—and we have engaged thousands—understands that the military must resist,

even disobey, illegal orders. Likewise, it must obey legal orders, even those it dislikes. Every military leader is trained in how to use the extensive institutional apparatus of military, DOD, and Department of Justice lawyers and other advisers to determine what to do when the legality of an order is questionable. What produces a rich and often contentious discussion is how military leaders should respond to legal orders they judge to be profoundly unethical, immoral, or unwise. In such a situation, can a military leader ask for reassignment or retirement—done either silently or with public protest—rather than obey?

The first step toward an answer requires dispelling a myth. Too many senior officers—to include several chairmen of the Joint Chiefs of Staff—have said or written that the duty to disobey illegal orders extends to immoral and unethical orders. As retired Air Force deputy judge advocate general Maj Gen Charles Dunlap carefully explained, the Uniform Code of Military Justice makes no allowance for disobeying "immoral" or "unethical" orders; the choice is legal versus illegal.[15] Military professionalism unequivocally requires everyone in uniform to behave in both a legal and ethical fashion. Still, this dictum does not permit senior officers to resist legal orders based on their own personal standard or definition of what is moral and ethical since that is highly subjective and varies by individual. The only criterion that allows for disobedience is illegality. The matter is simply put. Military members who resist following an illegal order will be protected and exonerated. Alternatively, service members who resist following a legal order that somehow offends a subjective ethical or moral standard can be punished and condemned. It is the job of the voters to punish and remove elected leaders for unwise behavior.

At this point, thoughtful senior military leaders usually object that they are not mere automatons who reflexively translate orders into actions. Are there not more options beyond the simple obey/disobey binary? Yes, but the details matter. For starters, it is essential that the military has first exhaustively fulfilled its obligations in advance of a decision. The advisory process is a time for raising awkward questions, offering sensible objections, and clarifying what makes a course of action unwise (or possibly unethical and immoral). The imperative of military obedience does not require the immediate execution of the slightest whim expressed by any responsible civilian.

The policy-making process is a dialogue—though an unequal one—not a monologue. Officers who think they have options to consider after an order has been given must first demonstrate that they have not shirked the responsibility to advise in full candor. It takes a certain kind of courage to

speak up forcefully even within the confidential policy-making process when the president or secretary of defense has signaled the direction. Yet best practices in civil-military relations require that courage. Best practices also require that the military understands when it has adequately made its case and thus the point where the obligation to advise has been fulfilled—and the point beyond which further pressing of the matter impedes civil-military relations. Many subordinates expect their uniformed superiors to press military perspectives on the civilians, believing in a norm that the military should go beyond "advising" to "advocating" and even "insisting" on certain courses of action.[16] In some cases, they misread H. R. McMaster's influential book *Dereliction of Duty*, assuming that the Vietnam failure at its root was the unwillingness of the Joint Chiefs to stand up to the civilians and, indeed, to resign in the face of civilians who ignored military advice on strategy in the conflict.[17]

The Joint Chiefs obviously did not resign in the Vietnam War, and such resignations at the topmost military ranks are essentially nonexistent. Many senior officers retire before reaching the topmost position for various reasons. Those in the most sensitive assignments, however, know that a sudden or unexplained departure would be interpreted as some sort of dispute with civilian policy, decisions, or leadership that likely heightened civil-military conflict. Some senior military officers submit their retirement papers when they are fed up with the direction the service or a policy appears to be heading. But this is not resignation. Some submit their retirement papers, usually misidentified as resignation papers, as a substitute for getting fired. Neither is that resignation. Submitting retirement papers gives agency to the superior, who can reject them and insist the officer continue to serve. Resignation removes that agency and thereby subverts the superior's authority.[18]

The closest example of a possible resignation as a protest in the last three decades is Air Force chief of staff Ron Fogleman's departure before completing his four-year term. In reality, treating this as resignation stems from a fundamental misunderstanding of what happened and why. Fogleman requested an early retirement when he believed that the senior Pentagon civilian leadership had lost confidence in his judgment. He also went silently in the hopes of preventing his leaving being interpreted as a clash with the secretary of defense over blocking the promotion of the general in charge in Saudi Arabia during the lethal Khobar Towers terrorist attack. Nonetheless, Fogleman's effort backfired. His silence led many to believe his was a "resignation in protest," a misinterpretation that persists today.[19]

In the American system, there is no norm of resignation because it undermines civilian control.[20] For the top two dozen or so flag officers—the service chiefs, combatant commanders, and commanders of forces in active combat—resignation either in silence or with protest would be a huge news story and trigger a political crisis for the president or secretary of defense. Even the threat of resignation would constitute an attempt to impose military preferences on civilian authorities. Going beyond the role of advising and executing a decision properly ordered by civilian authority directly contradicts civilian control, and the consequences for civil-military relations would reverberate far into the future. Civilians would choose the most senior officers based on their pliability rather than on experience, expertise, ability, character, and other criteria necessary for high command and responsibility. Political leaders already have some incentive to vet appointments for compatibility with administration priorities or policies—in effect, politicizing the high command. There is some tantalizing evidence suggesting this might happen on the margins.[21] Nevertheless, the motivations for this sort of corruption in senior officer selection would be far greater if a norm of resignation in protest took hold. Fearing the political consequences of resignation, presidents, secretaries of defense, and service secretaries would trust senior officers less, weakening the candor necessary for intense discussions of critical matters. To forestall the possibility of resignation, consultation with senior officers could become perfunctory window dressing to prevent criticism or political attacks. The threat of resignation could also cause civilian leaders to bend to the will of the military to forestall a politically costly resignation. Either way, resignation with protest as a common practice would soil the advisory process and diminish healthy civil-military relations. As long as the military retains its high standing with the public and high partisanship continues to characterize American politics, the precedent would weaken and perhaps poison civil-military relations to the detriment of effective candor, cooperation, policy, and decision-making. Indeed, there is a strong norm *against* resignation for good reason, but there is growing evidence that attitudes are changing about whether resignation is appropriate.[22] Senior military leaders need to internalize the norm against resignation and reflect on how it shapes and constrains their role in the policy-making process.

Congress and the Challenge of Civil-Military Relations

Even without resignation as an option, the military is not entirely without recourse when faced with clearly dysfunctional policies or deficient orders from civilian superiors. Thanks to a key design feature of the Ameri-

can system embedded in the Constitution, Congress is also the "civilian" in civilian control. The legislative branch has constitutional powers as direct as deciding the design of military policies and forces and as indirect as having the power of the purse and the authority to approve military promotions and assignments. In practice, the president's commander-in-chief powers and executive functions are vast, particularly during wartime. Clearly, the executive branch enjoys primacy in civilian control of the military. It has the responsibility of command and large staffs for planning and managing strategy and complicated joint and combined operations. But the military is also subordinate to the legislative branch, and woe befalls senior military leaders who fail to appreciate this fact.

To be sure, this division and power sharing often put military officers in contentious situations. In theory, the president and Congress work together to authorize, appropriate, and execute military policy. In practice, in the absence of a clearly existential war or military crisis, the president and Congress debate all sorts of military questions, sometimes making the armed services innocent victims of larger partisan struggles. Politically deft military agents have learned over several generations how to balance the president against Congress and vice versa, thus confusing and often warping healthy civil-military relations. Ultimately, these tactics produce less effective military policies and decisions.

Because of Congress's constitutional role in making defense policy, it has a legitimate call on military advice and opinion and has levers it can pull to compel a reluctant military to provide advice. Congress must vote to confirm every military officer's rank, and at the topmost levels that vote is on a by-name, by-assignment basis. Before confirmation, congressional committees require top officers to promise, under oath, that they will give Congress their personal, professional opinion on national security matters if asked during the legislative process. Because of the constitutional separation of powers, Congress cannot force senior military officers to reveal what they told the president during the confidential advisory process. Still, Congress can compel officers to reveal their personal, professional opinions on the matter.

This is the constitutionally mandated path of "resistance" for a military officer to register legitimate concerns about a policy or decision. However, it is a delicate situation that can ruin civil-military relations inside the executive branch if done without careful thought and wording. One caveat is that such candor is rarely applauded by the White House, DOD, or armed services, which are more likely to view it as insubordination. In fact, resistance can be tantamount to insubordination if marshalled to cham-

pion military perspectives over decisions already made or under consideration. Achieving the right balance is a tightrope the military must walk. Staying balanced means that senior leaders honor their obligation to obey and implement legal orders from the commander in chief, even if they deem them unwise. In parallel, they must meet their constitutional duty to apprise Congress of their personal reservations if directly asked. Throughout the process, senior military leaders must do so without undermining the morale of their forces, which will bear the brunt of any policy decision. The more senior the military officer and the more significant the responsibilities, the more likely that officer will face the tightrope dilemma—perhaps multiple times in a career.

Another difficulty in dealing with Congress is parochialism. It is the belief that the military pursues the national interest and that Congress is concerned with only personal or narrowly partisan matters. A military officer looks at a member of Congress and is tempted to think, "All he or she cares about is getting reelected, keeping bases and jobs in their states or districts, and championing the military for political advantage. We are the ones thinking about national security, and they are thinking about the next election." This is a sentiment we have heard countless times from senior military leaders. Such attitudes can be self-defeating, for the officer who displays that mindset in a congressional hearing or other interaction may experience unhappy repercussions. Those holding this view are also somewhat lacking in self-awareness. Military officers can harbor parochial views, sometimes unwittingly, that lie rooted in service culture, their current assignment, or limited career experience. Thus, national security necessitates consideration of many factors, precisely the sort that will be on the minds of the voters and of those who answer to the voters. Senior military officers do not have to answer directly to the electorate and can indulge parochial concerns, wrapping them in the patina of "the national interest," viewing (and believing sincerely) that what is good for their service, command, or function is good for the country. That said, precisely because many members of Congress lack the experience and perhaps even the wherewithal to truly grasp national security affairs in all their variety and complexity, it is important that they be well staffed and well supported in wielding their power. A capable member of Congress can do much good, but a misinformed member can do extraordinary harm. Successful civil-military relations require the military to work closely, cooperatively, and transparently with congressional authorities every bit as carefully as they do in the executive branch.

Military officers who have spent most of their professional lives rising in their service or in joint duties naturally focus on civil-military relations in the top-down hierarchy of the executive branch. Most military facilities feature a pyramid that depicts photos of the chain of command beginning with the commander in chief. Accurate civil-military relations require one more photograph alongside the president: the US Capitol dome.

The Distinctive Features of Trumpian Civil-Military Relations

The foregoing discussion reflects timeless concerns that can be traced through every administration in the era of American superpower status and many to a much earlier time. Every administration experiences civil-military friction; what distinguishes success from failure is not *avoiding* friction but learning how to manage it. Nevertheless, President Trump's single term in office added distinctive twists that made relations especially difficult. Two deserve special, if brief, mention.

First, Trump relied to an unusual degree on recently retired or not-yet-retired military officers to fill positions customarily reserved for civilian political appointees. Every administration has made this type of selection, and it is possible to find a precedent for every individual appointment. Nevertheless, the collective and cumulative effect was quite unusual—particularly in the combination of offices so staffed. At one point, President Trump had a recently retired four-star Marine as secretary of defense (one who required a congressional waiver to hold that post), an active-duty three-star Army general as national security advisor, and another recently retired four-star Marine as White House chief of staff—the most politically sensitive and powerful nonelected post in the White House. The secretary of defense position was especially crucial since that post is supposed to embody the key "civilian" below the president in civilian control. While the president is the commander in chief, the presidency has vast functions and responsibilities. The president is thinking about many things all the time while the secretary of defense is the chief civilian thinking about national security. All three of these top offices were also staffed by many deputies and advisors who were themselves current or recently retired military officers. Everyone's first name was "General," and President Trump regularly referred to each as such. As a result, it was a near certainty that the *primary* military advisor to the president—whom the president looked to for a trusted military opinion—was not the person legally identified as the *principal* military advisor, the chairman of the Joint Chiefs of Staff.

If the military voice was likely too prominent during early stages of the Trump presidency, there were concerns that the military voice lost too

much of its access in the later stages as Trump tired of "his generals" and they left the administration one by one. In his last weeks in office, Trump did away with regular order altogether, firing his secretary of defense and running military affairs from the White House through a chain of command and policy process populated almost entirely by "acting" and "acting in the capacity of" loyalists, some senior retired military and most unconfirmable in their positions. Trump ended with possibly the weakest civilian team ever to serve as the "civilian" in contemporary civil-military relations. After beginning his administration with boasts about how much the military loved him and he loved the military, Trump ended his term with some of the most fractious relations in recent decades.[23]

Second, Trump's unusual governing style made a mockery of "best practices" in the military advisory role. Two, largely separate, policy-making processes developed during his tenure. One operated on issues that did not interest the president and on which he never engaged. That process was routine and, on occasion, produced almost textbook examples of how the policy-making process should proceed. For instance, the Trump administration produced a serious *National Security Strategy* (NSS) in record time. The NSS was closely integrated with the *2018 National Defense Strategy*, which largely drove lower-level budgetary decisions. Yet there is little evidence that Trump himself took the NSS seriously or believed in its "allies are important" core message. The NSS proved to be a decent guide to issues the president himself did not personally engage on and to be utterly irrelevant to matters the president cared about, followed, intervened in, and rendered an opinion on.

This brings us to the other parallel policy-making process: the twitterverse where the president weighed in, often as a commentator and critic of his own administration. Repeatedly, national security policy would be developed according to a regular interagency process only to be undone by a contradictory and often shocking presidential tweet. "A tweet is not an order" never had to be said before the Trump era but had to be said repeatedly during it. While a tweet was not an order, it was an unprecedented window into the commander in chief's "intent," and so the policy process was repeatedly whipsawed to align with a new eruption. More likely than not, those posts could be traced to some punditry on Fox TV, a longtime Trump hobbyhorse, a comment by or recommendation of a friend, or some political maneuver versus a problem of sufficient importance to warrant an intervention from the top.

The military learned to adjust to these twists without a full-blown crisis, but civil-military relations at the policy-making level were strained close to

the breaking point on numerous occasions. President Joseph Biden's promise to return to normalcy—which in civil-military terms meant a return to a normal process with all its friction—was nowhere more welcome than in the Pentagon. Even there, Biden began with norm-breaking of his own. He chose as his secretary of defense former Army general Lloyd Austin, who required a special vote from Congress to waive the legal prohibition on appointing a recently retired professional officer sooner than seven years past retirement. This had been done only twice before in the 69 years the office existed—to confirm Gen George C. Marshall to the position in 1950 and Gen James Mattis in 2017. In both cases, the move was something of a vote of no confidence in the civilian team, to include most notably the presidents themselves. This time, it was likely that Austin's successful confirmation reflected more the crisis of concern about political divisions in the republic after the 6 January attacks on the Capitol by supporters of President Trump than any doubts about Biden's role as civilian commander in chief. But it is undeniable that Austin went to considerable lengths to pledge his commitment to civilian control. He laid out specific steps he would take to shore up the role of civilians in the making of policy precisely to address the types of concerns we outlined above.[24]

Civil-Military Interaction across Society

The other category of issues in American civil-military relations that senior leaders must understand involves interactions with civilian society more broadly, from the individual to entire institutions and from the episodic to the continual. Here again there is a paradox. On the one hand, the US public expresses high levels of trust and confidence in the military. Indeed, the military is the major governmental institution enjoying the highest level of public support, and this has been true since the late 1980s. On the other hand, the public has shown historically low levels of social connection with the military, most notably a low propensity to volunteer to serve in uniform. Thus, while the public highly regards the military, it is distanced from it, as if saying "thanks for your service, but we are glad we don't have to join you." In recent years this large set of intersections and interactions has been labeled a "civil-military gap" or in popular parlance the "1 percent and 99 percent," referring to the tiny portion of the public that serves in uniform either in the active or reserve forces. There are three hardy perennials in this category that every recent administration has encountered at some point, but also some distinctive features peculiar to the Trump era.

Seeds of Alienation

The largest concern is a fear that civilian society and the military will become so alienated from each other the result will be a military incapable or unwilling to serve society. Though they had different diagnoses and prescriptions, this was the common concern animating the two great founders of American civil-military relations scholarship, Huntington and Morris Janowitz.[25] Huntington saw civilian society and the military as distant from each other, especially at the level of norms and values, and urged civilian society to embrace more of the military's thinking, norms, values, and worldview. Janowitz saw the same disconnect and advised the military to develop a new conception of its role and its professionalism to better align with civilian society. Both saw a natural gap as a problem because they doubted that two groups, so dependent on each other but so antithetical in perspectives, could maintain sufficient respect to sustain effective national security policies.

Concerns about the gap escalated with the end of the draft in the early 1970s and have remained high as the all-volunteer force reached maturity in the post–Cold War era. There were brief rally-round-the-flag moments during the invasion of Kuwait in 1991 and in the aftermath of the 9/11 attacks, but those quickly gave way to doubts about public connections to the military when "the 1 percent went to war and 99 percent went to the mall," a common aphorism heard in the national security community.[26] The extensive polling data over the past several decades support several basic conclusions.[27] The public holds the military in high regard but seems to be happily unknowing about most military policies and activities. Military officers are not so divorced in attitudes and opinions from the general public, but there often is a wide gulf of opinion and values between the officer corps and civilian national security elites and elected officials. Both tend to caricature the other and not always in positive terms. Public ignorance about the military extends to the norms of civil-military relations, which have only the most tenuous support from the general public and, in some cases, the military as well.

At the same time, the public expresses high confidence in the military but expects it to adjust to shifting civilian values. These include such areas as the role of women in combat, the policing of sexual harassment and assault, or opening the ranks fully to gay, lesbian, and now transgender personnel. This is reminiscent of how the military adjusted to racial integration and legal rights for members more congruent with civilian judicial procedures. The military fully accepts the principle of civilian control but also worries about societal dysfunctions. It notes that only a quarter of the

civilian populace at best could even meet the minimum physical, moral, and mental qualifications for admission to the ranks. Increasingly, the military seems to be drawing its recruits from the ever-dwindling pool of families that have prior service connections. Mutual admiration could give way to mutual alienation. As one retired JCS chairman told us, what happens to a force that has been told for decades it represents the best of America? Will it not at some point reach the conclusion that it is indeed better than the rest of America? And from that point, how big of a leap is it to conclude that the inferior civilian society should conform to the superior military values? As one of us has written, "the role of the military is to defend society, not to define it."[28]

When fewer and fewer Americans have a personal connection to the military, the burden of representing the military to civilian society—and bridging the gap—increasingly falls upon the prominent senior general and flag officers and the men and women they lead. Society cannot rely on the media or Hollywood to portray either side accurately or explain one to the other. Senior leaders need to understand that for the rest of their professional lives, and well into retirement, they are bridging—or widening—that gap, intentionally or unintentionally.

Politics and Politicization

Over the past several decades, concerns about the civil-military gap have focused on one worry: a growing partisan politicization of the military. This politicization takes several forms. One is the military taking on something of a partisan identity, with disproportionate numbers openly espousing partisan views and much of the body politic viewing the military as "captured" by one of the parties. Another is dragging in, or merely welcoming in, military voices to play a partisan role during political campaigns. A third is the retired military voice growing in prominence in public policy debates, including those that range far from the traditional bailiwick of foreign and defense policy questions.

The military has always been considered a conservative institution, one that aligned more easily with traditional values than with progressive liberalism. This view shaped the Founders' approach to building military institutions in the new republic, and it was the starting point for the major theoretical works on American civil-military relations.[29] When the professional military was small and on the periphery of American political life—or when it was large but populated by a draft that pulled from nearly all sectors of American society—the ideological profile of the military was of secondary concern. In the era of the all-volunteer force, those concerns

grew. Here was a large—in fungible fiscal terms, a dominating spending institution—almost entirely composed of people who chose to be in the institution, recruited others to follow them, and selected their own leadership except at the very top. In the process, the military started to shed its long-standing image as apolitical—an institution outside of party politics—and increasingly looked partisan. As political polarization intensified in the body politic, the military increasingly looked like a Republican institution.[30] Experts debated the extent of the Republican identity, noting it was less pronounced in the enlisted ranks with more diversity in ethnicity, race, gender, and geographic location of origin—but not the direction of the skew.[31] Perhaps inevitably, as partisan polarization has increasingly characterized political life, so too does it seem to shape public perception of the armed forces. Some experts suggest that Republicans and possibly Democrats view the military through a tribal lens—Republicans as an "us" and Democrats as a "them"—that distorted perceptions accordingly.[32] The drift has been gradual and may be driven as much by division in the larger civilian society as by changes in the makeup or behavior of the military itself. Regardless of the cause, it poses a challenge for healthy civil-military relations during an era when the military consumes a large fraction of the discretionary federal budget and is so visible in civic life.

Notwithstanding a new partisan appearance, the military remains one of the few institutions held in high regard across the political spectrum. Consequently, politicians have increasingly used the military to further partisan political ends. Thus, every four years, we have the unseemly spectacle of political candidates—especially those seeking the presidency—recruiting endorsements from senior retired military officers to persuade Americans to vote accordingly. Regulations forbid the active duty military to express an open preference, so candidates look for the next best thing: retired senior officers whose first names remain "General" or "Admiral" after they stop wearing the uniform. The higher the rank, the more recently retired, and the more famous, the better.[33] Every chairman of the Joint Chiefs of Staff in the past 20 years has expressed dismay in private or public about this practice because it falsely implies a preference for the active duty military, making the job of serving the commander in chief and working with Congress, regardless of party, more difficult. But the practice continues and in 2016 reached a new, tawdry level with senior retired officers going well beyond anodyne endorsements. At the national party nominating conventions, their rhetoric crossed over into the most vitriolic of ad hominem attacks of the sort considered inappropriate for the candidates themselves to level.[34] Campaigns cannot be expected to exercise self-restraint in this area.

Hence, the military will escape the political muck only if retired officers resist the temptation to trade on their institutions' reputation for lack of partisanship to commit a brazenly political act. If they wish to join the political fray, they should do so openly as political candidates themselves and not pretend to speak as apolitical observers.[35]

Senior officers on active duty also worry about another form of politicization: the prominent role given retired military veterans as pundits in ongoing policy debates, usually as talking heads on television or purveyors of "gotcha" quotes in news stories. This occurrence has a long pedigree in American civil-military relations. President Dwight Eisenhower worried aloud in his farewell address about a "military-industrial complex" that distorted policy debates by throwing the power of mutual interests behind a certain course of action.[36] These concerns have increased in an age when the news cycle never ends and "everything became war and the military became everything."[37] In our view, this form of politicization is less worrisome if only because the military perspective on policy *is* a legitimate concern and in practice, every veteran voice on one side of a policy issue is usually counterbalanced by an equal and opposite veteran voice on the other. If anything, this dynamic only reinforces the fundamental civilian challenge in policy making: not *whether* to heed military advice but *which* military opinion to heed. Yet the public second-guessing by former senior officers who may have lost situational awareness of the full picture is especially grating to the current military advisors. Senior military leaders need to think in advance how they want to wield their remaining influence once they join the ranks of the retired.

Budgets and the Myth of a "Civil-Military Contract"

The gap gives rise to an enduring myth of American civil-military relations that American society has an implicit contract with the military: a promise to adequately resource and support these men and women in exchange for the risk of their lives on behalf of the nation. Generations of military leaders have mentioned such a contract in countless speeches, but the sad truth is that American society did not act as if there was one—at least not regarding the professional armed forces—for almost all of American history. There is hardly anything more "American" than underfunding the military in peacetime. The prevailing pattern in American military history up through the Korean War was to shirk readiness in peacetime, discover the full extent of this deficiency just before or during the early stages of an armed conflict, and repair the damage by ramping up the military capacity to achieve a victory only to hastily demobilize and return

to peacetime levels of readiness—then repeat the cycle. Indeed, for most of its history up until the Cold War, the United States practiced a national security policy of relatively small peacetime professional forces and mobilization/demobilization for wars.

To the extent there was any societal contract with the military, it was a narrowly drawn one with its citizen soldiers, especially its draftees, symbolized by its system of pensions after the War for Independence and the Civil War, the Veterans Administration after World War I, and the GI Bill after World War II. Over the course of the Cold War, when the military was peopled by draftees and volunteers, and since the onset of the all-volunteer force in the early 1970s, the contract became more robust as the distinction between temporary citizen soldiers and the professional military waned. Even then, some of the promises for health care and other benefits did not seem to fit the idea of "the contract" as expressed by military leaders.

Today, the notion of a societal contract with the military may face a new test. In the five decades since the introduction of the all-volunteer armed forces, thanks to a dramatic expansion in defense spending along with increased pay and benefits, two generations of officers have come of age without personal experience with the previous norm of a chronically underfunded military. Now, all the signs seem to augur a new era of major budget challenges. Intensifying great power conflict and competition imply a new, expensive arms race just as the consequences of previous budget choices create grave fiscal pressure for cutbacks. These cannot be waived away with a glib reference to a societal contract with those who promise to defend us. The current generation of service members may see a leveling or decline in defense spending—while personnel costs for both active duty and veterans strain both budgets—and an unwillingness to sustain a military establishment that competes with expanding domestic spending and continues to add to a swollen national debt.

The Distinctive Features of Trumpian Civil-Military Relations

None of the foregoing would surprise the generation that founded the United States. Yet the Trump tenure put its own stamp on these problems. Trump enthusiastically embraced and indeed encouraged the politicization of the military, accentuating and exaggerating it at almost every opportunity.[38] Whereas previous presidents at least paid lip service to the idea of an apolitical military, Trump talked openly about the military as part of his political base. At the outset, he openly referred to military leaders as "my generals," only to turn on them and publicly castigate them when their advice contradicted his desires or they left his employ.[39]

In response to critiques from prominent retired senior military officers, Trump openly denounced the senior ranks as war-hungry careerists eager to increase weapon sales while insisting that the lower ranks remained personally loyal to him.[40]

Likewise, Trump repeatedly sought to use the military in settings that crossed the boundary into the nakedly political. During his first few weeks in office, he surprised the Defense Department by turning a standard meet-and-greet visit to the Pentagon into a signing ceremony for his controversial ban on refugees from Muslim majority countries.[41] He repeatedly sought to get the military to provide him a flashy parade through Washington, DC, large enough to rival the Bastille Day parade President Emanuel Macron hosted for Trump in France, despite no American precedent for such parades on American national holidays.[42] In the run-up to the 2018 midterm elections when he could not get Congress to fund the building of a wall along the border with Mexico, he declared a national emergency, shifted military appropriations to the wall, and directed military personnel to patrol the border.[43] In each of these instances, the military dragged its feet but, acceding to civilian control, mostly went along with the controversial actions. The breaking point came in the wake of the killing of George Floyd by a Minneapolis police officer in spring 2020. As localities struggled with protests, a few including violence and some even in the vicinity of the White House, President Trump ordered the National Guard to patrol the streets of Washington. He flirted with mobilizing active duty units for a more dramatic show of force, subsequently arranging for the JCS chairman and defense secretary to join him on a photo-op walk across Lafayette Park after peaceful protestors there had been forcibly dispersed. The photo op, clearly political, crossed an ethical line, causing JCS chairman Gen Mark Milley and Defense Secretary Mark Esper (a West Point graduate and retired Army Reserve officer) to apologize publicly for appearing in a political event—probably the first-ever public apology from a chairman for something so obviously partisan.[44] Esper paid for his public disagreement with Trump by being summarily fired after Trump lost the presidential election.[45]

After this rupture came the extraordinary events of 6 January. A mob inflamed by President Trump's false claims that he was a victim of massive electoral fraud battled the police, broke into the Capitol building, and tried to thwart the process of confirming Biden's electoral college victory. Some mob participants may even have sought to kill political leaders they thought stood in the way of a second Trump term. Security forces may have been slow to respond to the unfolding chaos out of fear that they

would get caught once again in a political cross fire, but after a delay they sided decisively with the constitutional order and ensured that the transfer of presidential power could occur without further interruption. Nevertheless, the prominence of some veterans among the most violent of would-be insurrectionists raised concerns about the presence of extremists in the military—and renewed calls for the military to recommit to the traditional apolitical norm.[46] The Biden administration team has made it clear that it will prioritize restoring old norms and redlines on politicization, but undoing the damage to the perception of the military as an apolitical institution may take years of scrupulous behavior by civilian and military alike.

Conclusion: What Can Be Done

Every senior military and civilian leader will face at least a few of the challenges addressed above, and most will encounter them all at some point in a career or in retirement. Each challenge is made more manageable if civilian and military leaders develop relationships characterized by trust and candor. Trust is the universal solvent in civil-military relations. It is the benefit of the doubt earned over patterns of responsible conduct where each party speaks fully and straightforwardly with the other, genuinely seeks mutual understanding, and partners in cooperation for shared objectives.

Trust is intentionally built through deliberate action. Because of the two paradoxes of American civil-military relations, it cannot merely be assumed. Trust is developed step by step through frequent interactions and conversations, formal and informal, in the workplace and at social events. It constitutes a reservoir that must be filled in advance, only to be drawn down in a crisis and quickly replenished. When trust is most needed, it is too late to build it.

Although the military is clearly the subordinate in this relationship, it must be the initiator and not wait for superiors to take the first step. In our experience, senior military leaders spend remarkably little time—and senior civilian leaders even less—reflecting on the dynamics that shape American civil-military relations.

As with other professional occupations (e.g., lawyers, doctors, teachers, and the clergy), it is up to the experts, not their bosses or clients, to mold the relationship and influence the interactions as much as they can to provide the most functional and effective outcomes. It is up to the professionals to think through the ethical guidelines; learn, rehearse, and promote best practices; and apply them in an ongoing fashion even from a subordinate position. All military officers lead their subordinates but must also help their superiors to be successful commanders and leaders. Sometimes it

falls to the subordinate to prepare the superior to lead with maximum effectiveness. This might be thought of as "leading from the middle"—a challenging, daunting assignment but hardly impossible. Generations of senior military leaders, stretching back to George Washington, figured out how to do it well with civilians of disparate abilities. It would be productive if civilian leaders joined enthusiastically in studying civil-military relations. More importantly, however, military leaders must commit to taking on the responsibility to know and study civil-military relations. They must prepare their peers and subordinates to assume stewardship of healthy civil-military relations for the good of our future. SSQ

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Notes

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3. Peter D. Feaver, "The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control," *Armed Forces and Society* 23, no. 2 (January 1996): 149–78, https://doi.org/https://doi.org/10.1177/0095327X9602300203.

4. To be sure, there are many ways in which relations between the military and civilians in the policy-making area do *not* resemble a newly married couple, beginning with the issue of military subordination to the civilian, as explained later in the text. In addition, there are rarely honeymoons and may be little in the way of deep admiration, let alone love, expressed across the divides. But the analogy works to convey the crucial insights regarding the potential for miscommunication and disappointment arising out of

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8. Rosa Brooks introduced this quip as an exchange between civilian staff, one at the White House and one in the Department of Defense, but in the years since we have heard numerous senior military officers invoke some version of this to explain why they oppose civilian meddling in the particular while also endorsing civilian control in the abstract. See Rosa Brooks, "Thought Cloud: The Real Problem with the Civilian-Military Gap," *Foreign Policy*, 2 August 2012, https://foreignpolicy.com/.

9. Feaver, *Armed Servants*.

10. "Gen. Dunford's Remarks and Q&A at the Center for Strategic and International Studies," Joint Chiefs of Staff, 29 March 2016, https://www.jcs.mil/; Helene Cooper, "How Mark Milley, a General Who Mixes Bluntness and Banter, Became Trump's Top Military Adviser," *New York Times*, 29 September 2019, updated 9 July 2020, https://www.nytimes.com/ ; and "Gen. Dempsey's Remarks at the Center for a New American Security," Joint Chiefs of Staff, 21 November 2014, https://www.jcs.mil/.

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for Your Service: Civilian and Veteran Attitudes after Fifteen Years of War," in *Warriors and Citizens: American Views of Our Military*, eds. Kori Schake and Jim Mattis (Stanford, CA: Hoover Institution Press, Stanford University, 2016), 97–142.

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45. Helene Cooper et al., "Trump Fires Mark Esper, Defense Secretary Who Opposed Use of Troops on U.S. Streets," *New York Times*, 9 November 2020, https://www.nytimes.com/.

46. See Kathleen Belew, *Bring the War Home: The White Power Movement and Paramilitary America (*Cambridge: Harvard University Press, 2018).

Making Civilian Control Work

What are the essential principles that govern the relationship between the most senior officers and the leadership of the national government? What issues cause tension, disagreement, and misunderstanding? How should each behave in the interaction, and treat the other? What might the future bring in this relationship, so crucial to the nation's security and overall well- being? These two readings address the relationship: the first, by the most recent Secretaries of Defense and Chairmen of the Joint Chiefs of Staff, enunciates the principles of civilian control and how they operate, and the second, how each side might act in making the system work more effectively.

WAR ON THE ROCKS

TO SUPPORT AND DEFEND: PRINCIPLES OF CIVILIAN CONTROL AND BEST PRACTICES OF CIVIL-MILITARY RELATIONS

OPEN LETTER

SEPTEMBER 6, 2022

COMMENTARY

We are in an exceptionally challenging civil-military environment. Many of the factors that shape civil-military relations have undergone extreme strain in recent years. Geopolitically, the winding down of the wars in Iraq and Afghanistan and the ramping up of great power conflict mean the U.S. military must simultaneously come to terms with wars that ended without all the goals satisfactorily accomplished while preparing for more daunting competition with near-peer rivals. Socially, the pandemic and the economic dislocations have disrupted societal patterns and put enormous strain on individuals and families. Politically, military professionals confront an extremely adverse environment characterized by the divisiveness of affective polarization that culminated in the first election in over a century when the peaceful transfer of political power was disrupted and in doubt. Looking ahead, all of these factors could well get worse before they get better. In such an environment, it is helpful to review the core principles and best practices by which civilian and military professionals have conducted healthy American civil-military relations in the past — and can continue to do so, if vigilant and mindful.

1. Civilian control of the military is part of the bedrock foundation of American democracy. The democratic project is not threatened by the existence of a powerful standing military so long as civilian and military leaders — and the rank-and-file they lead — embrace and implement effective civilian control.

2. Civilian control operates within a constitutional framework under the rule of law. Military officers swear an oath to support and defend the Constitution, not an oath of fealty to an individual or to an office. All civilians, whether they swear an oath or not, are likewise obligated to support and defend the Constitution as their highest duty.

3. Under the U.S. Constitution, civilian control of the military is shared across all three branches of government. Ultimately, civilian control is wielded by the will of the American people as expressed through elections.

4. Civilian control is exercised within the executive branch for operational orders by the chain of command, which runs from the president to the civilian secretary of defense to the combatant commanders. Civilian control is also exercised within the executive branch for policy development and implementation by the interagency process, which empowers civilian political appointees who serve at the pleasure of the president and career officials in the civil service to shape the development of plans and options, with the advice of the military, for decision by the president. The chairman of the Joint Chiefs of Staff is not in the formal chain of command, but best practice has the chairman in the chain of communication for orders and policy development.

5. Civilian control is exercised within the legislative branch through the extensive powers enumerated in Article I of the Constitution, beginning with the power to declare war, to raise and support armies, and to provide and maintain a navy. Congress determines the authorization and appropriation of funds without which military activity is impossible. The Senate advises and consents on the promotion of officers to the pay grade of O-4 and above. The Senate is also charged with advising and consenting to certain senior-level civilian political appointees. Congress conducts oversight of military activity and can compel testimony from military or civilian officials, subject to narrow exceptions such as executive privilege. Members of Congress empower personal and

committee staff to shape the development of policies for decision by the committees and Congress as a whole and thereby play an important role in civilian oversight of policy.

6. In certain cases or controversies, civilian control is exercised within the judicial branch through judicial review of policies, orders, and actions involving the military. In practice, the power to declare a policy/order/action illegal or unconstitutional is decisive because the military is obligated (by law and by professional ethics) to refuse to carry out an illegal or unconstitutional policy/order/action.

7. Civilian control is enhanced by effective civil-military relations. Civil-military relations are comprised of a dynamic and iterative process that adjusts to suit the styles of civilian leaders. Under best practices, civil-military relations follow the regular order of the development of policy and laws, which protects both the military and civilian control. Under regular order, proposed law, policies, and orders are reviewed extensively by multiple offices to ensure their legality, appropriateness, and likely effectiveness. However, regardless of the process, it is the responsibility of senior military and civilian leaders to ensure that any order they receive from the president is legal.

8. The military has an obligation to assist civilian leaders in both the executive and legislative branches in the development of wise and ethical directives but must implement them *provided that the directives are legal.* It is the responsibility of senior military and civilian leaders to provide the president with their views and advice that includes the implications of an order.

9. While the civil-military system (as described above) can respond quickly to defend the nation in times of crisis, it is designed to be deliberative to ensure that the destructive and coercive power wielded by the U.S. armed forces is not misused.

10. Elected (and appointed) civilians have the right to be wrong, meaning they have the right to insist on a policy or direction that proves, in hindsight, to have been a mistake. This right obtains even if other voices warn in advance that the proposed action is a mistake.

11. Military officials are required to carry out legal orders the wisdom of which they doubt. Civilian officials should provide the military ample opportunity to express their doubts in appropriate venues. Civilian and military officials should also take care to properly characterize military advice in public. Civilian leaders must take responsibility for the consequences of the actions they direct.

12. The military reinforces effective civilian control when it seeks clarification, raises questions about second- and third-order effects, and proposes alternatives that may not have been considered.

13. Mutual trust — trust upward that civilian leaders will rigorously explore alternatives that are best for the country regardless of the implications for partisan politics and trust downward that the military will faithfully implement directives that run counter to their professional military preference — helps overcome the friction built into this process.

Civil-military teams build up that reservoir of trust in their day-to-day interactions and draw upon it during times of crisis.

14. The military — active-duty, reserve, and National Guard — have carefully delimited roles in law enforcement. Those roles must be taken only insofar as they are consistent with the Constitution and relevant statutes. The military has an obligation to advise on the wisdom of proposed action and civilians should create the opportunity for such deliberation. The military is required ultimately to carry out legal directives that result. In most cases, the military should play a supporting rather than a leading role to law enforcement.

15. There are significant limits on the public role of military personnel in partisan politics, as outlined in longstanding Defense Department policy and regulations. Members of the military accept limits on the public expression of their private views — limits that would be unconstitutional if imposed on other citizens. Military and civilian leaders must be diligent about keeping the military separate from partisan political activity.

16. During presidential elections, the military has a dual obligation. First, because the Constitution provides for only one commander-in chief at a time, the military must assist the current commander-in-chief in the exercise of his or her constitutional duty to preserve, protect, and defend the Constitution of the United States. Second, because the voters (not the military) decide who will be commander-in-chief, they must prepare for whomever the voters pick — whether a reelected incumbent or someone new. This dual obligation reinforces the importance of the principles and best practices described above.

Signatories:

Former Secretaries of Defense

Dr. Ashton Baldwin Carter
William Sebastian Cohen
Dr. Mark Thomas Esper
Dr. Robert Michael Gates
Charles Timothy Hagel
James Norman Mattis
Leon Edward Panetta
Dr. William James Perry

Former Chairmen of the Joint Chiefs of Staff

Gen. (ret.) Martin Edward Dempsey
Gen. (ret.) Joseph Francis Dunford Jr.
Adm. (ret.) Michael Glenn Mullen
Gen. (ret.) Richard Bowman Myers
Gen. (ret.) Peter Pace

Civil-Military Behaviors that Build Trust

Richard H. Kohn

(Adapted from Kohn, "Building Trust: Civil-Military Behaviors for Effective National Security," *American Civil-Military Relations: The Soldier and the State in a New Era*, ed. by Suzanne C. Nielsen and Don M. Snider [Baltimore: Johns Hopkins University Press, 2009], 2264-289, 379-389.)

For Senior Military:

1. Do everything possible to **gain trust with the civilians**: no games, no leaking, no attempts at manipulation, no denying information, no slow rolling, no end runs to Congress or up the chain, but total openness. Many, and probably most, civilians come into office without necessarily trusting the military, knowing that they have personal views, ideologies, ambitions, institutional loyalties, and institutional perspectives and agendas. There has been so much controversy, friction, and politicization in the last decades that they'd have to be Rip Van Winkles to think otherwise. Some, perhaps many, both fear and are jealous of senior military leaders: for their accomplishments, achievements, bravery, rank, status, and legitimacy in American society.

2. Insist on the right to give the military perspective, without varnish. But do not be purposefully frightening so as to manipulate outcomes--but straight, thoughtful professional advice. At the same time, do not speak out: that is, **speak up but not out**. Keep it confidential and don't let subordinates or staffs leak the advice or let it become public unless it arises appropriately in testimony before Congress. If the civilians want your advice known, let them make it known.

3. **Do what's right from a moral and professional perspective, and don't let the civilians force anything otherwise**. Help them. If they are making mistakes, warn them but then leave it at that. They have the right and the authority to make mistakes, and if they insist, then the military leadership should not prevent it by behaviors that undermine civilian control, which is foundational in American government. Military leaders have neither the experience, perspective, or functional responsibility to judge fully implications and outcomes. The integrity of our system of government overrides any conceivable national security problem short of the survival of the Republic—again, a judgment beyond the military profession.

4. **Anticipate the civilians in military policy** in terms of changing, reforming, adjusting, and thinking through national security problems, innovation, alternative thinking, etc. Evolution, transformation—however labeled—is ongoing and managing it is a chief professional duty. The standard is what's best for national defense, best for the country, broadly conceived—not necessarily what benefits one's service, or command, or the military in general. If some change or policy is in one's best professional judgment deleterious, say so when appropriate but leave it at that.

5. **Resist pressures**. Five come to mind but indeed there may be more.

A. First, **Careerism**. The pressure to conform, to stay silent, to go along, to do what'll advance one's career, while universal, is one of the most deadly behaviors for effective civil-military relations. Do not remain silent. Do not suppress open discussion and debate in one's unit, command, or service in order to avoid angering civilian superiors. National defense requires that the military communicate honestly inside its institutions the proper courses of action, in the studying of warfare and current and past operations, in projections about the need for weapons, in doctrine and strategy and tactics, and in a large variety of professional issues and concerns. One cannot keep faith with subordinates or the American people by avoiding proper professional behavior. The military profession respects most, and requires, physical courage. All professions require and respect moral courage.

B. Second, what could be called **Institutionalism:** doing what's best for one's service, command, unit, etc. when the larger national interest suggests otherwise. Few things arouse more suspicion and engender more distrust from civilian leaders, Congress, and the American people. This lowers the reputation and credibility of the military.

C. **Politicization**. Don't be driven by personal ideology or belief about what are the best policy outcomes in offering advice or any other behavior. An officer's political leanings or affiliation should never come up or become known. To function as the neutral servant of the state, the military must be seen to be not non-partisan, but un-partisan—simply above and beyond partisan politics. George C. Marshall wrote: "I have never voted, my father was a democrat, my mother was a republican, and I am an Episcopalian." Any discussion of partisan politics is out of bounds because it politicizes. If you vote, keep it private as a personal matter. There is a reason that in the old Navy, three subjects were out of bounds for discussion in the wardroom: sex, religion, and politics. All of them can cause dissension or can erode the neutrality and objectivity of an officer and the military as an institution. A distinguished senior general was once called by the White House personnel office, considering him for a job requiring Senate confirmation, to inquire of his party affiliation. The General told his aide, "tell them it's none of their business." Ten days later they called again; same response. Actually, the General should have told them, "as an officer in the American armed forces, I have no party affiliation."

D. **Manipulation**. Do not carry the water for the civilians on political as opposed to professional issues. Defending the necessity of a war, promoting a particular policy or decision, explaining how the war is going from anything other than a strictly military viewpoint is not the military's role, but merely politicizes the military, and if the issues are at all contested, reduces the military's credibility as the neutral servant of the state and its legitimacy in national life, both with the public and opposition political leaders, with attendant harm to civil military respect and trust. A recent Chairman of the Joint Chiefs on more than one occasion told public audiences that terrorism was the most dangerous threat the country faced since the Civil War. Not only did this lack believability as a historical interpretation, but it politicized the Chairman and injected him into partisan political debate.

E. **Resignation**. Personal and professional honor do not require request for reassignment or retirement when one's service, command, unit, department, or

government pursues something with which you disagree. The military's role is to advise and then execute lawful orders. One individual's definition of what is morally or professionally ethical is not necessarily the same as another's, or society's. Even those officers at the top of the chain of command—much less those below—are in virtually all cases unaware of all the larger national and international considerations involved, which is the realm of the politicos, elected and appointed. If officers at various levels measure all policies, decisions, orders, and operations in which they are involved by their own moral and ethical systems, and act thereon, the military would be in chaos. Resignation—the act, the threat, even the hint—is a threat to the civilians to use the prestige and moral legitimacy and standing of the military in American society to oppose a policy or decision. It inherently violates civilian control. Nothing except lying does more to undermine civil-military trust. A senior officer whom the President permits to retire or reassigns can abandon their troops and the country if he or she feels the absolute necessity, in a most extraordinary situation. If so, however, the leaving must be done in silence in order to keep faith with the oath to the Constitution, that is, to preserve, defend, and protect it--because pervasive in that document is civilian control.

6. Finally, there are **professional obligations that extend into retirement** for the most senior military officers that connect directly to civil-military relations. The most important dictates against using one's status as a respected military leader to summon the reputation of the American military for disinterested patriotism, impartial service, and political neutrality, to commit political acts that in fact undermine civil-military relations and contribute to the politicization of their profession. Officers do not hang up their profession norms and values with their uniform, any more than lawyers or doctors do when they retire, or for that matter any other professional. When college professors retire, they do not suddenly promote or condone plagiarism. To endorse presidential candidates or to attack an administration in which they served at a senior level when it is still in office violates an old, and well-established professional tradition; it uses the legitimacy of the military and its reputation for impartiality for what is or inevitably becomes a partisan purpose. It tells officers still on active duty that it's OK to be partisan; it suggests to the American people that the military is just another interest group with its own agenda, rather than the neutral servant of the state; it warns politicians not to trust officers, and to choose the senior military leadership more for political and ideological loyalty and compatibility than for professional accomplishment, experience, candor, strength and steadfastness of character, courage, and capacity for highest responsibility. And it suggests that senior military officers cannot be trusted in the civil-military dialogue to keep confidences, not to abuse candid interchange, or not to undermine their bosses politically--in other words, it corrupts the civil-military relationship for those who still must work with civilians in the most intimate circumstances of policy and decision-making to defend the country.

For Senior Civilians:

1. **Get to know the military**: the people, the profession, the institutions, the culture and its needs, assumptions, perspectives, and behaviors in order to permit proper and informed decisions on the myriad of issues that decide peace and war. Read, travel, interact, and listen. Delegate but do not make the mistake of thinking that military issues, weapons, processes, behaviors, systems, strategies, operations, or even tactics are so esoteric or technical that they cannot be understood, and that civilian authority must be surrendered to uniformed personnel. Responsibility in the end will not be delegated with the authority. Ask many questions, continually, until there are answers that can be understood, and that make sense.

2. **Treat military people and their institutions with genuine respect**, and if that proves personally difficult or is insincere, serve elsewhere in government, or not at all. See to the needs of the troops insofar as at all possible, for it is one of the prime norms of military service that leaders take care of their people--their physical and emotional needs--before they take care of their own, down to the lowest enlisted ranks and most recent recruits.

3. **Support and defend the military** against unwarranted and unfair criticism and attacks, represent their needs and viewpoints elsewhere in government even if you are pursuing policies, or making or executing decisions that they do not like, such as cuts in forces or resources. Throwing them under the bus strains their loyalty and candor in spite of their professional obligations. It is not the job of civilians in the executive branch to criticize the military personally or institutionally. Political leadership includes political cover; if you want the military to stay out of politics, then you have to assume the responsibility.

4. At the same time, **work to de-politicize national defense**: don't use it for partisan advantage just as one attempts to avoid others from using it for partisan purposes against the Administration. Partner with the Congress in every way possible to avoid the *ménage à trois.*

5. **Hold the military accountable** for its actions, within the normal, legitimate processes of the services and the Department of Defense. Do not be afraid to relieve or replace officers who do not perform their duties satisfactorily, as long as this is accomplished after due consideration, and in a fair and appropriate manner. Officers who need to be relieved do not need to be dishonored or disgraced, after a lifetime of service that qualified them and earned them high rank, for mistakes or malfeasance. The firing is enough of a penalty.

6. Likewise **do not hide behind the military** for your own, or your colleagues, mistakes or when bad things happen. Be personally accountable and responsible; one gains enormous credibility and respect for taking the political heat, and for protecting the military and not trying to shift the blame to them and leave them exposed because of civilian decisions or unexpected developments that they were not necessarily responsible for anticipating. If civilian control means civilians have the ultimate authority, they also have the ultimate responsibility and accountability.

7. **Exercise authority gracefully and forcefully** but not abusively, or peremptorily, or at the expense of anyone's personal or professional dignity. Military people want and respect forceful leadership. They want decisions, guidance, instructions, goals (in as explicit and comprehensive form as possible), and above all, in a timely fashion so that time, money, and most importantly lives are not wasted because of indecision or uncertainty. If they cannot have that, be certain to explain exactly why not. The military wants and needs as ordered and as predictable a world as possible in order to deal with the chaos and unpredictability of war; make every effort to meet deadlines and keep to schedules so that they do not succumb to the feeling that dealing with you is . . . war.

The Problem of Best Military Advice

These two scholar-practitioners argue that the term "best military advice" is problematic from the point of view of many civilians in the civil-military relationship. Do you agree with their analysis?

Why "Best Military Advice" is Bad for the Military—and Worse for Civilians

By James Golby and Mara Karlin *November 24, 2017*

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Abstract: *This article contends that "best military advice" is a problematic construct for both the military and civilians alike. Yet, the increasing resonance of this construct across the Joint Force cannot —and should not—be summarily dismissed. Instead, it merits reflection about why the term has grown in popularity, how its continued use is influencing the development of defense strategy, and perhaps above all, how it will affect American civil-military relations. As best military advice infuses the U.S. military, it will increasingly become normalized and held up as desirable, particularly among the younger generation. Short of serious near-term steps to neutralize this construct, its deleterious influence will only increase.*

During Senator John McCain's opening statement at the reconfirmation hearing for Chairman of the Joint Chiefs General Joseph Dunford, McCain delivered extended remarks on the responsibility "every military officer possesses—the responsibility to provide 'best military advice' to civilian leaders."[1] According to the senator, best military advice is advice not just "about the military, but rather the best advice from the military—and that extends to issues of national security policy, strategy, and operations." Moreover, McCain stated that the provision of best military advice is a "duty" and that "best military advice may be

[1] John McCain, "Opening Statement by SASC Chairman John McCain at the Hearing on the Reappointment of General Dunford to be Chairman of the Joint Chiefs of Staff," Sept. 26, 2017, https://www.mccain.senate.gov/public/index.cfm/floor-statements?ID=95DD42AA-FED4-409C-8EB8-0DE22E36FDC9.

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disregarded, but it must always be given," emphasizing that this responsibility is now more important than ever.

In recent years, the term "best military advice" has taken hold across the military and increasingly—as McCain's statement exemplifies—across the broader national security community. The phrase best military advice now infuses the Joint Staff and Combatant Commands—and their power point slides and interagency memorandums. The media also has begun to take note of when best military advice is offered, as well as when it is accepted or rejected.[2] Indeed, this term now is so pervasive that it even has made that critical leap to a well-recognized acronym: BMA.

Yet, neither the term nor the acronym appears anywhere in the statutes outlining the responsibilities of the Chairman, Combatant Commanders, or other senior uniformed officials. The Defense Reorganization Act of 1986, often referred to as the Goldwater-Nichols Act, discusses the responsibility of the Joint Chiefs and the Combatant Commanders to provide their advice or opinions in the greatest detail. Nowhere in the Goldwater-Nichols Act does it even state that military leaders' advice should be "best" in quality, and only three times does it specify that their advice should be "military" in nature.[3] In short, there is neither a statutory nor doctrinal foundation for use of the term, best military advice. So why do Senator McCain and so many others insist that the provision of best military advice is a duty? And, more importantly, should they?

Why Best Military Advice is Not Good Enough

Since best military advice is not defined in statute or in doctrine, it can be a difficult concept to pin down. Chairman of the Joint Chiefs, General Joseph Dunford, repeatedly has said that providing best military advice is his responsibility as Chairman. Yet, Dunford has communicated little in public defining the meaning of best military advice besides stating that is based on a "professional, competent, and apolitical" military and informed by geopolitics and national interests.[4] McCain has gone further in articulating a more expansive view of the concept. For McCain, best military advice helps civilian policymakers "understand the military dimensions of the national security challenges we face and the options at our disposal for wielding military power effectively." However, McCain also believes that "military advice should not be narrowly limited to technical matters" and suggests that military

[2] Dustin Walker, "Obama Rejected 'Best Military Advice,'" Sept. 11, 2014, https://www.realcleardefense.com/articles/2014/09/12/obama_rejected_best_military_advice_107435.html.

[3] Goldwater-Nichols Department of Defense Reorganization Act of 1986 (H.R. 3622), https://www.congress.gov/bill/99th-congress/house-bill/3622.

[4] Joseph Dunford, "Upholding Our Oath," Oct. 25, 2016, https://medium.com/@thejointstaff/upholding-our-oath-b479c572cbd4; Joseph Dunford, "Remarks and Q&A at the Center for Strategic and International Studies," http://www.jcs.mil/Media/Speeches/Article/707418/gen-dunfords-remarks-and-qa-at-the-center-for-strategic-and-international-studi/; and Taylor McNeil, "Top Brass." Sept. 28, 2015, http://now.tufts.edu/articles/top-brass.

officers "must tell their civilian superiors what actions they believe are best and right to take."[5] While McCain is clear that the ultimate decision about whether to take our nation to war rests with civilians, his description of best military advice is both public and forward leaning.

In addition to the ambiguity in defining best military advice, there are several reasons why the term is problematic for healthy civil-military relations and effective strategic dialogue. First, the emphasis on "best" in best military advice creates an impression, perhaps unintentionally, that military advice is superior to civilian perspectives. Given that there is no civilian corollary to this term, its use suggests that military voices should carry more weight than civilian voices during policy debates. It also suggests that military advice is both more certain, and more unified, than it often is in reality.[6] These perceptions often serve to undermine trust with civilian leaders and interagency counterparts, and they call into question professional norms related to humility and selfless service.

It should be noted that military leaders do not add the qualifier "best" to any other function that they routinely perform. There are no such things as "best military recruiting and retention practices," "best military exercises," "best military procurement policies," or "best military tactics." Yet, regarding the one responsibility that military leaders most clearly share with their civilian counterparts, they insist on providing "best military advice"—and on explicitly including that language in documents and public statements—without a statutory obligation to do so. Unlike the intelligence community, which assigns a confidence level to its assessments, military leaders do not make any formal or systematic attempts to classify the confidence they hold in their advice on a particular topic compared to other military advice or other topics.[7] As a result, any military advice is, or at least can be, best military advice.

Regardless of their intentions, when senior military leaders insist on using "best" to describe their military advice, they create the impression that military advice is better than civilian advice. Yet, this impression is inconsistent with the principle of civilian control embedded in the U.S. Constitution, joint and service doctrine, and professional norms related to humility and selfless service.[8] Moreover, all major

[5] McCain, "Opening Statement by SASC Chairman John McCain at the Hearing on the Reappointment of General Dunford to be Chairman of the Joint Chiefs of Staff."
[6] Karl von Clausewitz, in Michael Howard and Peter Paret, tr., *On War* (Princeton, NJ: Princeton University Press, 1976).
[7] James Golby, "Improving Advice and Earning Autonomy: Building Trust in the Strategic Dialogue," Oct. 3, 2017, https://thestrategybridge.org/the-bridge/2017/10/3/improving-advice-and-earning-autonomy-building-trust-in-the-strategic-dialogue.
[8] Richard H. Kohn, *The United States Military under the Constitution of the United States, 1789-1989* (New York: New York University Press, 1991); also see, Joint Staff, Joint Publication 1: Doctrine of the Armed Forces of the United States, 2013, http://dtic.mil/doctrine/new_pubs/—jp1.pdf.

models of U.S. civil-military relations—including objective control,[9] principal-agent frameworks,[10] and social control[11]—begin with the assumption that the military is subordinate to civilian control. Although these models all differ on the precise contours of what the civil-military relationship should look like, they agree that civilian authority trumps military preferences, a belief fundamental to defining a republican society and to embracing liberal, democratic values.[12]

The reality of civilian control, of course, does not imply that all civilian advice is superior to military advice. As Peter Feaver has argued, civilian leaders have the "right to be right," but also the "right to be wrong."[13] Nevertheless, military advice should not seem to be pitted against civilian advice in adversarial terms. Civil-military cooperation is often more difficult in practice than in theory because traditional models of civil-military relations understate the diversity of civilian roles and perspectives in the U.S. policy process, to say nothing of the complexity of the national security challenges at hand.[14] As J.P Clark contends, not all of these civilians are responsible to control the military, but all are responsible to coordinate with the military. Consequently, policy advice from civilian departments and agencies, or from civilians in the Office of the Secretary of Defense, does not necessarily take precedence over military advice simply because it is "civilian" advice.

Instead, military advice must be integrated with other civilian perspectives. As former Chairman of the Joints Chiefs General (Ret.) Martin Dempsey wrote to the Joint Force:

> For our part, we must recognize that the military is only one instrument in an array of national power. Frankly, it is often not the most important or appropriate instrument. In developing plans, policies, or budgets, there are always legitimate and competing considerations, and our civilian leaders are responsible to weigh and integrate these competing considerations. We must remember national security is but one aspect of a much larger set of choices.

[9] Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Harvard University Press, 1957).
[10] Peter Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge MA: Harvard University Press, 2009); and Deborah Denise Avant, *Political Institutions and Military Change: Lessons from Peripheral Wars* (Ithaca, NY: Cornell University Press, 1994).
[11] Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: Simon and Schuster, 2017); and Aaron L. Friedberg, *In the Shadow of the Garrison State: America's Anti-Statism and its Cold War Grand Strategy* (Princeton, NJ: Princeton University Press, 2000).
[12] Douglass C. North, John Joseph Wallis, and Barry R. Weingast, *Violence and Social Orders: A Conceptual Framework for Interpreting Recorded Human History* (Cambridge University Press, 2009).
[13] Feaver, *Armed Servants*; and Peter D. Feaver, "The right to be right: Civil-military relations and the Iraq surge decision," *International Security* 35.4 (2011), pp. 87-125.
[14] J.P. Clark, "We Want It, What is It? Unpacking Civilian Control of the Military," April 4, 2017, https://thestrategybridge.org/the-bridge/2017/4/4/unpacking-civilian-control-of-the-military.

Whether intentionally or not, the subtle insinuation that best military advice is better than civilian advice suggests the opposite of what Dempsey states. Indeed, best military advice reinforces the perception that the military is the most important instrument of national power, and subsequently undermines the trust necessary for an effective strategic dialogue. In addition, the propagation of this construct weakens trust between civilian leaders within the Office of the Secretary of Defense and their military counterparts on the Joint Staff and in the Combatant Commands.

An alternative possibility is that the "best" in best military advice is intended to characterize the Chairman's advice in relation to the advice of other military officers, rather than opposed to the advice emanating from civilian Departments and Agencies. However, this justification also would be problematic because it is not based on a shared understanding nor is it captured in doctrine or regulation. As a result, there are conflicting interpretations about who is responsible for best military advice. During General Dunford's re-confirmation hearing, for example, Senator McCain argued that the Chairman is not the only officer who has a duty to provide best military advice.[15] Moreover, the Chairman is not the only senior officer to consistently use this term in practice; Combatant and Field Commanders increasingly do so as well.

U.S. law also does not explicitly grant the Chairman of the Joint Chiefs the legal authority to determine what the "best" military advice is for the military as an institution, even though the 2017 National Defense Authorization Act granted the Chairman a unique role in "global strategic integration."[16] The Goldwater Nichols Act requires the Chairman to present the "range of military advice and opinions" to the civilian leaders.[17] It also provides other members of the Joint Chiefs the mechanisms by which they can they disagree with the Chairman's advice when perspectives conflict on any given matter.[18] In other words, not only does the law not explicitly grant the Chairman the authority to determine what constitutes the "best" military advice of the military, it also actually provides for competing military advice and implicitly leaves the decision of what military advice really is "best" up to elected civilian leaders. Consequently, the practice of referring only to the Chairman's military advice as "best" could make it even more difficult for alternative views to surface during relevant policy discussions.

[15] John McCain, "Opening Statement by SASC Chairman John McCain at the Hearing on the Reappointment of General Dunford to be Chairman of the Joint Chiefs of Staff," Sept. 26, 2017, https://www.mccain.senate.gov/public/index.cfm/floor-statements?ID=95DD42AA-FED4-409C-8EB8-0DE22E36FDC9.
[16] National Defense Authorization Act for Fiscal Year 2017 (S. 2943), https://www.congress.gov/bill/114th-congress/senate-bill/2943/text.
[17] Title 10, U.S. Code, Para 151—Joint Chiefs of Staff: Composition, Functions, https://www.law.cornell.edu/uscode/text/10/151.
[18] Title 10, U.S. Code, Para 151 – Joint Chiefs of Staff: Composition, Function.

"Best" Military Advice: Recommendation or Ultimatum?

Second, use of the term can make military advice seem more like an ultimatum than a recommendation. It raises the costs that political leaders face if they choose to not accept military advice, at least at the margins. It also creates incentives for both senior officers and political leaders to politicize the military. Best military advice couched as an ultimatum creates a target that political leaders may seek to co-opt, thereby shifting the balance of power in favor of the military. This development is particularly dangerous given that the military is the most respected institution in the eyes of an increasingly polarized public.[19]

Best military advice shapes public opinion and makes it more difficult for civilian political leaders to ignore or disagree with military advice. For example, public military advice can play a significant role in shaping public opinion about the use of force, especially when compared to other civilian national security leaders.[20] These effects are particularly strong when military leaders are unified in their support for, or opposition to, a given use of force decision.[21] Moreover, at least some segments of the American population have become more willing to accept military advice today than they were before September 11, 2001, suggesting that the impact of military advice on public opinion may be growing.[22]

Although there is no research showing that "best" military advice has a quantitatively different impact on public opinion than "regular" military advice, use of the term itself may make it increasingly likely that private military advice will become public. In today's media environment, the phrase "best military advice" is ready made for headlines, sound bites, and tweets. When used in private memorandums or conversations, it crystallizes military recommendations and obscures alternative options while increasing incentives for military or political leaders to leak information. In short, use of the term makes it even more likely that private military advice will become public.

Best military advice also increases incentives for politicization of the military. If political leaders know, or at least suspect, that best military advice will become public during a policy debate, they will have strong reasons to court support from military leaders or to use them as political props. They also have reasons to try to shape, or publicly characterize, military advice in ways that will be politically beneficial. In fact, each of the last three administrations has been charged with doing so. For example, President George W. Bush faced accusations that he encouraged

[19] Jim Norman, "Americans Confidence in Institutions Stays Low," *Gallup*, 2016, http://www.gallup.com/poll/192581/americans-confidence-institutions-stays-low.aspx.
[20] James Thomas Golby, Kyle Dropp, and Peter Feaver, *Listening to the Generals: How Military Advice Affects Public Support for the Use of Force* (Washington, D.C.: Center for a New American Security, 2013).
[21] James Golby, Peter Feaver, and Kyle Dropp, "Elite Military Cues and Public Opinion about the Use of Military Force," *Armed Forces & Society*, 44.1 (2018), pp. 44-71.
[22] James Thomas Golby, Peter D. Feaver, and Lindsay P. Cohn, "Thanks for Your Service: Civilian and Veteran Attitudes after Fifteen Years of War," in Kori Schake and James Mattis, eds., *Warriors and Citizens: American Views of our Military* (Palo Alto, CA: Hoover Institution Press, 2016).

General (Ret.) David Petraeus to serve as the public face of the Iraq surge; President Barack Obama allegedly mischaracterized General Martin Dempsey's advice on air strikes against Syria and the political decision not to intervene; and, President Trump touted the advice of his generals when announcing decisions related to transgender service members and to his South Asia strategy.[23]

The practice of using military leaders to shield elected officials from political criticism necessarily increases the bargaining power of senior military leaders vis-à-vis their elected civilian leaders and interagency counterparts.[24] Moreover, it creates incentives for military leaders to threaten, or even simply to suggest, that they would alter their best military advice depending on whether civilian leaders agreed to conditions in advance. To the extent that best military advice contributes to these potential incentives, it could significantly hinder the ability of elected political leaders to make legitimate policy decisions. Such behavior, real or perceived, by political leaders and senior military officers could, over time, severely undermine the nonpartisan tradition of the military and damage public trust in the military as an institution.[25] It may also make it increasingly difficult for civilian leaders to question military officers.

Best Military Advice and Political Goals

Third, best military advice makes it difficult for military advice to serve political ends in practice. The notion of best military advice assumes that "purely military" factors can be separated from other considerations. Yet, military and civilian spheres are not, and cannot be, completely separate if military operations are to accomplish political objectives.[26] As Major General (Ret.) Bill Rapp has written: "The challenge for senior military leaders and those who advise them is to recognize

[23] Steve Cole, "The Generals Dilemma," *The New Yorker,* Aug. 9, 2008, https://www.newyorker.com/magazine/2008/09/08/the-generals-dilemma; Peter Feaver, "How to Better Navigate the Coming Foreign Policy Challenges," *Foreign Policy,* Oct. 14, 2014, http://foreignpolicy.com/2013/10/14/how-to-better-navigate-the-coming-civil-military-challenges/; and Brian Bender and Wesley Morgan, "Generals Lose a Key Fight Over Afghanistan They Lost With Obama," *Politico,* Aug. 22, 2017, http://www.politico.com/story/2017/08/22/trump-generals-afghanistan-241922.

[24] Risa A. Brooks, "Militaries and political activity in democracies," *American Civil-Military Relations: The Soldier and the State in a New Era* (Baltimore, MD: The John Hopkins University Press, 2009), pp. 213-38.

[25] Jason K. Dempsey, *Our Army: Soldiers, Politics, and American Civil-Military Relations* (Princeton, NJ: Princeton University Press, 2009). Dempsey calls this long-understood problem the "paradox of prestige." The more confidence that the public places in the military, the greater the temptation for senior officers to take advantage of it for their own—or the institution's—gain.

[26] Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (New York: Simon and Schuster, 2017).

that the comfortable notion of separate spheres of professional responsibility does not always correspond to reality."[27]

Attempting to isolate purely military advice undermines effective policymaking and strategy development because it divorces war and the use of military force from its inherently political nature. Military strategy and operations are effective only when they are connected to policy and political ends; if they are not rationally connected to political goals, then the use of force can quickly devolve into violence for violence's sake. Under ideal circumstances, political leaders can and sometimes do—outline broad national security objectives under which military leaders can plan and develop their advice. But, in reality, policymaking and strategy development are much more complicated; they require iterative, interactive advice from military leaders over the course of days, weeks, months, and sometimes years.[28] Military advice must adapt as costs increase, political circumstances evolve, or policy goals change. Nevertheless, the concept of best military advice makes it difficult for military leaders to remain flexible. In fact, in many cases, even setting political objectives requires a textured understanding of expected costs, troop commitments, conflict duration, the likelihood of success, the impact on other global contingencies, and military and political risks.[29] And after political objectives are set, there is no guarantee that political circumstances will not change. Consequently, best military advice makes it even more difficult to integrate military operations with political ends.

Best military advice is also unlikely to be as adaptive to changing military conditions as it should be. As Clausewitz argued, war inherently is adversarial, uncertain, and non-linear.[30] Enemies will adapt; the fog of war will make easy tasks difficult; and actions will have unexpected consequences that are impossible to predict. No single memo or paper containing a statement of best military advice is likely to survive first contact with either the enemy or with political reality.

Although changing political and military realities demand a continuous civil-military dialogue, the provision of best military advice often interrupts or threatens to end such an exchange. Moreover, it also implies that military responsibilities are complete once a military officer has delivered the military solution to the problem. Chief of Staff of the Air Force General David Goldfein highlights this dynamic, "It's my obligation to give best military advice, but I have to remind myself it's actually not the responsibility of the civilian leadership to take my advice."[31] While Goldfein is right about the nature of civilian authority, his comment characterizes the civil-military dialogue as largely a one-way conversation where military leaders offer their

[27] William E. Rapp, "Civil-military Relations: The Role of Military Leaders in Strategy Making," *Parameters*, 45(3) 2015, p 17, http://ssi.armywarcollege.edu/pubs/parameters/—issues/Autumn_2015/5_rapp.pdf.
[28] Golby, "Improving Advice and Earning Autonomy."
[29] James Thomas Golby, "Duty, Honor, Party: Ideology, Institutions, and the Use of Force" (Ph.D. dissertation, Stanford University, 2011).
[30] von Clausewitz, *On War*.
[31] Kevin Baron, "What One Joint Chief of Staff Thinks of Trump," *Defense One*, March 22, 2017, http://www.defenseone.com/politics/2017/03/what-one-joint-chief-staff-thinks-trump/136377/.

best military advice and then sit back to see whether civilian leaders accept it. This approach to the provision of military advice also begs the question of how military officers should react if political leaders tell them their best military advice is not good enough. What could be better than best military advice?

There are situations, of course, when military officers must tell political leaders things they do not want to hear.[32] But military leaders also need to be prepared to engage in an ongoing dialogue in which constraints, policy goals, and political end states may change—both before and after civilian leaders have made decisions on the use of force. And best military advice that offers only a recommended option from a purely military point of view makes that sort of dialogue and integration even more difficult than it needs to be.

Military Advice: Providing Options

Fourth, best military advice is problematic since it is at odds with the military's responsibility to provide options. The statute outlining the Chairman of the Joint Chiefs of Staff's role and responsibilities specifically tasks him with making "recommendations."[33] Indeed, the very construct of best military advice presumes there is a singular way to deal with a problem. As Janine Davidson recounts, in reflecting on her experience as the first senior civilian defense official in the war plans review chain, she was often handed one option for the Secretary of Defense to consider.[34] She acknowledges that some part of the military planning process is plagued by skewed temporal expectations. "Whereas civilians expect a collaborative dialogue in which multiple options are presented to them over a short period of time, military officers are taught to deliver their 'best military advice' after developing a detailed plan."[35]

Fleshing out the best ideas possible is inherent in a meaningful policy debate, not just among military leaders, but with their civilian counterparts as well. A failure to do so limits the ability of civilians to understand the dynamics inherent in the options presented. Military advice is a piece of a much larger national security decision-making toolkit and process and should be offered as such.[36] Options that

[32] Don Snider, "A New Era in Civil-Military Relations: Rendering Advice to Those Who Do Not Want It," Nov. 2, 2015, http://ssi.armywarcollege.edu/index.cfm/articles/A-New-Era-in-Civ-Mil-Relations/2015/11/02.

[33] 10 U.S. Code § 163 - Role of Chairman of Joint Chiefs of Staff, https://www.law.cornell.edu/uscode/text/10/163e/text/10/163.

[34] Janine Davidson, "The Contemporary Presidency: Civil-Military Friction and Presidential Decision Making: Explaining the Broken Dialogue," *Presidential Studies Quarterly, 43 (1)*, 2013 pp. 139-140.

[35] Janine Davidson, Ben Fernandes, Emerson Brooking, "Mending the Broken Dialogue," *Council on Foreign Relations*, Nov. 2016, p. 1, https://www.cfr.org/report/mending-broken-dialogue.

[36] James Thomas Golby, "Beyond the resignation debate: A new framework for civil-military dialogue," *Strategic Studies Quarterly,* 2015, p. 28.

are singular and ignore policy direction are unhelpful. Decision makers seek out options that vary between "doing nothing and thermonuclear war," as former Assistant Secretary of Defense Peter Rodman was known to quip.[37] Failing to offer meaningful options gets at the heart at impeding civilian control.[38]

The often-frustrated dialogue on Afghanistan between President Obama and his White House staff on one hand, and senior military officials on the other, has become an infamous case study punctuated by profound civil-military misunderstanding over formulating options.[39] President Obama, according to his staff, "felt hijacked by a military that had presented him with a narrow band of options rather than a real choice," and some in uniform validated this impression, explaining that the options "were framed in a way that made choosing a smaller number . . . look like a path to certain defeat."[40] His frustration was palpable and succinctly captured by Bob Woodward: "I have one option that was framed as three options. I want three real options to choose from."[41]

Moreover, if a singular solution is endorsed by the senior military leadership, then dissenting views invariably are squelched, either during debate or before a presentation to civilian leadership. By statute, the Chairman of the Joint Chiefs must serve as "spokesman for the commanders of the combatant commands."[42] To do so effectively, he is required to provide all of their views, which—given the nature of issues at hand—almost surely vary. The latest CJCS-Instruction is even more direct that the statute: it directly imbues the Chairman with the responsibility to provide dissenting views. His advice involves "presenting his personal views (as well as any divergent views of other JCS members) and those of the Combatant Commanders."[43] This obligation requires other senior military leaders to place immense trust in the Chairman, which is not always given. For example, during the Cuban Missile Crisis, the Chiefs were—rightfully—concerned that Chairman Maxwell Taylor was not representing their views to the President. Taylor's style was to first offer the JCS position and then to outline his "personal view," which differed considerably, and then he would poke holes in their recommendations.[44]

[37] Peter W. Rodman served as Assistant Secretary of Defense for International Security Affairs from 2001-2007 and was renowned among his staff for this refrain. Author's experience.

[38] "The military can evade or circumscribe civilian authority by framing the alternatives or tailoring their advice or predicting nasty consequences." Richard Kohn, "The Erosion of Civilian Control of the Military in the United States Today," *Naval War College Review,* Summer 2002, p. 16.

[39] Bob Woodward, *Obama's Wars* (New York: Silmon and Schuster, 2010).

[40] Mark Landler, "The Afghan War and the Evolution of Obama," *The New York Times,* Jan. 1, 2017, https://www.nytimes.com/2017/01/01/world/asia/obama-afghanistan-war.html/.

[41] Woodward, *Obama's Wars*, p. 258.

[42] 10 U.S. Code § 163 - Role of Chairman of Joint Chiefs of Staff, https://www.law.cornell.edu/uscode/text/10/163e/text/10/163.

[43] Chairman of the Joint Chiefs of Staff-Instruction, Enclosure C-2, Jan. 18, 2012. http://www.jcs.mil/Portals/36/Documents/Library/Instructions/5715_01.pdf?ver=2016-02-05-175048-170.

[44] Golby, "Duty, Honor, Party: Ideology, Institutions, and the Use of Force," pp. 211-12.

Beyond statutes and instructions, there is a very human element to the importance of airing divergent views. Dissent is necessary in the search for good advice and civilians—to be sure, all participants—benefit from hearing multiple perspectives. No individual, no matter how senior, can possess sufficient knowledge and experience to offer a "one-size-fits-all" view for the military, not even the Chairman. The decision-making literature is clear in this regard: a diversity of viewpoints when diagnosing issues and formulating viable alternatives is imperative, and "organizations must tolerate and even encourage disagreements."[45] People are endowed with a number of biases that influence how they process and weigh information.[46] This debate should be both thorough and grounded in reality, as Lieutenant General (Ret.) Jim Dubik outlined, and anything short of that is irresponsible.[47] In addition, recognizing the limitations of an individual ties back to the importance of humility and the parameters of military expertise.

Military Advice and Bureaucratic Realities

Fifth, the best military advice construct ignores bureaucratic realities. Policy is not made once and neatly tied up. Instead, it is an iterative and dynamic process colored by negotiations, bargaining, and compromise.[48] Personalities play an important role, particularly given individuals' varying conceptions of the issues at hand, including "national security, organizational, domestic, and personal interests."[49] All of these characteristics are acute when dealing with the use of force issues given the sensitivity of the topic, and the need to consider adversary reactions and to adapt accordingly.

In bureaucracies, "the path from initiation to action frequently includes a number of decisions."[50] In the interagency national security decision-making process, military advice is plugged in at a number of touchpoints at different levels, ranging from an action officer (usually a 0-5 or 0-6) at a sub-policy coordinating committee to the Chairman of the Joint Chiefs at a National Security Council meeting. These interactions facilitate the development of integrated strategies. On the contrary, handing over best military advice gives the impression that the senior military leadership has stepped aside and washed its hands of the debate. This action

[45] Daniel Kahneman, Dan Lovallo, and Olivier Sibony, "The Big Idea: Before You Make That Big Decision," *Harvard Business Review*, June 2013, pp 51-60, https://hbr.org/2011/06/the-big-idea-before-you-make-that-big-decision.
[46] Jack Levy, "Loss Aversion, Framing Effects, and International Conflict: Perspectives from Prospect Theory," in *Handbook of War Studies II* (Ann Arbor, MI: University of Michigan Press, 2000), p. 194.
[47] James M. Dubnik, "Civilian, Military Both Morally Obligated to Make War Work," *Army Magazine* 65(11), Nov. 2015, pp. 17-18.
[48] Graham T. Allison, and Morton H. Halperin, "Bureaucratic Politics: A Paradigm and Some Policy Implications," *World Politics*, 24. Spring 1972
[49] Allison and Halperin, "Bureaucratic Politics," p. 43.
[50] Allison and Halperin, "Bureaucratic Politics," p. 46.

boxes in decision makers at one level and leads to bad policy advice at another. Above all, these dynamics serve as a reminder that, as Major General Bill Rapp underscores, "the reality of national security policymaking is very different from the military's conception of how that process should run."[51] Best military advice is particularly meretricious in that it provides an unhelpful sense that military leaders want to be "on the record" when they disagree with civilian leaders.

The bureaucratic politics paradigm is also a useful reminder that the policymaking debate is between organizations, not just individuals. Subsequently, staffs matter—not just principals, as Karlin and Schulman outline. "Neither [the Secretary of Defense nor the CJCS] can perform their roles without appropriate support from and collaborative friction between several layers of their respective organizations. Departmental debate is healthy, and if one portion of the building stovepipes their advice on the way to Secretary, such debate is stifled."[52] At a practical level—given the span and diversity of issues principals confront on a daily basis—it is invariably the staffs that enable serious and thoughtful rigor in debate. Unless the Secretary of Defense's staff is included in (nearly all) correspondence to him, he is ill-served.[53]

Nonetheless, bureaucratic politics is also a useful reminder that rarely can the advocates for or against any serious option be evenly divided between military and civilian officials. Two examples, one each focused on Iraq and Afghanistan, are illustrative. The debate over surging forces in Iraq involved complex bureaucratic coalitions with National Security Advisor Steve Hadley and Chairman Pete Pace aligned in opposition to other service chiefs and combatant commanders.[54] The Obama administration's 2009 debate on surging forces in Afghanistan was also characterized by mixed coalitions, including Secretary of Defense Robert Gates and Chairman Mike Mullen opposing General Stan McChrystal, the commander of U.S. and NATO forces in Afghanistan, in the first iteration.[55]

Finally, bureaucratic realities call into question the audience for best military advice. Is the advice quietly delivered to the Secretary of Defense and to the President? Is it instead distributed widely to the joint force via strategic guidance documents like the National Military Strategy? It cannot simultaneously be both. And, in the case of the latter, can advice ever be considered directive? The answers

[51] Rapp, "Civil-Military Relations: The Role of Military Leaders in Strategy Making," p. 20.
[52] Mara Karlin and Loren Dejonge Schulman, "Keeping up Civ-Mil Relations," *War on the Rocks*, April 19, 2017, https://warontherocks.com/2017/04/keeping-up-civ-mil-relations/.
[53] Sydney Greenberg, "Joint Staff Must Step Up Global Coordination; No New Powers Needed: J5," April 27, 2017, http://breakingdefense.com/2017/04/joint-staff-must-step-up-global-coordination-no-new-powers-needed-j-5/.
[54] Nevertheless, multiple narratives exist on where and how the idea of an Iraq surge was catalyzed. See, Peter Feaver, "The Right to be Right: Civil-Military Relations and the Iraq Surge Decision" *International Security*, 35(4), 2011, p. 112-113; and Tom Ricks, "A Feaver-ish Take on the Surge in Iraq," *Foreign Policy,* March 31, 2011, http://foreignpolicy.com/2011/03/31/a-feaver-ish-take-on-the-surge-in-iraq/.
[55] Helene Cooper and Eric Schmitt, "White House Debate Led to Plan to Widen Afghan Effort," March 27, 2009, http://www.nytimes.com/2009/03/28/us/politics/28prexy.html.

to these questions remain at the heart of the debate over best military advice's perniciousness.

Examining BMA's Resonance

In spite of the very real problems outlined above, of the "best military advice" construct's resonance across the Joint Force is spiking nevertheless. That upshot merits serious exploration beyond the confines of this article. Why are senior military officials increasingly seeking to draw a line between policy and military advice? As Chairman, General Dempsey used to say his job was to help civilians understand what they could do; their job was to determine what they should do. But best military advice instead tells civilian policymakers what the military thinks they should do, as least from a military perspective. These two interpretations of the senior military leadership's role are profoundly at odds.

A cursory examination offers three potential answers as to why it has become a meme. One line of argument is that the last decade and a half years of unceasing conflict have inspired a new juncture in civil-military relations. The wars in Iraq and Afghanistan—and the broader war on terrorism—appear to be interminable and inconclusive, at best. These dynamics have fomented broader frustration that can be directed against civilian decision makers, which subsequently has spilled over into uncomfortable dynamics among senior civilian and military officials in recent years. Some military officers have chastised "micromanagement" by the Obama administration as adding to the desire for best military advice, specifically to be on record with one's views. In one illustrative anecdote, a senior military official was known around the Pentagon for regularly quoting Cardinal Manning throughout 2016: "With a sinking heart, he realized at last the painful truth: it was not the nature of his views, it was his having views at all, that was objectionable."[56] From a civilian point of view, it was never a debate over the right to have views. Instead, it was a debate over how to express them, particularly when the delivery was often a singular expression of best military advice.

Another potential reason for the resonance of "best" military advice is also tied to recent conflicts, specifically that the joint force has operated at a demanding tempo, precluding opportunities for reflection. For example, there is evidence that participation in some professional military education programs decreased substantially at the height of the Iraq and Afghan wars.[57]

The emergence of best military advice also could mark a return to Huntingtonian concepts of military professionalism. The academic literature on civil-military relations clearly outlines what civilian leaders can do and what military leaders cannot do when offering advice, but it offers no conceptual framework about how military leaders can and should behave when delivering advice to civilian

[56] Lytton Strachey, *Eminent Victorians* (New York: G.P. Putnam's Sons, 1918).
[57] Chris Rizzo, Army War College and SSC Program Manager, July 27, 2017, Email exchange with author.

leaders.[58] In the absence of clear direction about how they should behave, it may be appealing for military officers to retreat into the safety of an autonomous military sphere and offer purely military advice, as Huntington prescribes in his theory of objective political control.[59] Adopting this model of civilian control has the added value of allowing military officers to focus on assuming responsibility for military questions while leaving blame for political and strategic outcomes exactly where it belongs, with civilian political leaders.[60]

A final reason for the popularity of best military advice may be the widening gap between the U.S. military and the American people. The recent work of James Mattis and Kori Schake documents the broad, but nevertheless shallow knowledge of, and support for, the U.S. military.[61] As this gap deepens into a gorge, military leaders increasingly may have latitude for promulgating best military advice.

Tellingly, its resonance does not appear to have bled into questions of ultimate civilian control. There remains broad acceptance for civilian control and agreement that civilians make the final decision. "Civilian control of the military is safe in America," concludes Mac Owens.[62] Nonetheless, the run up to that decision deserves serious examination.

Moving Forward

Best military advice is a problematic and unhelpful construct for the reasons outlined in this article. Nonetheless, military officers increasingly embrace it. There are, however, a few key ways to both minimize its damage and move beyond its parameters. These largely center on refining what advice military officers provide and how they convey it.

First, military officers must take a broader view of what constitutes advice. Under the construct of best military advice, many officers narrowly define "advice" as "recommendations." Yet, effective advice from military officers is much broader and must include options, information, and structured assessments. Military officers should inject real and discrete options into the national security decision-making process. These options, coupled with pros and cons, should provide civilian leaders with information about how these options will be implemented in practice along with assessments that outline costs, timelines, risks, and opportunity costs. A menu of Goldilocks options wherein one is clearly the only viable way forward is both unhelpful and, ultimately, irresponsible. Military officers must offer their advice

[58] For variations on this argument, see Golby, "Beyond the Resignation Debate;" Golby "Improving Advice and Earning Autonomy;" and Rapp, "Civil-Military Relations."
[59] Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Harvard University Press, 1957).
[60] See, for example, Michael O'Hanlon, "Iraq Without a Plan," Jan. 1, 2005, https://www.brookings.edu/articles/iraq-without-a-plan/.
[61] Kori Schake, and James Mattis, "A Great Divergence," in *Warriors and Citizens: American Views of Our Military* (Palo Alto, CA: Hoover Institution, 2016).
[62] Mackubin Thomas Owens, "Is Civilian Control of the Military Still an Issue?" in Kori Schake and James Mattis, eds., *Warriors and Citizens: American Views of Our Military* (Palo Alto, CA: Hoover Institution, 2016), p. 89.

within a political context, offering multiple options that are multifaceted and arrayed across different end states that provide a lens through which to add texture and comprehension. When military leaders provide advice in this manner, it facilitates effective strategic dialogue.

At its very best, military advice should be policy-driven and politically informed. In the first order, there should be no disagreement that military advice must be nested under policy guidance. Yet, it often can be difficult to provide clear guidance about end states and constraints in the absence of a structured dialogue. Military advice can acknowledge and account for these flaws of guidance by describing options, explaining how these options will be implemented, and offering rigorous assessments, particularly regarding costs and benefits. The tougher challenge, however, is the extent to which best military advice should account for politics. In a recent conference on civil-military relations, a senior military official from the Joint Staff explained that best military advice must be influenced by policy, but not by politics.[63] That view is incomplete. Recognizing that this line is hazy, military officers should be cognizant of political dynamics and, as Lieutenant General H.R. McMaster warned, "be skeptical of concepts that divorce war from its political nature."[64]

In some cases, military advice may move beyond purely military assessments. In these circumstances, military officers should do more to distinguish between "expertise" and "experience." In other words, it is incumbent on military leaders to be clear in distinguishing when they are offering their personal opinion or "gut call," and when they are offering a formal military assessment, grounded in military science and military processes. One compelling example of the former is offered by Colin Powell when he reflected on comments he made as Chairman of the Joint Chiefs of Staff during a pre-Gulf War National Security Council meeting. "I then asked if it was worth going to war to liberate Kuwait. It was a Clausewitizian question which I posed so that the military would know what preparations it might have to make. I detected a chill in the room. The question was premature and it should not have come from me. I had overstepped. I was not the National Security Advisor now; I was only supposed to give *military* [sic] advice." Secretary of Defense Cheney reprimanded him, reminding him to "stick to military matters," and Powell recognized his misstep.[65] To be clear, however, best military advice should never be partisan or politically driven.

One ideal example in conveying best military advice is found in former CJCS Dempsey's letter to Senator Levin on Syria. (This example is particularly notable

[63] Major General Richard Clark, "Command Climate: The State of U.S. Civil-Military Relations," Center for Strategic and International Studies, May 23, 2017, https://www.csis.org/events/command-climate-state-us-civil-military-relations.
[64] H.R. McMaster, "The Pipe Dream of Easy War," *New York Times*, July 21, 2013, http://www.nytimes.com/2013/07/21/opinion/sunday/the-pipe-dream-of-easy-war.html.
[65] H.W. Brands, "Neither Munich Nor Vietnam: The Gulf War of 1991," in Hal Brands and Jeremi Suri, eds., *The Power of the Past* (Washington, D.C.: Brookings Institution Press, 2015), pp. 85-86.

given the ugly dynamic surrounding the issue.) Dempsey sent this letter in response to Levin's request for an "unclassified assessment of options for the potential use of U.S. military force in the Syrian conflict."[66] Although Dempsey is remiss in identifying end state goals (likely given its public audience), his letter nicely strikes a balance by briefly outlining five discrete options and underscoring the potential and perils inherent in each. For example, he details one potential way forward as building the Syrian opposition forces and then estimates the impact, costs, and risks of doing so. Above all, he helpfully reminds the reader that, while the decision to use force is a civilian one, his responsibility is to provide the best military advice to help articulate the options for how force might be used to facilitate that decision-making process.

Second, best military advice should be captured as yet another component in a much broader dialogue. It should enable an iterative process among military and civilian officials. Both civilians and military officials have crucial responsibilities in this dialogue. They "have the responsibility to listen to each other and probe the answers they hear," as the Commandant of the U.S. Army War College explained.[67] Military leaders should also recognize that it is not disrespectful to be skeptical of all forms of advice, including military advice grounded in a personal opinion based on "forty years in uniform." Similarly, the verbs used in Dubik's description are apt; both civilian and military leaders must "push, probe and question" the other's thinking to ensure they "understand the outcomes they are co-responsible to attain, and why those outcomes are worth the potential costs and risks."[68] To do so effectively, military advice cannot be an excuse for failing to coordinate or share materials with one another. And it surely must not squelch debate. To the contrary, this broader dialogue would benefit from instituting periodic, time-based assessment processes, which would force all parties to diagnose progress to date—including surprises and unexpected consequences—and to jointly formulate policy prescriptions.[69]

Third, both military and civilian officials need the capabilities, not just the will, to enable a meaningful decision-making process. On the uniformed side, developing a more practical view of civil-military dynamics is a good start—particularly by revising and requiring civil-military relations courses in professional military education. A more dynamic and adaptive military planning process would also be helpful.[70] Civilians have responsibilities, too. Janine Davidson recommends that the civilian side better educate itself on practical national security affairs, both through academics and experiential opportunities.[71] Alice Hunt Friend suggests that

[66] Luis Martinez, "General Martin Dempsey Lays out U.S. Military Options for Syria," July 22, 2013, http://abcnews.go.com/blogs/politics/2013/07/gen-martin-dempsey-lays-out-us-military-options-for-syria/.
[67] Rapp, "Civil-Military Relations: The Role of Military Leaders in Strategy Making," p. 19.
[68] James M. Dubik, "Civilian, Military Both Morally Obligated to Make War Work."
[69] For more discussion on strategic assessments, see, Mara Karlin and Christopher Skaluba, "Strategic Guidance for Countering the Proliferation of Strategic Guidance," *War on the Rocks*, July 20, 2017, https://warontherocks.com/2017/07/strategic-guidance-for-countering-the-proliferation-of-strategic-guidance/.
[70] Davidson, et. al., "Mending the Broken Dialogue," p. 46.
[71] Davidson, et. al., "Mending the Broken Dialogue," p. 41-42.

"best civilian guidance" can be developed by instilling clarity in national interests and how they can best be defended, looking across and accounting for the varying elements of national power, and placing clear lines limiting the parameters of military force.[72] And the evergreen recommendations to establish trust and baseline expectations remain relevant.

Repairing the damage already caused by the best military advice construct is going to take real efforts by the military leadership. Like the pig in the erstwhile ham and eggs breakfast analogy, the uniformed leadership must be committed. And, its efforts to do so will have a crucial impact on the United States' ability to effectively wrestle with national security challenges in the years ahead.

[72] Alice Friend, "Best Civilian Guidance." Unpublished article.

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Damned Either Way: An Existential Threat to Military Professionalism?

These two journalistic accounts explore the extraordinary civil-military environment of the last years of the Trump administration and the first years of the Biden administration. What does best practices of civil-military relations look like in these two very different administrative and geopolitical contexts?

Letter from Washington

Trial by Combat

Jake Sullivan and the White House's battle to keep Ukraine in the fight.

By Susan B. Glasser

October 9, 2023

In the Biden Administration, Jake Sullivan is "the quartermaster of the war—and everything else," a former U.S. official said

Photo illustration by David Plunkert; Source photographs from Getty

On a Monday afternoon in August, when President Joe Biden was on vacation and the West Wing felt like a ghost town, his national-security adviser, Jake Sullivan, sat down to discuss America's involvement in the war in Ukraine. Sullivan had agreed to an interview "with trepidation," as he had told me, but now, in the White House's Roosevelt Room, steps from the Oval Office, he seemed surprisingly relaxed for a congenital worrier. ("It's my job to worry," he once told an interviewer. "So I worry about literally everything.") When I asked about reports that, at a recent NATO summit, he had been furious during negotiations over whether to issue Ukraine a formal "invitation" to join the Western alliance, he said, only half jokingly, "First of all, I'm, like, the most rational human being on the planet."

But, when it came to the subject of the war itself, and why Biden has staked so much on helping Ukraine fight it, Sullivan struck an unusually impassioned note. "As a child of the eighties and 'Rocky' and 'Red Dawn,' I believe in freedom fighters and I believe in righteous causes, and I believe the Ukrainians have one," he said. "There are very few conflicts that I have seen—maybe

none—in the post-Cold War era . . . where there's such a clear good guy and bad guy. And we're on the side of the good guy, and we have to do a lot for that person."

There's no question that the United States has done a lot: American assistance to Ukraine, totalling seventy-six billion dollars, with more than forty-three billion for security aid, is the largest such effort since the Second World War. In the aftermath of the February 24, 2022, Russian invasion, the U.S. has delivered more than two thousand Stinger anti-aircraft missiles, more than ten thousand Javelin antitank weapons, and more than two million 155-millimetre artillery rounds. It has sent Patriot missiles for air defense and High Mobility Artillery Rocket Systems—known as HIMARS—to give Ukraine longer-range strike capability; sophisticated Ghost drones and small hand-launched Puma drones; Stryker armored personnel carriers, Bradley fighting vehicles, and M1A1 Abrams tanks.

Biden has framed the conflict in sweeping, nearly civilizational terms, vowing to stick with Ukraine for "as long as it takes" to defeat the invaders, who—despite an estimated hundred and twenty thousand dead and a hundred and eighty thousand injured—still hold nearly twenty percent of the country's territory. But at nearly every stage the Administration has faced sharp questions about the nature and the durability of the U.S. commitment. Beyond the inevitable tensions with Ukraine's President, Volodymyr Zelensky, there are jostling Washington bureaucracies, restive European allies, and a growing Trumpist faction in the Republican-controlled House of Representatives, which is opposed to the bipartisan congressional bills that have, up until now, funded the war. A vocal peace camp, meanwhile, is demanding negotiations with Vladimir Putin to end the conflict, even as Secretary of State Antony Blinken has said there is currently little prospect for "meaningful diplomacy."

The task of leading the White House through such treacherous politics has fallen to Sullivan, who, when he was appointed, at the age of forty-four, was the youngest national-security adviser since McGeorge Bundy held the job, during the Vietnam War. "It's really Jake," Ivo Daalder, a former U.S. Ambassador to NATO, who has consulted regularly with the National Security Council since the Russian invasion, told me. "He's the quartermaster of the war—and everything else."

Sullivan is lean, with wispy blond hair, a tendency to blush bright red, and a workaholic intensity unusual even by Washington's standards. (One night a few months ago, Sullivan discovered an intruder who had broken into his home at around 3 A.M., because he was still up working.) In his office, there is a chart—updated frequently—showing countries' current stocks of ammunition

that might go to Ukraine. This spring, during the battle of Bakhmut, he knew the status of the fighting down to the city block. He often speaks with his counterpart in Kyiv, Zelensky's chief of staff, Andriy Yermak, two or three times a week, and has taken charge of everything from lobbying South Korea for artillery shells to running an emergency operation to get Ukraine additional power generators. Earlier this year, when Germany balked at sending Leopard tanks to Ukraine, Sullivan spent days in intensive talks with the German national-security adviser to secure them; in exchange, the U.S. agreed to provide M1A1 Abrams tanks, a move that the Pentagon had long opposed. The N.S.C., in other words, has gone operational, with Sullivan personally overseeing the effort while also doing the rest of his job, which, in recent months, has taken him to secret meetings with a top Chinese official in Vienna and Malta and to complicated negotiations in the Middle East.

In contrast to the epic feuds between George W. Bush's Pentagon and the State Department over Iraq, or the vicious infighting in Donald Trump's turnover-ridden national-security team, the Biden White House's approach to the war has been notably drama-free. Disagreements among advisers, while at times robust and protracted, have barely surfaced in the press. Blinken, a confidant of Biden for more than two decades, has been perhaps the most visible salesman for the Administration's strategy and a key conduit to European allies. Lloyd Austin, the congenial and low-profile Secretary of Defense, has overseen the military relationship with Kyiv. Sullivan is more of an inside player, the relentless wonk at Biden's side. In an interview, Blinken called him "the hub," an "honest broker" who has refereed the team's differences, which the Secretary acknowledged to me but described as largely "tactical, rarely fundamental in nature." The fact that they have "a friendship, partnership, and real complicity in working together for many years," he added, has also made for an unusually consensus-minded group.

At the same time, the Administration's policy hasn't always been clear. "A pledge to support Ukraine 'for as long as it takes' is not a strategy," the top Republicans on the House and Senate foreign-affairs committees wrote in a letter this month to the White House. A major complaint from Ukraine supporters in both parties is that the White House delayed too long in providing urgently needed weapons. The term "self-deterrence" is popular among those who subscribe to this view. So is "incrementalism." John Herbst, a former U.S. Ambassador to Ukraine, called it "world-class ad-hoc-ery."

In some sense, the President's instructions have been clear from the beginning: No U.S. boots on the ground; no supplying weapons for the purpose of attacking Russian territory; and avoid giving Putin grounds for nuclear escalation. In practice, however, it's fallen to Sullivan and

Biden's other advisers to oversee a series of one-off decisions about which weapons systems to provide to keep Ukraine in the fight. "I don't necessarily think that they went in thinking, Oh, we're going to boil this frog slowly, because that's the best way to avoid escalation," Andrea Kendall-Taylor, a former national-intelligence officer who worked on the Biden transition team for the N.S.C., said. "They stumbled into it."

In the Roosevelt Room, when I mentioned the term "proxy war" as a possible description for America's considerable role in the conflict, Sullivan reacted with an almost visceral recoil. "Ukraine is not fighting on behalf of the United States of America to further our objectives," he said. "They are fighting for their land and their freedom." He went on, "The analogy to me is much closer to the way the United States supported the U.K. in the early years of World War Two—that basically you've got an authoritarian aggressor trying to destroy the sovereignty of a free nation, and the U.S. didn't directly enter the war, but we provided a massive amount of material to them."

But as we now know, despite the flood of aid to Britain, a war with Nazi Germany was all but inevitable for the U.S. Today, a direct war with Putin's Russia remains unthinkable—and yet the status quo also seems unsustainable.

I first met Sullivan when he was a top aide to Secretary of State Hillary Clinton, serving as both her closest travelling adviser and the head of the State Department's policy-planning office, a position created after the Second World War by George F. Kennan, the Kremlinologist and the architect of containment. Sullivan, in his early thirties, was already a Washington prodigy, with a dazzling résumé and a reputation as a Midwestern nice guy. When Biden named him national-security adviser, he called him a "once-in-a-generation intellect." Clinton has referred to him as a "once-in-a-generation talent."

Sullivan grew up in a large Irish Catholic family in Minneapolis, one of five children of a high-school guidance counsellor and a college journalism professor who once studied to become a Jesuit priest. At Yale, Sullivan was the editor-in-chief of the *Yale Daily News* and a nationally ranked college debater; once a week, he commuted to New York to intern at the Council on Foreign Relations. During his senior year, he scored a rare trifecta—"the academic equivalent of horse racing's Triple Crown," as the *Yale Bulletin* put it—winning all three of the most prestigious fellowships available to American undergraduates: the Rhodes, the Marshall, and the Truman. Sullivan opted for the Rhodes, earned a master's in international relations at Oxford, and took time out to compete in the world collegiate debate championships in Sydney, finishing

second. He then went to Yale Law School and, after graduating, secured a Supreme Court clerkship with Justice Stephen Breyer.

Sullivan began his political career as an aide to another bright Minnesotan with a Yale degree: the Democratic senator Amy Klobuchar, who connected him with Clinton to run debate prep for her 2008 primary against Barack Obama. Sullivan quickly proved indispensable to the former First Lady, and, when Clinton became Obama's Secretary of State, Sullivan went with her. "Jake did everything for her," one of Obama's senior aides told the authors Jonathan Allen and Amie Parnes. "Whatever was the front-burner issue of the day, you could go to Jake." Eventually, Clinton and Sullivan travelled to a hundred and twelve countries.

Biden and his national-security team have often been portrayed, with some justification, as a sort of second coming of the Obama Administration, a reunion of the old gang, albeit with younger aides, such as Blinken and Sullivan, moving into principal positions. When Sullivan got married, in 2015, to Maggie Goodlander, who would go on to serve as counsel to Attorney General Merrick Garland, attendees at the wedding, which was held on Yale's campus, included not only Clinton, who read a Bible verse in the ceremony, but also Blinken and William Burns, Biden's future C.I.A. director. (During Obama's Presidency, Sullivan and Burns, at that time the Deputy Secretary of State, were secretly dispatched to Oman to begin talks with Iran, which ultimately produced the Iran nuclear deal.) Tom Sullivan, the groom's younger brother, is now Blinken's deputy chief of staff.

Many of the figures who are ascendant in the Biden Administration—including Biden himself—had also been occasional critics of Obama's policy toward Russia. In 2009, when Obama sought to repair relations with Russia despite its recent invasion of Georgia, Clinton gamely handed Russia's Foreign Minister, Sergey Lavrov, an oversized "reset" button—incorrectly translated into Russian, as it turned out—to symbolize the new policy. But internally she was skeptical. When she left the Obama Administration, in 2013, one of her last acts was to submit a harshly worded memo warning the President about Putin. "Don't appear too eager to work together," she told Obama, according to her memoir. "Don't flatter Putin with high-level attention. Decline his invitation for a presidential-level summit." The first draft of the memo was written by Sullivan. "It was significantly darker" than the final product, he told me—so much so that "some of the Russia hands in the State Department" had said, "That's over the top, that's too far."

After Clinton's departure, Sullivan succeeded Blinken as Biden's Vice-Presidential national-security adviser. The following year, Putin launched a surprise takeover of the Crimean

Peninsula and backed a separatist war in eastern Ukraine. In response, Biden and others in the White House urged Obama to provide lethal assistance to Kyiv, such as Javelin antitank weapons, but Obama refused. Blinken and Sullivan disagreed with the decision. “Biden was generally the one that was much more forward-leaning in wanting to take more steps,” one of their N.S.C. colleagues at the time recalled. The same was true of his advisers—“the people,” as the colleague put it, “who are now in the driver’s seat.” Another colleague from the Obama years added, “These are the people from the Obama Administration who thought there were real mistakes.”

Sullivan left the White House to serve as the chief policy adviser for Clinton’s 2016 campaign. The morning after her loss, when Clinton stoically spoke of the need to accept Trump’s win—in a speech that Sullivan had stayed up all night writing—he sat in the front row and cried. “There’s nothing I don’t second-guess about 2016,” he told me.

The experience convinced Sullivan that liberal internationalists like himself were an endangered species unless they could reorient their thinking. During the Trump years, he launched a think-tank project with the self-appointed mission of developing a “foreign policy for the middle class.” He emerged notably more skeptical about the benefits of unfettered globalization and free trade, a new position that he stressed as Biden’s top policy adviser during the 2020 campaign.

Biden won the 2020 election not wanting to talk so much about Russia. America’s growing rivalry with China, Blinken said, in an early speech as Secretary of State, now looked to be “the biggest geopolitical test” that the U.S. would face this century. As for Russia, another reset was impossible after Putin’s meddling in the 2016 Presidential election and four years of Trump’s open sycophancy. Instead, Biden’s team settled on a new formula, pinning their hopes on a “stable and predictable” relationship. The word “guardrails” came up often in their planning, according to a former official who was involved in the talks.

In the spring of 2021, when Russia began an ominous military buildup along its border with Ukraine, Biden invited Putin to meet in Geneva. But, by the time of the summit, in June, the threat to Ukraine seemed to have ebbed and Biden focussed on warning Putin against launching further cyberattacks on the U.S. After the meeting, Biden insisted that there was a “genuine prospect” for better relations.

By then, a more pressing problem was unfolding. In April, Biden had announced the end of the two-decade-long U.S. military presence in Afghanistan, setting a September deadline for all

remaining U.S. troops to exit the country. In August, however, the U.S.-backed government in Kabul collapsed. The Biden Administration, believing that such a possibility was months away, had failed to evacuate Afghans who had assisted the U.S. during the conflict. Thousands descended upon the Kabul airport, where the U.S. military organized an emergency airlift. The operation ultimately rescued some hundred and twenty-five thousand people, but only after horrific scenes of chaos and a terrorist attack at the airport's Abbey Gate, in which thirteen U.S. service members and at least a hundred and seventy Afghans died.

Sullivan came under criticism for the botched withdrawal, with some people calling for him to be fired. Brett Bruen, the director of global engagement for the Obama White House, argued in an op-ed that Sullivan and others were responsible for "the most unnecessarily embarrassing day in the history of the National Security Council." Sullivan kept his job, but colleagues told me that he had taken this "trial by fire," as one put it, deeply personally. An after-action report by the State Department chided the Administration for succumbing to groupthink and for its failure to plan adequately for "worst-case scenarios." "This definitely weighed on Jake very heavily," Ron Klain, Biden's first White House chief of staff, told the author Chris Whipple. "Did he give the right advice? Did he push back on the military enough?"

The first secret U.S. intelligence reports about Russia's plans to invade Ukraine came only a few weeks after the withdrawal from Afghanistan, in early October, 2021. A month later, in a speech to an Australian think tank, Sullivan again spoke about "striving for a more stable, more predictable relationship" with Russia.

In fact, the stable-and-predictable policy was already dead. A week before the speech, Biden had dispatched Burns, his C.I.A. director, on a secret mission to Moscow. Burns notified the Kremlin that the United States was aware of its intentions and warned of serious consequences if Putin followed through. He returned to Washington convinced that the invasion was going to happen.

Biden's N.S.C. team was haunted by both the recent catastrophe in Afghanistan and the recollection of Putin's 2014 takeover of Crimea. "In Crimea, [Russia] created a *fait accompli* before the world had really fully woken up to what they had done," Sullivan recalled, in an oral history for Politico. "We wanted to make sure the world was wide awake." He compared the situation to a scene from the first "Austin Powers" movie, in which "there's a steamroller on the far side of the room, and a guy standing there, holding up his hand, and shouting, 'No!' Then they zoom out, and the steamroller is moving incredibly slowly and is

really far away." He added, "I was determined that we were not going to be that guy—just waiting for the steamroller to roll over Ukraine. We were going to act."

Prewar estimates suggested that Ukraine's military could hold out against the Russians for no more than a few days. A "tiger team" assembled by Sullivan and his deputy national-security adviser, Jon Finer, met to game out possibilities. "A lot of our planning was worst-case scenario planning," Sullivan told Politico, "which always psychologically puts one in a tough space."

Instead, Ukraine defied expectations and held off Russia's assault on Kyiv. The White House was suddenly improvising a strategy for a long war. But Putin's increasingly explicit nuclear sabre-rattling meant that the early months of the conflict were spent in arguments over what might or might not cross Russia's red line. In the spring of 2022, a debate raged in Washington over whether to give Ukraine the precision medium-range missile system known as HIMARS. When Nancy Pelosi, the House Speaker, led a congressional delegation to Kyiv to meet with Zelensky, the Ukrainian President's "main ask" was for the HIMARS, according to Jason Crow, a House Democrat and a military veteran. Eventually, Biden approved the delivery, with the proviso that the HIMARS not be used to hit targets inside Russia. "I felt like we dragged our feet," a Democratic senator told me. Ukraine, meanwhile, moved on to the next items on its list. Arguments ensued over tanks, F-16 fighter jets, and longer-range missiles known as ATACMS.

Sullivan, characteristically, knew every side of each issue. "Jake's a master debater," one of his former N.S.C. colleagues said. "He constantly wants to test his own propositions." Advocates of talks with Russia have had an open line to Sullivan and his staff, as have former officials who believe that such talks are akin to selling out Ukraine. "One of the things I genuinely admire about Jake is his willingness to take criticism and input, his willingness to double-check and to ask," Senator Chris Coons, a Biden confidant from Delaware and a member of the Foreign Relations Committee, told me.

Even officials in the Administration who have, at times, been frustrated with Sullivan told me that they appreciated his openness. "He's a really good listener, and it can be a strength," a senior official said. "He wants a real debate, and he fosters that. But the weakness of that is that sometimes he can blow in the wind, and you just get these shocks to the system, like, 'Wait, what? We're doing what now?' "

Sullivan also studiously avoids any daylight between himself and Biden. "He is very careful not to contradict him," a former official who worked with Sullivan during the Obama Administration said. "He can guide him, but he can't contradict him. That's what a national-security adviser has

to do, and Jake has always been very conscious, like frankly any good Washington staffer, of never getting afoul of his principal, and he never does."

Sullivan's methodical, hyperanalytical style fits with Biden's career-long tendency to hold on to a decision, to wait and test the angles and find a way to the political center of gravity. But the downside of that approach is evident, too. "There's a real tendency to paralysis by analysis," Eric Edelman, a former Under-Secretary of Defense in the Bush Administration, said. "Jake likes to look at every facet of a problem and wants to understand everything. That's the tragedy of government—you have to make decisions behind a veil of irreducible ignorance."

By February of this year, it was clear that the war would not be ending anytime soon. Biden decided to travel to Kyiv, in a risky and secret trip, to commemorate the first anniversary of the invasion. During an overnight train ride from the Polish border town of Przemyśl to the Ukrainian capital, Biden and Sullivan sat alone together in a wood-panelled car, with the curtains drawn for security, working on the contours of a longer-term strategy to discuss with Zelensky. Since the previous fall, when Ukraine took back or held key cities such as Kherson and Kharkiv, the question was not so much whether the Administration had failed to anticipate disaster, as in Afghanistan, but what more it could do to make winning possible. Biden and Sullivan were focussed on two converging challenges—how best to supply Ukraine for a planned spring counter-offensive and how to prepare for the NATO summit in July, in Vilnius, Lithuania, where Zelensky would push for a definitive answer to when Ukraine would be allowed to join the alliance.

Biden was immovable in his opposition to granting NATO membership to Ukraine while the war was ongoing. But, during the ten-hour trip into the war zone, he and Sullivan discussed what they planned to offer Zelensky instead: long-term security guarantees and military assistance akin to what the U.S. has provided to Israel since the nineteen-eighties. Sullivan told me, "We had a long conversation about this in which the President said he wanted to use the meeting in Kyiv to lay out for Zelensky his view that there is a pathway to NATO—it's not for now, it's for later—and the bridge to NATO is the Israel model."

The idea had been germinating in the N.S.C. since mid-January. The arrangement with Israel has been codified and sustained going back to the Reagan Administration by a series of formal memorandums of understanding, which commit the U.S. to providing a certain amount of military aid and weapons over a ten-year period in order to give Israel a "qualitative military edge" in the region. Unlike NATO's Article 5 commitment, which states that an attack on any one

member is an attack on all, there has been no explicit pledge obliging the U.S. to fight on Israel's behalf if it is attacked.

Such an arrangement would nevertheless send a message to Putin—and to everybody else—that the United States would not abandon Ukraine. The next morning, in a meeting with Zelensky, Biden proposed the "Israel model" for the first time. Later, when he and the Ukrainian President met with the press, Biden framed the trip as a rebuke to Putin. "Putin thought Ukraine was weak and the West was divided," Biden said. "He thought he could outlast us. I don't think he's thinking that right now." Then he and Zelensky took a stroll through Kyiv, as air-raid sirens blared.

By late spring, the White House was continuing to push ahead with the Israel model. In May, when Biden travelled to a G-7 summit in Japan, Sullivan pitched Yermak and other national-security advisers on a joint statement of principles outlining a long-term security commitment to Ukraine. The idea was that each country, including the U.S., would then negotiate its own bilateral memorandum of understanding with Ukraine. (Blinken told me that the U.S. ultimately enlisted twenty-eight other countries.) "We negotiated the hell out of that document," a senior Administration official said. The White House and some allies, such as Germany, wanted to insure that the statement came from the G-7, and not NATO, "because NATO, we continue to feel, should be kept out of this conflict," a senior European official told me.

Zelensky, however, continued to lobby for full NATO membership. Otherwise, he believed, even if Ukraine won the war it would exist in a security gray zone, vulnerable to future attack by Russia. A number of NATO allies, especially among the former Soviet-bloc countries, agreed. "The bigger issue is he wanted to make clear throughout that this was not one hundred per cent a substitute for NATO," the senior Administration official recalled. "Zelensky didn't want to be told, 'That's it, the door is now closed on you. You're down an entirely different path and you can never get back on this other path.' "

Inside the Administration, there was disagreement about how to handle this brewing problem. Some State Department officials prodded the White House to offer more to Ukraine. During a NATO meeting of foreign ministers in early June, in Oslo, Blinken called Biden and Sullivan with the message that the U.S., along with Germany, risked being perceived as an isolated holdout. "The strong majority felt that it was important that the summit take steps forward on advancing the proposition of Ukraine's membership and that we could not simply sit on the status quo," Blinken told me. "And so I reported that back." NATO's Secretary-General, Jens

Stoltenberg, floated a proposal for what the alliance might offer Ukraine: not yet membership, but a faster track to getting there, in which Ukraine would not be required to first fulfill an elaborate Membership Action Plan, a condition that NATO had imposed on other former Soviet states. When Stoltenberg came to Washington in mid-June, Biden reluctantly agreed to skip the MAP.

Privately, the Ukrainians were hardly thrilled with the proposal. Zelensky was still holding out hope for a concrete commitment to let Ukraine join NATO. A senior diplomatic source told me that the Americans were disappointed by Ukraine's reaction to the lifting of the MAP: "Like, 'What, you don't see that as a win?' It was so frustrating."

Ukraine's long-awaited spring offensive began, in June, with high expectations. Publicly, the Administration emphasized what the Pentagon called the "mountain of steel" it had sent to bolster the Ukrainian Army. But Russia had built three lines of defense in key places along the front. The fighting would hark back to the awful trench warfare of the First World War. The Ukrainians, in fact, were expending artillery shells at an unheard-of rate. In the White House, Sullivan and others worried that a shortage would stall the counter-offensive before it could succeed.

Sullivan had warned about this scenario for months. In January, the Ukrainians had worked with the Pentagon on an extensive war game in Wiesbaden to assess their needs. The conclusion was not good: the counter-offensive would require more 155-millimetre rounds than the Pentagon had to offer. By February, Sullivan began to speak of this as the war's "math problem."

As Sullivan saw it, there were three potential solutions: dramatically ramp up production; look for additional sources of ammunition around the world; or send Ukraine some of the large stocks of phased-out cluster munitions held in storage by the Pentagon. But the White House learned that it would take months to sufficiently increase production of artillery shells—too late for the counter-offensive. And the State Department was opposed to sending cluster munitions, known as DPICMs, which are outlawed by more than a hundred countries, including many U.S. allies in Europe, because of the civilian casualties they often leave in their wake. That left the hunt for more munitions. Austin and Sullivan began calling leaders across the globe, including in countries, such as South Korea and Israel, that had not been particularly supportive of the war effort. "The decision was made to make a real run at the South Koreans, because they were the allies that had the biggest stockpile," a senior Pentagon official recalled. Leaked documents revealed that the N.S.C. proposed various creative ways of getting around South Korea's

prohibition on directly selling arms to fuel the conflict; one of these involved having Poland or the U.S. buy the munitions and then send them on to Ukraine.

But by early summer a secret report from the Pentagon warned that Ukraine risked running out of ammunition sooner than expected and again recommended sending cluster munitions. “We’d reached the end of the road,” the senior Administration official recalled. “Like, if we want to make sure there is not a significant disruption in supply, we have to make this decision right now.” The State Department finally lifted its objections—it was a “very stark choice,” Blinken told me, and the Pentagon’s dire warning was “dispositive”—and the N.S.C. convened a meeting to ratify the decision. “They had to go back to the President and say, Option A is the Ukrainians run out of ammo and the counter-offensive stops, or Option B is you provide DPICMs,” the senior Pentagon official said. In early July, Biden announced the move, which he called “difficult.”

In an interview that same day, I asked Sullivan about the Administration’s cycle of “no-no-no-yes” decisions on sending various kinds of military assistance to Ukraine. By this point, even some inside the Administration found the pattern hard to understand. “It’s like the boy who cried wolf,” a senior official had told me. “I just don’t know what to believe anymore. When they say, ‘No way, we would never look at the ATACMS,’ I say, ‘Is that true?’ I do feel I just keep seeing the same movie over and over again.”

It was clear that the question exasperated Sullivan. “I think cluster munitions is in a different category from F-16s,” he told me. “Which itself is in a different category from Abrams tanks. I see the through line you guys are all drawing on the no-no-no-yes thing, but actually each of these has their own distinct logic to them.” To him, the Abrams-tank decision was “about sustaining unity” with Germany. Sometimes the State Department objected, as in the case of the cluster munitions. Sometimes it was the Pentagon or the President personally, as with the ATACMS.

The ATACMS had become a particular sore point. In 2022, Biden had rejected sending them, arguing that, to Putin, they would constitute an unacceptable escalation, since their range, up to a hundred and ninety miles, meant that they could hit targets inside Russia. “Another key goal is to insure that we do not end up in a circumstance where we are heading down the road towards a Third World War,” Sullivan said that summer. But once the British began providing similar missiles, in the spring of 2023, the argument no longer seemed to apply. “What has held us back,” the senior Pentagon official told me this summer, was that doing so would “deplete our

stocks at a time when we require those missiles for our own contingencies, whether that be Iran or North Korea or China."

Members of Congress in both parties objected to that reasoning. In June, the House Foreign Affairs Committee passed a bipartisan resolution saying that ATACMS should "immediately" be offered. When officials had told Crow, the Democratic congressman, that sending the ATACMS would affect the Pentagon's Operations Plan, his response, he said, was "Well, for what future war? The war in Europe is now, and it is being fought by the Ukrainians. So change the goddam OPLAN."

More broadly, some of Ukraine's supporters feared that the protracted deliberations had negatively affected the counter-offensive, which, by midsummer, had failed to produce the hoped-for breaches in the Russian lines. "Think about where we might be if things like HIMARS, Stingers, F-16s, ATACMS were over there a year ago," Dan Sullivan, a senior Republican senator on the Armed Services Committee, told me. "That's the really big flaw in the execution of their strategy, and it does start to undermine support when people don't think they're in it to win it."

For his part, the national-security adviser seemed to chafe at the view, circulating widely in Washington, that he was the holdup and that others, including Blinken, were more "forward-leaning." In recent months, Sullivan had taken to saying that, despite all the attention paid to high-tech weapons and fighter jets, there were only two things that Ukraine could not do without: artillery and air defense. This, he said, was why he had been among the loudest voices pushing to approve the cluster munitions, which, he told colleagues, were the most important single assistance the U.S. could give. "He's frustrated with this perception that he's the problem," a former senior U.S. official told me. "It's completely wrong."

Blinken told me that the criticism stemmed from a misunderstanding of Sullivan's role. "I've been forward-leaning in advocating to get the Ukrainians different things at different times, but it's imperative that that be part of a rigorous process," the Secretary said. "It's never been, at all, Jake is a brake on this—it's Jake doing the job the way it's supposed to be done."

The former official said that, by December of 2022, Sullivan was trying to get the President to use the threat of sending ATACMS as leverage with the Russians. "He was pushing Biden: Why don't we at least say we will send ATACMS unless you stop firing on cities?" the former official told me. "So he's been making that argument for at least six months now, and the President was not willing to do it. At some point, the President is the President."

Another former senior U.S. official recalled a conversation with Sullivan about whether the U.S. would agree to send F-16s to Ukraine. Sullivan indicated that he was supportive. But, in early 2023, Biden publicly ruled out doing so, at least in the short term. Months later, several European allies agreed, with Biden's approval, to supply F-16s to Ukraine. It wasn't until the summer, however, that the U.S. signed off on a plan to train Ukrainian pilots on the fighter jets. The former official told me he had concluded, "The biggest drag on the speed of responding to Ukrainian requests has been the President, not Lloyd Austin, not Tony, not Jake—not the Administration, but the President. Jake is trying to play the role of honest broker, because he's with the President every day."

Martin Indyk, who served as Obama's chief Mideast peace negotiator, argued that Biden's equivocation had real consequences. "They made a big mistake," he told me. "They self-deterred. That affected every move—that cautious incrementalism which we can now see with the benefit of hindsight was unnecessary." Indyk, who wrote a book about Henry Kissinger's Mideast diplomacy, recalled a key moment in the Yom Kippur War, in 1973, when Kissinger, the national-security adviser, was hesitating to send more than three C-5a transport aircraft to Israel. "Nixon famously said, 'You know, Henry, we're going to get blamed and criticized if we send thirty or if we send three,' " Indyk told me. "So he said, 'Send everything that flies. And get on with it.' " The problem today is that Biden has been more Kissinger than Nixon, Indyk said: "We need him to tell Jake, 'Send everything that flies, goddammit, and get on with it.' I think it would have changed the course of the war."

NATO summits are usually staid affairs, with almost everything haggled over and approved in advance. But two things happened in the weeks leading up to the Vilnius summit which disrupted hopes for a smooth rollout. First, in late June, came explosive news from inside Russia: Putin's mercenary Yevgeny Prigozhin had launched a mutiny. Sullivan cancelled a trip to Denmark to monitor the situation from Washington; he and Biden had just helicoptered to Camp David and arrived at their cabins when word came that Prigozhin had been persuaded to stand down.

Then, a few days later, a phone call between Biden and the German Chancellor, Olaf Scholz, threatened to derail negotiations over the summit's final communiqué, which would show where NATO stood on the divisive matter of Ukraine's quest for membership. Scholz, according to four sources with whom I spoke, made clear that he was adamantly opposed to a statement that included a specific "invitation" for Ukraine to join NATO. He also told Biden that he was

skeptical of letting Ukraine out of the Membership Action Plan requirement. On that point, Biden refused—he had already agreed to it.

Biden, who prizes his closeness to Scholz—the senior European official described the "extremely warm, brothers-in-arms feeling" between them—agreed to present a joint front with the Germans on the idea of extending a formal invitation to Ukraine. As Scholz saw it, lifting the MAP would be a significant enough show of progress for Ukraine. The senior Administration official recalled, "Biden basically said to Scholz, 'Look, I will make sure that, as we go through these negotiations, we aren't on a kind of a pure slippery slope.' "

The issue had still not been resolved by the weekend before the summit. That Monday, Sullivan and Blinken signed off on a compromise—an awkward, American-drafted sentence offering an unspecified future "invitation" but nothing to explain how or when Ukraine could obtain it. Another breakthrough came that night, when Turkey's leader, Recep Tayyip Erdoğan, agreed to drop his objections to Sweden's NATO membership, which he had been stalling almost single-handedly for more than a year.

But on the morning of Tuesday, July 11th, when leaders were to formally gather in Vilnius, Sullivan sensed trouble during a phone call with Yermak, the Ukrainian chief of staff. Sullivan turned beet red as Yermak told him that the hard-fought language in the communiqué was not enough. After Yermak informed Sullivan that he and Zelensky would soon land in Vilnius and hoped to negotiate final wording, Sullivan responded sharply: this was NATO's communiqué, he said, not Ukraine's.

Things soon got worse. Zelensky sent out a tweet blasting the draft for placing "unprecedented and absurd" conditions on Ukraine. He also suggested that the allies were holding out to use Ukraine's NATO status as a bargaining chip in future negotiations with Russia. Sullivan, who was stunned by the tone of the tweet, left a meeting that Biden was holding with a bipartisan group of senators to call Yermak again. "We literally did this sentence to make them happy," a senior U.S. official recalled of the moment. Maybe, Sullivan said to Biden, they should remove or replace the carefully negotiated wording. What was the point if the Ukrainians didn't like it? "I was, like, this whole summit's going to come crashing down," the senior diplomatic source said. "I don't think I've ever seen Jake that angry."

By that evening, after hours of talks, both Biden and Emmanuel Macron, the French President, among others, objected to making any revisions, and the statement was finalized exactly as it had been before the hours of embarrassingly public discord. For a summit meant to project "unity

and zeal" on Ukraine's behalf, as Sullivan had put it days earlier, it was a mess. The senior European official said the dustup was consistent with the "track record of President Zelensky asking for things which he knows he cannot get," thus "creating his own disappointment."

The Americans, the senior Administration official told me, went back to the Ukrainians with one last pitch: "Guys, the play's the same, and it's a good one for you," with a promise of NATO membership in the future and bilateral security commitments in the meantime. Zelensky got the message. The next day, he appeared alongside Biden and praised the summit as a "success" for Ukraine. Their meeting, he tweeted, was "meaningful" and "powerful."

Relieved, Sullivan decided to make an appearance at a public forum on the sidelines of the NATO event. Daria Kaleniuk, one of Ukraine's best-known anti-corruption activists, rose to ask him a question. Wearing a dusty-pink blazer over a black T-shirt emblazoned with the slogan "#Ukraine NATO now," she confronted Sullivan in starkly personal terms. She had left her eleven-year-old son behind in Kyiv, "sleeping in the corridor because of the air raids," she said. "Jake, please advise me, what should I tell my son?" Was Biden refusing to allow Ukraine to join NATO "because he is afraid of Russia"? Or because he was engaged in "back-channel communications with the Kremlin," preparing to sell out Ukraine to Putin?

Sullivan, looking exhausted, began by talking about the "bravery and courage" of the Ukrainians and how the United States would be there for them "as long as it takes." But his tone sharpened as he responded to Kaleniuk's speculation about Biden's motives, which he called "unfounded and unjustified" and "a lot of conspiracy theorizing that simply is not based on any reality whatsoever." What's more, he added, "I think the American people do deserve a degree of gratitude" for their support of Ukraine.

An audience member told me that there were audible gasps in the room—you don't tell a mother who's left her child sheltering from Russian bombs to express more gratitude. Hours later, Sullivan ran into Oleksiy Goncharenko, a member of Ukraine's parliament, and heatedly complained about the "unfair and unfounded" question.

Kaleniuk, for her part, had no regrets. Sullivan had been described to her as the most important Biden adviser on the war—and also as a "very, very cautious" brake on the advanced weapons, assistance, and NATO membership that Ukraine needed. "It's just important for Jake to understand it's not the craziest thing, that actually there are thousands of Ukrainians who have the same perception of how America treats us," she told me when I reached her in Kyiv. Her biggest fear, she added, was that Washington, despite its support, has no plan for how to insure

that Ukraine wins. The NATO summit had only reinforced this concern. “The White House doesn’t have a clear end-game scenario and end-game strategy for this war,” she said.

Early on, the Biden team had settled on a response to the inevitable question of how and when there might be a negotiated end to the war: “Nothing about Ukraine without Ukraine.” There would be no separate deal with Russia, they promised. But many Ukrainians, like Kaleniuk, continue to worry that that is exactly where things will end up, with the two nuclear superpowers at the table, settling their country’s fate once again.

Shortly before the Vilnius summit, NBC News reported that Lavrov, the Russian Foreign Minister, had held a secret meeting in New York with former U.S. officials, including Richard Haass, president emeritus of the Council on Foreign Relations. At the time, Sullivan and the Americans were trying to ease Ukraine’s disappointment about NATO membership, and they denied having anything to do with the meeting or with any other secret negotiations with Russia.

Still, a former U.S. official who has met with the Russians during the war told me that the N.S.C. was “fully briefed” both before and after the conversation. I was also told, in June, of an intermediary who was going to the White House with a message from the Kremlin. “The White House wants to see these people,” a former official who has participated in unofficial discussions with the Russians told me. “They want to understand what the Russians are thinking.”

There is little doubt that the Biden Administration has actively considered ways to get Russia to the negotiating table. Last fall, Mark Milley, then the chairman of the Joint Chiefs of Staff, publicly expressed his view that the war would likely not be ended on the battlefield. Privately, Sullivan has had extensive discussions about what a peace deal might look like. “My conversations with him all the way through have been about what can you do to eventually bring this war to an end,” an informal adviser of Sullivan’s told me. “There are massive risks that are attendant with continuing to fight a hot war via proxy with the Russians. And the risks aren’t going down. They’re probably going up. So they want to find a way to eventually get to a freeze, to eventually get to a negotiated settlement. But it has to be something that keeps NATO together. It has to be something that doesn’t isolate the Ukrainians or have them go off and undermine everything that’s been done. That’s a hard square to circle.”

Talks, if they do occur, are likely to raise tensions further between the U.S. and Ukraine. “The Administration’s policy up to now has been close to unconditional support for Ukraine and essentially a real reluctance to be seen to be at cross-purposes with Ukraine,” Haass told me.

“But that policy endures only if there is identity of interests between the United States and Ukraine, and if that were to be the case that would be without historical precedent. If you look at the history—whether the U.S. with South Vietnam, or the U.S. with Israel, or the U.S. with Britain and France during Suez—history is about how you manage disagreement with your allies.”

In September, shortly before Zelensky made his second visit to Washington since the invasion, Biden approved sending ATACMS to Ukraine, after nearly a year of resisting the idea. American officials, meanwhile, have held two rounds of formal negotiations with Ukraine over the terms of a memorandum of understanding—Sullivan’s “Israel model.” With Trump barrelling toward the Republican nomination, however, the political support that had once seemed so strong and bipartisan for Ukraine in Washington has been quickly eroding.

On September 30th, the House Speaker Kevin McCarthy, facing a rebellion from a group of hard-right Trumpists, stripped Ukraine funding from a resolution to temporarily keep the government open. A few days later, Biden asked European leaders, on a call, “not to read too much into it,” Blinken told me, but, within hours, McCarthy was ousted as Speaker by the anti-Ukraine rebels. Now the fate of Ukraine aid, including a White House request for another twenty-four billion dollars, is entirely up in the air. Zelensky, during his recent visit, warned members of the U.S. Senate about the consequences of a cutoff: “If we don’t get the aid, we will lose the war.”

Sullivan clearly has profound worries about how this will all play out. Months into the counter-offensive, Ukraine has yet to reclaim much more of its territory; the Administration has been telling members of Congress that the conflict could last three to five years. A grinding war of attrition would be a disaster for both Ukraine and its allies, but a negotiated settlement does not seem possible as long as Putin remains in power. Putin, of course, has every incentive to keep fighting through next year’s U.S. election, with its possibility of a Trump return. And it’s hard to imagine Zelensky going for a deal with Putin, either, given all that Ukraine has sacrificed. Even a Ukrainian victory would present challenges for American foreign policy, since it would “threaten the integrity of the Russian state and the Russian regime and create instability throughout Eurasia,” as one of the former U.S. officials put it to me. Ukraine’s desire to take back occupied Crimea has been a particular concern for Sullivan, who has privately noted the Administration’s assessment that this scenario carries the highest risk of Putin following through on his nuclear threats. In other words, there are few good options.

“The reason they’ve been so hesitant about escalation is not exactly because they see Russian reprisal as a likely problem,” the former official said. “It’s not like they think, Oh, we’re going to give them ATACMS and then Russia is going to launch an attack against NATO. It’s because they recognize that it’s not going anywhere—that they are fighting a war they can’t afford either to win or lose.”

I read this quote to Sullivan during our interview in the Roosevelt Room. “That’s kind of the rap on us,” he acknowledged. “I don’t think it’s a fair one. We’re not fighting for a draw here.”

Then he proceeded, once again, to raise and attempt to demolish all the by now familiar arguments. “To be paralyzed by escalation would be terrible, and we have not been paralyzed—we have provided tens of billions of dollars of advanced weapons, intelligence, training, capacity, that has had enormous lethal effect,” he said. “But to be completely cavalier about escalation, to say that to even raise the question makes you a coward, that’s easy to do from the outside, but when you sit in this seat you can’t do that. You have an obligation to the American people to consider worst-case scenarios. That’s our job.” ♦

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The Atlantic

POLITICS

THE PATRIOT

How General Mark Milley protected the Constitution from Donald Trump

By Jeffrey Goldberg

Photographs by Ashley Gilbertson

Mark Milley at Fort Myer, September 2023

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This article was featured in One Story to Read Today, a newsletter in which our editors recommend a single must-read from The Atlantic*, Monday through Friday.*

The missiles that comprise the land component of America's nuclear triad are scattered across thousands of square miles of prairie and farmland, mainly in North Dakota, Montana, and Wyoming. About 150 of the roughly 400 Minuteman III intercontinental ballistic missiles currently on alert are dispersed in a wide circle around Minot Air Force Base, in the upper reaches of North Dakota. From Minot, it would take an ICBM about 25 minutes to reach Moscow.

These nuclear weapons are under the control of the 91st Missile Wing of the Air Force Global Strike Command, and it was to the 91st—the "Rough Riders"—that General Mark Milley, the chairman of the Joint Chiefs of Staff, paid a visit in March 2021. I accompanied him on the trip. A little more than two months had passed since the January 6 attack on the Capitol, and America's nuclear arsenal was on Milley's mind.

In normal times, the chairman of the Joint Chiefs, the principal military adviser to the president, is supposed to focus his attention on America's national-security challenges, and on the readiness and lethality of its armed forces. But the first 16 months of Milley's term, a period that ended when Joe Biden succeeded Donald Trump as president, were not normal, because Trump was exceptionally unfit to serve. "For more than 200 years, the assumption in this country was that we would have a stable person as president," one of Milley's mentors, the retired three-star general James Dubik, told me. That this assumption did not hold true during the Trump administration presented a "unique challenge" for Milley, Dubik said.

Milley was careful to refrain from commenting publicly on Trump's cognitive unfitness and moral derangement. In interviews, he would say that it is not the place of the nation's flag officers to discuss the performance of the nation's civilian leaders.

But his views emerged in a number of books published after Trump left office, written by authors who had spoken with Milley, and many other civilian and military officials, on background. In *The Divider*, Peter

Baker and Susan Glasser write that Milley believed that Trump was "shameful," and "complicit" in the January 6 attack. They also reported that Milley feared that Trump's "'Hitler-like' embrace of the big lie about the election would prompt the president to seek out a 'Reichstag moment.'

These views of Trump align with those of many officials who served in his administration. Trump's first secretary of state, Rex Tillerson, considered Trump to be a "fucking moron." John Kelly, the retired Marine general who served as Trump's chief of staff in 2017 and 2018, has said that Trump is the "most flawed person" he's ever met. James Mattis, who is also a retired Marine general and served as Trump's first secretary of defense, has told friends and colleagues that the 45th president was "more dangerous than anyone could ever imagine." It is widely known that Trump's second secretary of defense, Mark Esper, believed that the president didn't understand his own duties, much less the oath that officers swear to the Constitution, or military ethics, or the history of America.

Twenty men have served as the chairman of the Joint Chiefs since the position was created after World War II. Until Milley, none had been forced to confront the possibility that a president would try to foment or provoke a coup in order to illegally remain in office. A plain reading of the record shows that in the chaotic period before and after the 2020 election, Milley did as much as, or more than, any other American to defend the constitutional order, to prevent the military from being deployed against the American people, and to forestall the eruption of wars with America's nuclear-armed adversaries. Along the way, Milley deflected Trump's exhortations to have the U.S. military ignore, and even on occasion commit, war crimes. Milley and other military officers deserve praise for protecting democracy, but their actions should also cause deep unease. In the American system, it is the voters, the courts, and Congress that are meant to serve as checks on a president's behavior, not the generals. Civilians provide direction, funding, and oversight; the military then follows lawful orders.

The difficulty of the task before Milley was captured most succinctly by Lieutenant General H. R. McMaster, the second of Trump's four national security advisers. "As chairman, you swear to support and defend the Constitution of the United States, but what if the commander in chief is undermining the Constitution?" McMaster said to me.

For the actions he took in the last months of the Trump presidency, Milley, whose four-year term as chairman, and 43-year career as an Army officer, will conclude at the end of September, has been condemned by elements of the far right. Kash Patel, whom Trump installed in a senior Pentagon role in the final days of his administration, refers to Milley as "the Kraken of the swamp." Trump himself has accused Milley of treason. Sebastian Gorka, a former Trump White House official, has said that Milley deserves to be placed in "shackles and leg irons." If a second Trump administration were to attempt this, however, the Trumpist faction would be opposed by the large group of ex-Trump-administration officials who believe that the former president continues to pose a unique threat to American democracy, and who believe that Milley is a hero for what he did to protect the country and the Constitution.

"Mark Milley had to contain the impulses of people who wanted to use the United States military in very dangerous ways," Kelly told me. "Mark had a very, very difficult reality to deal with in his first two years as chairman, and he served honorably and well. The president couldn't fathom people who served their nation honorably." Kelly, along with other former administration officials, has argued that Trump has a contemptuous view of the military, and that this contempt made it extraordinarily difficult to explain to Trump such concepts as honor, sacrifice, and duty.

Before Milley, no Joint Chiefs chairman had been forced to deal with a president who'd attempted to foment a coup in order to remain illegally in office.

Robert Gates, who served as secretary of defense under Presidents George W. Bush and Barack Obama, told me that no Joint Chiefs chairman has ever been tested in the manner Milley was. "General Milley has done an extraordinary job under the most extraordinary of circumstances," Gates said. "I've worked for eight presidents, and not even Lyndon Johnson or Richard Nixon in their angriest moments would have considered doing or saying some of the things that were said between the election and January 6."

Gates believes that Milley, who served as his military assistant when Gates was Bush's secretary of defense, was uniquely qualified to defend the Constitution from Trump during those final days. "General Milley expected to be fired every single day between Election Day and January 6," he said. A less confident and assertive chairman might not have held the line against Trump's antidemocratic plots.

When I mentioned Gates's assessment to Milley, he demurred. "I think that any of my peers would have done the same thing. Why do I say that? First of all, I know them.

Second, we all think the same way about the Constitution."

Some of those who served in Trump's administration say that he appointed Milley chairman because he was drawn to Milley's warrior reputation, tanklike build, and four-star eyebrows. Senator Angus King of Maine, a political independent who is a supporter of Milley's, told me, "Trump picked him as chief because he looks like what Trump thinks a general should look like." But Trump misjudged him, King said. "He thought he would be loyal to him and not to the Constitution." Trump had been led to believe that Milley would be more malleable than other generals. This misunderstanding threatened to become indelibly ingrained in Washington when Milley made what many people consider to be his most serious mistake as chairman. During the George Floyd protests in early June 2020, Milley, wearing combat fatigues, followed Trump out of the White House to Lafayette Square, which had just been cleared of demonstrators by force. Milley realized too late that Trump, who continued across the street to pose for a now-infamous photo while standing in front of a vandalized church, was manipulating him into a visual endorsement of his martial approach to the demonstrations. Though Milley left the entourage before it reached the church, the damage was significant. "We're getting the fuck out of here," Milley said to his security chief. "I'm fucking done with this shit." Esper would later say that he and Milley had been duped.

For Milley, Lafayette Square was an agonizing episode; he described it later as a "road- to-Damascus moment." The week afterward, in a commencement address to the National Defense University, he apologized to the armed forces and the country. "I should not have been there," he said. "My presence in that moment and in that environment created a perception of the military involved in domestic politics." His apology earned him the permanent enmity of Trump, who told him that apologies are a sign of weakness.

Joseph Dunford, the Marine general who preceded Milley as chairman of the Joint Chiefs, had also faced onerous and unusual challenges. But during the first two years of the Trump presidency, Dunford had been supported by officials such as Kelly, Mattis, Tillerson, and McMaster. These men attempted, with intermittent success, to keep the president's most dangerous impulses in check. (According to the Associated Press, Kelly and Mattis made a pact with each other that one of them would remain in the country at all times, so the president would never be left unmonitored.) By the time Milley assumed the chairman's role, all of those officials were gone—driven out or fired.

At the top of the list of worries for these officials was the management of America's nuclear arsenal. Early in Trump's term, when Milley was serving as chief of staff of the Army, Trump entered a cycle of rhetorical warfare with the North Korean dictator Kim Jong Un. At certain points, Trump raised the possibility of attacking North Korea with nuclear weapons, according to the *New York Times* reporter Michael S.

Schmidt's book, *Donald Trump v. The United States*. Kelly, Dunford, and others tried to convince Trump that his rhetoric—publicly mocking Kim as "Little Rocket Man," for instance—could trigger nuclear war. "If you keep pushing this clown, he could do something with nuclear weapons," Kelly told him, explaining that Kim, though a dictator, could be pressured by his own military elites to attack American interests in response to Trump's provocations. When that argument failed to work, Kelly spelled out for the president that a nuclear exchange could cost the lives of millions of Koreans and Japanese, as well as those of Americans throughout the Pacific. Guam, Kelly told him, falls within range of North Korean missiles. "Guam isn't America," Trump responded.

Though the specter of a recklessly instigated nuclear confrontation abated when Joe Biden came to office, the threat was still on Milley's mind, which is why he set out to visit Minot that day in March.

In addition to housing the 91st Missile Wing, Minot is home to the Air Force's 5th Bomb Wing, and I watched Milley spend the morning inspecting a fleet of B-52 bombers. Milley enjoys meeting the rank and file, and he quizzed air crews—who appeared a little unnerved at being interrogated with such exuberance by the chairman of the Joint Chiefs—about their roles, needs, and responsibilities. We then flew by helicopter to a distant launch-control facility, to visit the missile officers in charge of the Minuteman IIIs. The underground bunker is staffed continuously by two launch officers, who are responsible for a flight of 10 missiles, each secured in hardened underground silos. The two officers seated at the facility's console described to Milley their launch procedures.

The individual silos, connected to the launch-control facility by buried cable, are surrounded by chain-link fences. They are placed at some distance from one another, an arrangement that would force Russia or China to expend a large number of their own missiles to preemptively destroy America's. The silos are also protected by electronic surveillance, and by helicopter and ground patrols. The Hueys carrying us to one of the silos landed well outside the fence, in a farmer's field. Accompanying Milley was Admiral Charles Richard, who was then the commander of Strategic Command, or Stratcom. Stratcom is in charge of America's nuclear force; the commander is the person who would receive orders from the president to launch nuclear weapons—by air, sea, or land—at an adversary.

It was windy and cold at the silo. Air Force officers showed us the 110-ton blast door, and then we walked to an open hatch. Richard mounted a rickety metal ladder leading down into the silo and disappeared from view. Gen Milley began his descent. "Just don't touch anything," an Air Force noncommissioned officer said. "Sir."

Then it was my turn. "No smoking down there," the NCO said, helpfully. The ladder dropped 60 feet into a twilight haze, ending at a catwalk that ringed the missile itself. The Minuteman III weighs about 80,000 pounds and is about 60 feet tall. The catwalk surrounded the top of the missile, eye level with its conical warhead. Milley and I stood next to each other, staring silently at the bomb. The warhead of the typical Minuteman III has at least 20 times the explosive power of the bomb that destroyed Hiroshima. We were close enough to touch it, and I, at least, was tempted.

Milley broke the silence. "You ever see one of these before?"

"No," I answered.

"Me neither," Milley said.

I couldn't mask my surprise.

"I'm an infantryman," he said, smiling. "We don't have these in the infantry."

He continued, "I'm testifying in front of Congress on nuclear posture, and I think it's important to see these things for myself."

Richard joined us. "This is an indispensable component of the nuclear triad," he said, beginning a standard Strategic Command pitch. "Our goal is to communicate to potential adversaries: 'Not today.'" (When I later visited Richard at Offutt Air Force Base, the headquarters of Stratcom, near Omaha, Nebraska, I saw that his office features a large sign with this same slogan, hanging above portraits of the leaders of Russia, China, Iran, and North Korea.)

I used this moment in the silo to discuss with Milley the stability of America's nuclear arsenal under Trump. The former president's ignorance of nuclear doctrine had been apparent well before his exchanges with Kim Jong Un. In a 2015 Republican-primary debate, Trump was asked, "Of the three legs of the triad … do you have a priority?" Trump's answer: "I think—I think, for me, nuclear is just—the power, the devastation is very important to me." After this, Senator Marco Rubio, a foreign-policy expert who was one of Trump's Republican-primary opponents, called Trump an "erratic individual" who could not be trusted with the country's nuclear codes. (Rubio subsequently embraced Trump, praising him for bringing "a lot of people and energy into the Republican Party.")

I described to Milley a specific worry I'd had, illustrated most vividly by one of the more irrational public statements Trump made as president. On January 2, 2018, Trump tweeted: "North Korean Leader Kim Jong Un just stated that the 'Nuclear Button is on his desk at all times.' Will someone from his depleted and food starved regime please inform him that I too have a Nuclear Button, but it is a much bigger & more powerful one than his, and my Button works!"

This tweet did not initiate a fatal escalatory cycle, but with it Trump created conditions that easily could have, as he did at several other moments during his presidency. Standing beside the missile in the silo, I expressed my concern about this to Milley.

"Wasn't going to happen," he responded.

"You're not in the chain of command," I noted. The chairman is an adviser to the president, not a field commander.

"True," he answered. "The chain of command runs from the president to the secretary of defense to that guy," he said, pointing to Richard, who had moved to the other side of the catwalk. "We've got excellent professionals throughout the system." He then said, "Nancy Pelosi was worried about this. I told her she didn't have to worry, that we have systems in place." By this, he meant that the system is built to resist the efforts of rogue actors.

Shortly after the assault on the Capitol on January 6, Pelosi, who was then the speaker of the House, called Milley to ask if the nation's nuclear weapons were secure. "He's crazy," she said of Trump. "You know he's crazy. He's been crazy for a long time. So don't say you don't know what his state of mind is." According to Bob Woodward and Robert Costa, who recounted this conversation in their book, *Peril*, Milley replied, "Madam Speaker, I agree with you on everything." He then said, according to the authors, "I want you to know this in your heart of hearts, I can guarantee you 110 percent that the military, use of military power, whether it's nuclear or a strike in a foreign country of any kind, we're not going to do anything illegal or crazy."

Shortly after the call from Pelosi, Milley gathered the Pentagon's top nuclear officers— one joined by telephone from Stratcom headquarters—for an emergency meeting. The flag officers in attendance included Admiral Richard; the vice chairman of the Joint Chiefs, General John Hyten, who was Richard's predecessor at Stratcom; and the leaders of the National Military Command Center, the highly secure Pentagon facility from

which emergency-action messages—the actual instructions to launch nuclear weapons—would emanate. The center is staffed continuously, and each eight-hour shift conducts drills on nuclear procedures. In the meeting in his office, Milley told the assembled generals and admirals that, out of an abundance of caution, he wanted to go over the procedures and processes for deploying nuclear weapons. Hyten summarized the standard procedures—including ensuring the participation of the Joint Chiefs in any conversation with the president about imminent war. At the conclusion of Hyten's presentation, according to meeting participants, Milley said, "If anything weird or crazy happens, just make sure we all know." Milley then went to each officer in turn and asked if he understood the procedures. They all affirmed that they did. Milley told other members of the Joint Chiefs of Staff, "All we've got to do is see to it that the plane lands on January 20," when the constitutional transfer of power to the new president would be completed.

I found Milley's confidence only somewhat reassuring. The American president is a nuclear monarch, invested with unilateral authority to release weapons that could destroy the planet many times over.

I mentioned to Milley a conversation I'd had with James Mattis when he was the secretary of defense. I had told Mattis, only half-joking, that I was happy he was a physically fit Marine. If it ever came to it, I said, he could forcibly wrest the nuclear football—the briefcase containing, among other things, the authentication codes needed to order a nuclear strike—from the president. Mattis, a wry man, smiled and said that I was failing to take into account the mission of the Secret Service.

When I mentioned to Milley my view that Trump was mentally and morally unequipped to make decisions concerning war and peace, he would say only, "The president alone decides to launch nuclear weapons, but he doesn't launch them alone." He then repeated the sentence.

He has also said in private settings, more colloquially, "The president can't wake up in the middle of the night and decide to push a button. One reason for this is that there's no button to push."

During conversations with Milley and others about the nuclear challenge, a story from the 1970s came frequently to my mind. The story concerns an Air Force officer named Harold Hering, who was dismissed from service for asking a question about a crucial flaw in America's nuclear command-and-control system—a flaw that had no technical solution. Hering was a Vietnam veteran who, in 1973, was training to become a Minuteman crew member. One day in class, he asked, "How can I know that an order I receive to launch my missiles came from a sane president?" The Air Force concluded that launch officers did not need to know the answer to this question, and they discharged him. Hering appealed his discharge, and responded to the Air Force's assertion as follows: "I have to say I feel I do have a need to know, because I am a human being."

The U.S. military possesses procedures and manuals for every possible challenge. Except Hering's.

After we climbed out of the missile silo, I asked Milley how much time the president and the secretary of defense would have to make a decision about using nuclear weapons, in the event of a reported enemy attack. Milley would not answer in specifics, but he acknowledged—as does everyone in the business of thinking about nuclear weapons—that the timeline could be acutely brief. For instance, it is generally believed that if surveillance systems detected an imminent launch from Russia, the president could have as few as five or six minutes to make a decision. "At the highest levels, folks are trained to work through decisions at a rapid clip," Milley said. "These decisions would be very difficult to make. Sometimes the information would be very limited. But we face a lot of hard decisions on a regular basis."

The story of Milley's promotion to the chairmanship captures much about the disorder in Donald Trump's mind, and in his White House.

By 2018, Trump was growing tired of General Dunford, a widely respected Marine officer. After one White

House briefing by Dunford, Trump turned to aides and said, "That guy is smart. Why did he join the military?" Trump did not consider Dunford to be sufficiently "loyal," and he was seeking a general who would pledge his personal fealty. Such generals don't tend to exist in the American system—Michael Flynn, Trump's QAnon-addled first national security adviser, is an exception—but Trump was adamant.

The president had also grown tired of James Mattis, the defense secretary. He had hired Mattis in part because he'd been told his nickname was "Mad Dog." It wasn't— that had been a media confection—and Mattis proved far more cerebral, and far more independent-minded, than Trump could handle. So when Mattis recommended David Goldfein, the Air Force chief of staff, to become the next chairman, Trump rejected the choice. (In ordinary presidencies, the defense secretary chooses the chairman of the Joint Chiefs, and the president, by custom, accedes to the choice.)

> "Knowing Trump, I knew that he was looking for a complete carnivore, and Milley fit that bill."

At that point, Milley was Mattis's choice to serve in a dual-hatted role, as NATO supreme allied commander in Europe and the head of U.S. European Command. Mattis has said he believed Milley's bullish personality made him the perfect person to push America's European allies to spend more on their collective defense, and to focus on the looming threat from Russia.

But a group of ex–Army officers then close to Trump had been lobbying for an Army general for the chairmanship, and Milley, the Army chief of staff, was the obvious candidate. Despite a reputation for being prolix and obstreperous in a military culture that, at its highest reaches, values discretion and rhetorical restraint, Milley was popular with many Army leaders, in part because of the reputation he'd developed in Iraq and Afghanistan as an especially effective war fighter. A son of working-class Boston, Milley is a former hockey player who speaks bluntly, sometimes brutally. "I'm Popeye the fucking sailorman," he has told friends. "I yam what I yam." This group of former Army officers, including Esper, who was then serving as the secretary of the Army, and David Urban, a West Point graduate who was key to Trump's Pennsylvania election effort, believed that Trump would take to Milley, who had both an undergraduate degree from Princeton and the personality of a hockey enforcer. "Knowing Trump, I knew that he was looking for a complete carnivore, and Milley fit that bill," Urban told me. "He checked so many boxes for Trump."

In late 2018, Milley was called to meet the president. Before the meeting, he visited Kelly in his West Wing office, where he was told that Trump might ask him to serve as chairman of the Joint Chiefs. But, if given a choice, Kelly said, he should avoid the role. "If he asks you to go to Europe, you should go. It's crazy here," Kelly said. At the time of this meeting, Kelly was engaged in a series of disputes with Ivanka Trump and Jared Kushner (he referred to them acidly as the "Royal Couple"), and he was having little success imposing order over an administration in chaos. Each day, ex– administration officials told me, aides such as Stephen Miller and Peter Navarro—along with Trump himself—would float absurd, antidemocratic ideas. Dunford had become an expert at making himself scarce in the White House, seeking to avoid these aides and others.

Kelly escorted Milley to the Oval Office. Milley saluted Trump and sat across from the president, who was seated at the Resolute Desk.

"You're here because I'm interviewing you for the job of chairman of the Joint Chiefs of Staff," Trump said. "What do you think of that?"

Milley responded: "I'll do whatever you ask me to do." At which point, Trump turned to Kelly and said, "What's that other job Mattis wants him to do? Something in Europe?"

Kelly answered, "That's SACEUR, the supreme allied commander in Europe."

Trump asked, "What does that guy do?"

"That's the person who commands U.S. forces in Europe," Kelly said.

"Which is the better job?" Trump asked.

Kelly answered that the chairmanship is the better job. Trump offered Milley the role. The business of the meeting done, the conversation then veered in many different directions. But at one point Trump returned to the job offer, saying to Milley, "Mattis says you're soft on transgenders. Are you soft on transgenders?"

Milley responded, "I'm not soft on transgender or hard on transgender. I'm about standards in the U.S. military, about who is qualified to serve in the U.S. military. I don't care who you sleep with or what you are."

The offer stood.

It would be nearly a year before Dunford retired and Milley assumed the role. At his welcome ceremony at Joint Base Myer–Henderson Hall, across the Potomac River from the capital, Milley gained an early, and disturbing, insight into Trump's attitude toward soldiers. Milley had chosen a severely wounded Army captain, Luis Avila, to sing "God Bless America." Avila, who had completed five combat tours, had lost a leg in an IED attack in Afghanistan, and had suffered two heart attacks, two strokes, and brain damage as a result of his injuries. To Milley, and to four-star generals across the Army, Avila and his wife, Claudia, represented the heroism, sacrifice, and dignity of wounded soldiers.

It had rained that day, and the ground was soft; at one point Avila's wheelchair threatened to topple over. Milley's wife, Hollyanne, ran to help Avila, as did Vice President Mike Pence. After Avila's performance, Trump walked over to congratulate him, but then said to Milley, within earshot of several witnesses, "Why do you bring people like that here? No one wants to see that, the wounded." Never let Avila appear in public again, Trump told Milley. (Recently, Milley invited Avila to sing at his retirement ceremony.)

These sorts of moments, which would grow in intensity and velocity, were disturbing to Milley. As a veteran of multiple combat tours in Iraq and Afghanistan, he had buried 242 soldiers who'd served under his command. Milley's family venerated the military, and Trump's attitude toward the uniformed services seemed superficial, callous, and, at the deepest human level, repugnant.

Milley was raised in a blue-collar section of Winchester, Massachusetts, just outside Boston, where nearly everyone of a certain age—including his mother—was a World War II veteran. Mary Murphy served in the women's branch of the Naval Reserve; the man who became her husband, Alexander Milley, was a Navy corpsman who was part of the assault landings in the central Pacific at Kwajalein, Tinian, and Iwo Jima. Alexander was just out of high school when he enlisted. "My dad brought his hockey skates to the Pacific," Milley told me. "He was pretty naive."

Though he was born after it ended, World War II made a powerful impression on Mark Milley, in part because it had imprinted itself so permanently on his father. When I traveled to Japan with Milley this summer, he told me a story about the stress his father had experienced during his service. Milley was undergoing a bit of stress himself on this trip. He was impeccably diplomatic with his Japanese counterparts, but I got the impression that he still finds visiting the country to be slightly surreal. At one point he was given a major award in the name of the emperor. "If my father could only see this," he said to me, and then recounted the story.

It took place at Fort Drum, in upstate New York, when Milley was taking command of the 10th Mountain Division, in 2011. His father and his father's younger brother Tom, a Korean War veteran, came to attend his change-of-command ceremony. "My father always hated officers," Milley recalled. "Every day from the time I was a second lieutenant to colonel, he was like, 'When are you getting out?' Then, all of sudden, it was 'My son, the general.'

He continued, "We have the whole thing—troops on the field, regalia, cannons, bugle—and then we have a reception back at the house. I've got the Japanese flag up on the wall, right over the fireplace. It's a flag my father took from Saipan. So that night, he's sitting there in his T-shirt and boxers; he's having probably more than one drink, just staring at the Japanese flag. One or two in the morning, we hear this primeval-type screaming. He's screaming at his brother, 'Tom, you got to get up!' And I'll say it the way he said it: 'Tom, the Japs are here, the Japs are here! We gotta get the kids outta here!' So my wife elbows me and says, 'Your father,' and I say, 'Yes, I figured that out,' and I go out and my dad, he's not in good shape by then—in his 80s, Parkinson's, not super mobile—and yet he's running down the hallway. I grab him by both arms. His eyes are bugging out and I say, 'Dad, it's okay, you're with the 10th Mountain Division on the Canadian border.' And his brother Tom comes out and says, 'Goddamnit, just go to fucking bed, for Chrissakes. You won your war; we just tied ours.' And I feel like I'm in some B movie. Anyway, he calmed down, but you see, this is what happens. One hundred percent of people who see significant combat have some form of PTSD. For years he wouldn't go to the VA, and I finally said, 'You hit the beach at Iwo Jima and Saipan. The VA is there for you; you might as well use it.'

And they diagnosed him, finally."

Milley never doubted that he would follow his parents into military service, though he had no plans to make the Army a career. At Princeton, which recruited him to play hockey, he was a political-science major, writing his senior thesis on Irish revolutionary guerrilla movements. He joined ROTC, and he was commissioned as a second lieutenant in June 1980. He began his Army career as maintenance officer in a motor pool of the 82nd Airborne; this did not excite him, so he maneuvered his way onto a path that took him to the Green Berets.

His first overseas mission was to parachute into Somalia in 1984 with a five-man Special Forces A-Team to train a Somali army detachment that was fighting Soviet- backed Ethiopia. "It was basically dysentery and worms," he recalled. "We were out there in the middle of nowhere. It was all small-unit tactics, individual skills. We were boiling water we got from cow ponds, and breakfast was an ostrich egg and flatbread." His abiding interest in insurgencies led him to consider a career in the CIA, but he was dissuaded by a recruiter who told him working in the agency would make having any kind of family life hard. In 1985, he was sent to Fort Ord, where he "got really excited about the Army." This was during the Reagan-era defense buildup, when the Army—now all-volunteer—was emerging from what Milley describes as its "post- Vietnam malaise." This was a time of war-fighting innovation, which Milley would champion as he rose in rank. He would go on to take part in the invasion of Panama, and he helped coordinate the occupation of northern Haiti during the U.S. intervention there in 1994.

After September 11, 2001, Milley deployed repeatedly as a brigade commander to Iraq and Afghanistan. Ross Davidson, a retired colonel who served as Milley's operations officer in Baghdad when he commanded a brigade of the 10th Mountain Division, recalled Milley's mantra: "Move to the sound of the guns." Davidson went on to say, with admiration, "I've been blown up, like, nine times with the guy."

Davidson witnessed what is often mentioned as Milley's most notable act of personal bravery, when he ran across a booby-trapped bridge at night to stop a pair of U.S. tanks from crossing. "We had no communication with the tanks, and the boss just ran across the bridge without thinking of his own safety to keep those tanks from blowing themselves up," he told me. "It was something to see."

Davidson and others who fought for Milley remember him as ceaselessly aggressive. "We're rolling down a street and we knew we were going to get hit—the street just went deserted—and *bam smack*, a round explodes to our right," Davidson said. "Everything goes black, the windshield splinters in front of us, one of our gunners took a chunk of shrapnel. We bailed out and Milley says, 'Oh, you want a fight? Let's fight.' We started hunting down bad guys. Milley sends one Humvee back with the wounded, and then we're kicking doors down." At another point, Davidson said, "he wanted to start a fight in this particular area north of the city, farm fields mixed with little hamlets. And so we moved to the middle of this field, just circled the wagons and waited to draw fire. He was brought up in a school of thought that says a commander who conducts command-and-control from a fixed command post is isolated in many regards. He was in the battle space almost every day."

Once, when the commanding general of the 10th Mountain Division, Lloyd Austin—now the secretary of defense—was visiting Baghdad, Milley took him on a tour of the city. Milley, Austin, and Davidson were in a Humvee when it was hit.

Milley found himself in a disconcerting situation: trying, and failing, to teach President Trump the difference between appropriate battlefield aggressiveness and war crimes.

"Mark has the gift of gab. I don't remember what he was talking about, but he was talking when there was an explosion. Our second vehicle got hit. Austin's window shattered, but we didn't stop; we punched through," Davidson said. "Wedged into Austin's door was this four-inch chunk of shrapnel. If it had breached the door seam, it would have taken Austin's head clean off. It was a 'Holy shit, we almost got the commanding general killed' type of situation. That wouldn't have gone well."

(When I mentioned this incident recently to Austin, he said, "I thought that was Mark trying to kill his boss." That's an elaborate way to kill the boss, I said. "You've got to make it look credible," Austin answered, smiling.)

Dunford, Milley's predecessor as chairman of the Joint Chiefs, was the four-star commander of NATO forces in Afghanistan in 2013 when Milley, by then a three- star general, came to serve as the international joint commander of all ground forces in the country. He describes Milley as ambitious and creative. "He was very forward- leaning, and he set the bar very high for himself and others," Dunford told me. "He puts a lot of pressure on himself to perform. There's just a level of ambition and aggressiveness there. It would be hard for me to imagine that someone could have accomplished as much as he did in the role. Hockey was the right sport for him."

Soon after becoming Chairman, Milley found himself in a disconcerting situation: trying, and failing, to teach President Trump the difference between appropriate battlefield aggressiveness on the one hand, and war crimes on the other. In November 2019, Trump decided to intervene in three different cases that had been working their way through the military justice system. In the most infamous case, the Navy SEAL Eddie Gallagher had been found guilty of posing with the corpse of an Islamic State prisoner. Though Gallagher was found not guilty of murder, witnesses testified that he'd stabbed the prisoner in the neck with a hunting knife. (Gallagher's nickname was "Blade.") In an extraordinary move, Trump reversed the Navy's decision to demote him in rank. Trump also pardoned a junior Army officer Clint Lorance, convicted of second-degree murder for ordering soldiers to shoot three unarmed Afghans, two of whom died. In the third case, a Green Beret named Mathew Golsteyn was accused of killing an unarmed Afghan he suspected was a bomb maker for the Taliban and then covering up the killing. At a rally in Florida that month, Trump boasted, "I stuck up for three great warriors against the deep state."

The president's intervention included a decision that Gallagher should be allowed to keep his Trident insignia, which is worn by all SEALs in good standing. The pin features an anchor and an eagle holding a flintlock pistol while sitting atop a horizontal trident. It is one of the most coveted insignia in the entire U.S. military.

This particular intervention was onerous for the Navy, because by tradition only a commanding officer or a group of SEALs on a Trident Review Board are meant to decide if one of their own is unworthy of being a SEAL. Late one night, on Air Force One, Milley tried to convince Trump that his intrusion was damaging Navy morale. They were flying from Washington to Dover Air Force Base, in Delaware, to attend a "dignified transfer," the repatriation ceremony for fallen service members.

"Mr. President," Milley said, "you have to understand that the SEALs are a tribe within a larger tribe, the Navy. And it's up to them to figure out what to do with Gallagher. You don't want to intervene. This is up to the tribe. They have their own rules that they follow."

Trump called Gallagher a hero and said he didn't understand why he was being punished.

"Because he slit the throat of a wounded prisoner," Milley said.

"The guy was going to die anyway," Trump said.

Milley answered, "Mr. President, we have military ethics and laws about what happens in battle. We can't do that kind of thing. It's a war crime." Trump answered that he didn't understand "the big deal." He went on, "You guys"—meaning combat soldiers—"are all just killers. What's the difference?"

At which point a frustrated Milley summoned one of his aides, a combat-veteran SEAL officer, to the president's Air Force One office. Milley took hold of the Trident pin on the SEAL's chest and asked him to describe its importance. The aide explained to Trump that, by tradition, only SEALs can decide, based on assessments of competence and character, whether one of their own should lose his pin. But the president's mind was not changed. Gallagher kept his pin.

When I asked Milley about these incidents, he explained his larger views about behavior in combat. "You have accidents that occur, and innocent people get killed in warfare," he said. "Then you have the intentional breaking of the rules of war that occurs in part because of the psychological and moral degradation that occurs to all human beings who participate in combat. It takes an awful lot of moral and physical discipline to prevent you or your unit from going down that path of degradation.

"I'll use Gallagher as an example. He's a tough guy, a tough, hard Navy SEAL. Saw a lot of combat. There's a little bit of a 'There but for the grace of God go I' feeling in all of this. What happened to Gallagher can happen to many human beings." Milley told me about a book given to him by a friend, Aviv Kochavi, a former chief of staff of the Israel Defense Forces. The book, by an American academic named Christopher Browning, is called *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland*.

"It's a great book," Milley said. "It's about these average police officers from Hamburg who get drafted, become a police battalion that follows the Wehrmacht into Poland, and wind up slaughtering Jews and committing genocide. They just devolve into barbaric acts. It's about moral degradation."

During Milley's time in the Trump administration, the disagreements and misunderstandings between the Pentagon and the White House all seemed to follow the same pattern: The president—who was incapable of understanding or unwilling to understand the aspirations and rules that guide the military—would continually try to politicize an apolitical institution. This conflict reached its nadir with the Lafayette Square incident in June 2020. The day when Milley appeared in uniform by the president's side, heading into the

square, has been studied endlessly. What is clear is that Milley (and Mark Esper) walked into an ambush, and Milley extracted himself as soon as he could, which was too late.

The image of a general in combat fatigues walking with a president who has a well- known affection for the Insurrection Act—the 1807 law that allows presidents to deploy the military to put down domestic riots and rebellions—caused consternation and anger across the senior-officer ranks, and among retired military leaders.

> "I absolutely, positively shouldn't have been there," Milley says of Lafayette Square. "I'm a soldier, and fundamental to this republic is for the military to stay out of politics."

"I just about ended my friendship with Mark over Lafayette Square," General Peter Chiarelli, the now-retired former vice chief of staff of the Army, told me. Chiarelli was once Milley's superior, and he considered him to be among his closest friends. "I watched him in uniform, watched the whole thing play out, and I was pissed. I wrote an editorial about the proper role of the military that was very critical of Mark, and I was about to send it, and my wife said, 'You really want to do that—end a treasured friendship—like this?' She said I should send it to him instead, and of course she was right." When they spoke, Milley made no excuses, but said it had not been his intention to look as if he was doing Trump's bidding. Milley explained the events of the day to Chiarelli: He was at FBI headquarters, and had been planning to visit National Guardsmen stationed near the White House when he was summoned to the Oval Office. Once he arrived, Trump signaled to everyone present that they were heading outside. Ivanka Trump found a Bible and they were on their way.

"As a commissioned officer, I have a duty to ensure that the military stays out of politics," Milley told me. "This was a political act, a political event. I didn't realize it at the moment. I probably should have, but I didn't, until the event was well on its way. I peeled off before the church, but we're already a minute or two into this thing, and it was clear to me that it was a political event, and I was in uniform. I absolutely, positively shouldn't have been there. The political people, the president and others, can do whatever they want. But I can't. I'm a soldier, and fundamental to this republic is for the military to stay out of politics."

Trump, inflamed by the sight of protesters so close to the White House, had been behaving especially erratically. "You are losers!" the president screamed at Cabinet members and other top officials at one point. "You are all fucking losers!"

According to Esper, Trump desperately wanted a violent response to the protesters asking, "Can't you just shoot them? Just shoot them in the legs or something?" When I raised this with Milley, he explained, somewhat obliquely, how he would manage the president's eruptions.

"It was a rhetorical question," Milley explained. "'Can't you just shoot them in the legs?'

"He never actually ordered you to shoot anyone in the legs?" I asked.

"Right. This could be interpreted many, many different ways," he said.

Milley and others around Trump used different methods to handle the unstable president. "You can judge my success or failure on this, but I always tried to use persuasion with the president, not undermine or go around him or slow-roll," Milley told me. "I would present my argument to him. The president makes decisions, and if the president ordered us to do X, Y, or Z and it was legal, we would do it. If it's not legal, it's my job to say it's illegal, and here's why it's illegal. I would emphasize cost and risk of the various courses of action. My job, then and now, is to let the president know what the course of action could be, let them know what the cost is, what the risks and benefits are. And then make a recommendation. That's what I've done

under both presidents."

He went on to say, "President Trump never ordered me to tell the military to do something illegal. He never did that. I think that's an important point."

We were discussing the Lafayette Square incident while at Quarters Six, the chairman's home on Generals' Row at Fort Myer, in Arlington, Virginia, across the Potomac from the Washington Monument, the Lincoln Memorial, and the Capitol. Next door to Quarters Six was the home of the Air Force chief of staff, General Charles Q. Brown Jr., who is slated to become the next chairman. Generals' Row was built on land seized by the Union from Robert E. Lee's plantation. It is a good place to hold a discussion about the relationship between a democracy and its standing army.

I tried to ask Milley why Lafayette Square had caught him off guard, given all that he had seen and learned already. Only a few weeks earlier, Trump had declared to the Joint Chiefs of Staff, in a meeting about China, that the "great U.S. military isn't as capable as you think." After the meeting, Milley spoke with the chiefs, who were angry and flustered by the president's behavior. (Esper writes in his memoir, *A Sacred Oath*, that one member of the Joint Chiefs began studying the Twenty-Fifth Amendment, which can be used to remove an unfit president.)

"Weren't you aware that Trump—"

"I wasn't aware that this was going to be a political event."

I tacked. "Were you aware that this was"—I paused, searching for an artful term—"an unusual administration?"

"I'll reserve comment on that," Milley responded. "I think there were certainly plenty of warnings and indicators that others might say in hindsight were there. But for me, I'm a soldier, and my task is to follow lawful orders and maintain good order and discipline in the force."

"You didn't have situational awareness?"

"At that moment, I didn't realize that there was a highly charged piece of political stagecraft going on, if you will. And when I did, I peeled off." (That evening, Lieutenant General McMaster texted Milley the well-known meme of Homer Simpson disappearing into a hedge.)

The lesson, Milley said, was that he had to pay more attention. "I had to double down on ensuring that I personally—and that the uniformed military—that we all stayed clear of any political acts or anything that could be implied as being involved in politics."

The week after Lafayette Square, Milley made his apology in the National Defense University speech—a speech that helped repair his relationship with the officer corps but destroyed his relationship with Trump.

"There are different gradients of what is bad. The really bad days are when people get killed in combat," Milley told me. "But those 90 seconds were clearly a low point from a personal and professional standpoint for me, over the course of 43, 44 years of service. They were searing. It was a bad moment for me because it struck at the heart of the credibility of the institution."

The chasm dividing Milley and Trump on matters of personal honor became obvious after Lafayette Square. In a statement, referring to Milley's apology, Trump said of the chairman, "I saw at that moment he had no courage or skill."

Milley viewed it differently. "Apologies are demonstrations of strength," Milley told me. "There's a whole concept of redemption in Western philosophy. It's part and parcel of our philosophy, the Western religious tradition—the idea that human beings are fallible, that we sin and that we make mistakes and that when you do so you own the mistake, you admit it, and then you learn from that mistake and take corrective action and move on."

For his part, General Chiarelli concluded that his friend had simply been in the wrong place at the wrong time. Quoting Peter Feaver, an academic expert on civil- military relations, Chiarelli said, "You have to judge Mark like you judge Olympic divers—by the difficulty of the dive."

That summer, Milley visited Chiarelli in Washington State and, over breakfast, described what he thought was coming next. "It was unbelievable. This is August 2, and he laid out in specific detail what his concerns were between August and Inauguration Day. He identified one of his biggest concerns as January 6," the day the Senate was to meet to certify the election. "It was almost like a crystal ball."

Chiarelli said that Milley told him it was possible, based on his observations of the president and his advisers, that they would not accept an Election Day loss. Specifically, Milley worried that Trump would trigger a war—an "October surprise"— to create chaotic conditions in the lead-up to the election. Chiarelli mentioned the continuous skirmishes inside the White House between those who were seeking to attack Iran, ostensibly over its nuclear program, and those, like Milley, who could not justify a large-scale preemptive strike.

In the crucial period after his road-to-Damascus conversion, Milley set several goals for himself: keep the U.S. out of reckless, unnecessary wars overseas; maintain the military's integrity, and his own; and prevent the administration from using the military against the American people. He told uniformed and civilian officials that the military would play no part in any attempt by Trump to illegally remain in office.

The desire on the part of Trump and his loyalists to utilize the Insurrection Act was unabating. Stephen Miller, the Trump adviser whom Milley is said to have called "Rasputin," was vociferous on this point. Less than a week after George Floyd was murdered, Miller told Trump in an Oval Office meeting, "Mr. President, they are burning America down. Antifa, Black Lives Matter—they're burning it down. You have an insurrection on your hands. Barbarians are at the gate."

According to Woodward and Costa in *Peril*, Milley responded, "Shut the fuck up, Steve." Then he turned to Trump. "Mr. President, they are not burning it down."

I asked Milley to describe the evolution of his post–Lafayette Square outlook. "You know this term *teachable moment*?" he asked. "Every month thereafter I just did something publicly to continually remind the force about our responsibilities … What I'm trying to do the entire summer, all the way up to today, is keep the military out of actual politics."

He continued, "We stay out of domestic politics, period, full stop, not authorized, not permitted, illegal, immoral, unethical—we don't do it." I asked if he ever worried about pockets of insurrectionists within the military.

"We're a very large organization—2.1 million people, active duty and reserves. Some of the people in the organization get outside the bounds of the law. We have that on occasion. We're a highly disciplined force dedicated to the protection of the Constitution and the American people … Are there one or two out there who have other thoughts in their mind? Maybe. But the system of discipline works."

So you had no anxiety at all?

"Of anything large-scale? Not at all. Not then, not now."

In the weeks before the election, Milley was a dervish of activity. He spent much of his time talking with American allies and adversaries, all worried about the stability of the United States. In what would become his most discussed move, first reported by Woodward and Costa, he called Chinese General Li Zuocheng, his People's Liberation Army counterpart, on October 30, after receiving intelligence that China believed Trump was going to order an attack. "General Li, I want to assure you that the American government is stable and everything is going to be okay," Milley said, according to *Peril*. "We are not going to attack or conduct any kinetic operations against you. General Li, you and I have known each other for now five years. If we're going to attack, I'm going to call you ahead of time. It's not going to be a surprise … If there was a war or some kind of kinetic action between the United States and China, there's going to be a buildup, just like there has been always in history."

Milley later told the Senate Armed Services Committee that this call, and a second one two days after the January 6 insurrection, represented an attempt to "deconflict military actions, manage crisis, and prevent war between great powers that are armed with the world's most deadliest weapons."

The October call was endorsed by Secretary of Defense Esper, who was just days away from being fired by Trump. Esper's successor, Christopher Miller, had been informed of the January call. Listening in on the calls were at least 10 U.S. officials, including representatives of the State Department and the CIA. This did not prevent Trump partisans, and Trump himself, from calling Milley "treasonous" for making the calls. (When news of the calls emerged, Miller condemned Milley for them—even though he later conceded that he'd been aware of the second one.)

Milley also spoke with lawmakers and media figures in the days leading up to the election, promising that the military would play no role in its outcome. In a call on the Saturday before Election Day, Milley told news anchors including George Stephanopoulos, Lester Holt, and Norah O'Donnell that the military's role was to protect democracy, not undermine it. "The context was 'We know how fraught things are, and we have a sense of what might happen, and we're not going to let Trump do it,'" Stephanopoulos told me. "He was saying that the military was there to serve the country, and it was clear by implication that the military was not going to be part of a coup." It seemed, Stephanopoulos said, that Milley was "desperately trying not to politicize the military."

When the election arrived, Milley's fear—that the president would not accept the outcome—came to pass. A few days later, when Acting Secretary Miller arrived at the Pentagon accompanied by a coterie of fellow Trump loyalists, including Kash Patel, senior officers in the building were unnerved. Patel has stated his conviction that the Pentagon is riddled with "deep state" operatives.

A few days after Esper's firing, Milley gave a Veterans Day speech, in the presence of Miller, to remind the armed forces—and those who would manipulate them—of their oath to the Constitution. The speech was delivered at the opening of the National Army Museum at Fort Belvoir, in Virginia.

"The motto of the United States Army for over 200 years, since 14 June 1775 … has been 'This we will defend,'" Milley said. "And the 'this' refers to the Constitution and to protect the liberty of the American people. You see, we are unique among armies. We are unique among militaries. We do not take an oath to a king or queen, a tyrant or dictator. We do not take an oath to an individual. No, we do not take an oath to a country, a tribe, or religion. We take an oath to the Constitution … We will never turn our back on our duty to protect and defend the idea that is America, the Constitution of the United States, against all enemies, foreign and domestic."

He closed with words from Thomas Paine: "These are times that try men's souls. And the summer soldier and

the sunshine Patriot will in this crisis shrink from the service of their country. But he who stands by it deserves the love of man and woman. For tyranny, like hell, is not easily conquered."

When Miller followed Milley, his remarks betrayed a certain level of obliviousness; Milley's speech had sounded like a warning shot directed squarely at hard-core Trumpists like him. "Chairman, thanks for setting the bar very high for the new guy to come in and make a few words," Miller said. "I think all I would say to your statements is 'Amen.' Well done."

I asked Milley later if he'd had Miller in mind when he gave that speech.

"Not at all," he said. "My audience was those in uniform. At this point, we are six days or so after the election. It was already contested, already controversial—and I wanted to remind the uniformed military that our oath is to the Constitution and that we have no role to play in politics."

He would remain a dervish until Inauguration Day: reassuring allies and cautioning adversaries; arguing against escalation with Iran; reminding the Joint Chiefs and the National Military Command Center to be aware of unusual requests or demands; and keeping an eye on the activities of the men dispatched by Trump to lead the Pentagon after Esper was fired, men who Milley and others suspected were interested in using the military to advance Trump's efforts to remain president.

"I'm not going to say whether I thought there was a civilian coup or not. I'm going to leave that to the American people to determine, and a court of law."

Shortly after Esper was fired, Milley told both Patel and Ezra Cohen-Watnick, another Trump loyalist sent to the Pentagon, that he would make sure they would see the world "from behind bars" if they did anything illegal to prevent Joe Biden from taking the oath of office on January 20. (Both men have denied being warned in this manner.)

I asked Milley recently about his encounters with Trump's men. As is his on-the- record custom, he minimized the drama of those days.

I said, "You literally warned political appointees that they would be punished if they engaged in treasonous activities."

He responded: "I didn't do that. Someone saying I did that?"

"You warned Kash Patel and others that they were fucking around and shouldn't have been."

"I didn't warn anybody that I would hold them accountable for anything."

"You warned them that they would be held accountable for breaking the law or violating their oaths."

Suddenly, acquiescence.

"Yeah, sure, in conversation," he said. "It's my job to give advice, so I was advising people that we must follow the law. I give advice all the time."

Today Milley says, about Trump and his closest advisers, "I'm not going to say whether I thought there was a civilian coup or not. I'm going to leave that to the American people to determine, and a court of law, and

you're seeing that play out every day. All I'm saying is that my duty as the senior officer of the United States military is to keep out of politics."

What is certain is that, when January 20 finally arrived, Milley exhaled. According to *I Alone Can Fix It*, by the *Washington Post* reporters Carol Leonnig and Philip Rucker, when Michelle Obama asked Milley at the inauguration how he was doing, he replied: "No one has a bigger smile today than I do."

The arrival of a new president did not mean an end to challenges for Milley, or the Pentagon. Attempts to enlist the military in America's zero-sum culture war only intensified. Elements of the hard right, for instance, would exploit manifestations of performative leftism—a drag show on an Air Force base, for instance—to argue that the military under Biden was hopelessly weak and "woke." (Never mind that this was the same military that Trump, while president, had declared the strongest in history.) And in an unprecedented act of interference in the normal functioning of the military, Republican Senator Tommy Tuberville of Alabama has placed holds on the promotions of hundreds of senior officers to protest the Defense Department's abortion policies. The officers affected by the Tuberville holds do not make such policies.

An even more substantial blow to morale and force cohesion came late in the summer of 2021, when American forces were withdrawn from Afghanistan against the advice of Milley and most other senior military leaders. The withdrawal—originally proposed by Trump, but ordered by Biden—was criticized by many veterans and active-duty soldiers, and the damage was exacerbated by the callous manner in which Biden treated America's Afghan allies.

This summer, Milley and I visited the War Memorial of Korea, in Seoul, where Milley laid a wreath in front of a wall containing the names of hundreds of Massachusetts men killed in that war. I asked him about the end of America's war in Afghanistan.

"I've got three tours in Afghanistan," he said. "I lost a lot of soldiers in Afghanistan, and for any of us who served there and saw a considerable amount of combat in Afghanistan, that war did not end the way any of us wanted it to end."

Do you consider it a loss?

"I think it was a strategic failure," he answered, refusing to repeat the word I used. "When the enemy you've been fighting for 20 years captures the capital and unseats the government you're supporting, that cannot be called anything else."

He continued, "We sunk a tremendous amount of resources, a tremendous amount of money and, most importantly, lives into helping the Afghan people and giving them hope for a better future. For 20 years we did that. And our primary goal for going there was to prevent al-Qaeda or any other terrorist organization from striking the United States ever again. That was the strategic promise President Bush made to the American people. And we have not, to date, been attacked from Afghanistan, so all the soldiers, sailors, airmen, and Marines that served in Afghanistan should hold their heads high and should be proud of their contributions to American national security. But at the end of the day, the Taliban took the capital."

Milley had recommended to Biden that the U.S. maintain a residual force of soldiers to buttress the American-allied government in Kabul. Biden, Milley said, listened to the military's advice, weighed it, and then chose another path. "It was a lawful order, and we carried out a lawful order," Milley said.

But, I asked him, did you think Afghanistan was winnable?

"I think it would have been a sustainable level of effort over time," he answered. "Take where we're at right now.

We are still in Korea today, 70 years after the armistice was signed. When North Korea came across the border in the summer of 1950, the South Korean military was essentially a constabulary, and we had a limited number of advisers here. And then we reinforced very rapidly from our occupation forces in Japan, and then we fought the Korean War. So we ended up preventing North Korea from conquering South Korea, and that effort led to one of the most flourishing countries in the world."

He went on to say, however, that he understood why leaders of both political parties, and a majority of Americans, wanted U.S. troops pulled out of Afghanistan. "These operations aren't sustainable without the will of the people," he said. "Would I and every soldier who served there wish that there was a better outcome? Absolutely, yes, and to that extent, that's a regret.

"The end in Afghanistan didn't happen because of a couple of decisions in the last days," he said. "It was cumulative decisions over 20 years. The American people, as expressed in various polls, and two presidents of two different parties and the majority of members of Congress wanted us to withdraw—and we did."

If the withdrawal from Afghanistan was a low, then a continuing high point for the Defense Department is its enormous effort to keep the Ukrainian army in the fight against Russia. Milley and Lloyd Austin, his former commander and Biden's secretary of defense, have created a useful partnership, particularly regarding Ukraine.

The two men could not be more unalike: Milley cannot stop talking, and Austin is loath to speak more than the minimum number of words necessary to get through the day. But they seem to trust each other, and they sought, after Austin's appointment, to bring stability back to the Pentagon. When I met Austin in his office in mid- September, he alluded to this common desire, and to the turbulence of the recent past. "We needed to make sure we had the relationship right and the swim lanes right—who is responsible for what," he said. "The trust was there, so it was easy to work together to reestablish what we both knew should be the rules of the road."

The massive effort to equip, train, and provide intelligence to Ukrainian forces—all while preventing the outbreak of direct warfare between the U.S. and Russia—must be considered (provisionally, of course) a consequential achievement of the Austin- Milley team. "We've provided Ukraine with its best chance of success in protecting its sovereign territory," Austin told me. "We've pulled NATO together in a way that's not been done, ever. This requires a lot of work by the Department of Defense. If you look at what he and I do every month—we're talking with ministers of defense and chiefs of defense every month—it's extraordinary."

Milley has been less hawkish than some Biden-administration officials on the war with Russia. But he agrees that Ukraine is now the main battlefield between authoritarianism and the democratic order.

"World War II ended with the establishment of the rules-based international order People often ridicule it—they call it 'globalism' and so on—but in fact, in my view, World War II was fought in order to establish a better peace," Milley told me. "We the Americans are the primary authors of the basic rules of the road—and these rules are under stress, and they're fraying at the edges. That's why Ukraine is so important. President Putin has made a mockery of those rules. He's making a mockery of everything. He has assaulted the very first principle of the United Nations, which is that you can't tolerate wars of aggression and you can't allow large countries to attack small countries by military means. He is making a direct frontal assault on the rules that were written in 1945."

The magnitude of this assault requires a commensurate response, but with a vigilant eye toward the worst possible outcome, nuclear war. "It is incumbent upon all of us in positions of leadership to do the very best to maintain a sense of global stability," Milley told me. "If we don't, we're going to pay the butcher's bill. It will be horrific, worse than World War I, worse than World War II."

The close relationship between Milley and Austin may help explain one of Milley's missteps as chairman: his congressional testimony on the subject of critical race theory and "white rage." In June 2021, both Milley and Austin were testifying before the House Armed Services Committee when Michael Waltz, a Republican representative from Florida (and, like Milley, a former Green Beret), asked Austin about a lecture given at West Point called "Understanding Whiteness and White Rage." Austin said that the lecture sounded to him like "something that should not occur." A short while later, Milley provided his own, more expansive views. "I want to understand white rage, and I'm white," he said. And then it seemed as if the anger he felt about the assault on the Capitol spilled out of its container. "What is it that caused thousands of people to assault this building and try to overturn the Constitution of the United States of America?" he asked. "What is wrong with having some situational understanding about the country for which we are here to defend?"

These comments caused a new round of criticism of Milley in some senior military circles, including from generals who agreed with him but believed that this sort of commentary was the purview of the political echelon.

Colonel Ross Davidson, Milley's former operations officer, who was watching the hearing, told me he thinks Milley's contempt for the January 6 insurrectionists was not the only thing that motivated his testimony. Seeing Austin, the first Black secretary of defense and his friend, under sustained criticism led Milley, as Davidson describes it, to "move to the sound of the guns."

"That's in his nature," Davidson said. "'Hey, man, my battle buddy Lloyd is being attacked.'

Today, Austin defends Milley's statements: "In one instance, in one academic institution, a professor was exposing his students to this," he said, referring to critical race theory. "If you are familiar with all of our curriculum and what we do in our various schools and how we train leaders, it's kind of upsetting and insulting" to suggest that the military has gone "woke."

When I asked Milley recently about this episode, his answer was, predictably, lengthier, more caustic, and substantially more fervent.

"There's a lot of discourse around whether it's a tough Army or a woke Army," he said, referring to commentary on right-wing news channels. "Here's my answer: First of all, it's all bullshit. Second, these accusations are coming from people who don't know what they're talking about. They're doing it for political purposes. Our military wasn't woke 24 months ago, and now it's woke?"

He continued, "You want woke? I'll give you woke. Here's what your military's doing:

There are 5,000 sorties a day, including combat patrols protecting the U.S.A. and our interests around the world. At least 60 to 100 Navy warships are patrolling the seven seas, keeping the world free for ocean transport. We have 250,000 troops overseas, in 140 countries, defending the rules-based international order. We've got kids training constantly. This military is trained, well equipped, well led, and focused on readiness. Our readiness statuses are at the highest levels they've been in 20 years. So this idea of a woke military is total, utter, made-up bullshit. They are taking two or three incidents, single anecdotes, a drag show that is against DOD policy. I don't think these shows should be on bases, and neither does the secretary of defense or the chain of command."

This table-pounder of a speech prompted an obvious question: What will Milley say publicly once he's retired? Donald Trump is the presumptive favorite to win the Republican nomination for president, and Trump represents to Milley—as numerous books, and my understanding of the man, strongly suggest—an existential threat to American democracy.

"I won't speak up in politics. I won't. You can hold me to it," he said. "I'm not going to comment on elected officials. I'll comment on policies, which is my purview. I have a certain degree of expertise and experience that I think enable me to make rational contributions to conversations about complex topics about war and peace. To make personal comments on certain political leaders, I don't think that's my place."

Never?

"There are exceptions that can be made under certain circumstances," he said. "But they're pretty rare."

It is hard to imagine Milley restraining himself if Trump attacks him directly—and it is as close to a sure thing as you can have in American politics that Trump will. At one point during his presidency, Trump proposed calling back to active duty two retired flag officers who had been critical of him, Admiral William McRaven and General Stanley McChrystal, so that they could be court-martialed. Mark Esper, who was the defense secretary at the time, says he and Milley had to talk Trump out of such a plan.

Trump has already threatened officials he sees as disloyal with imprisonment, and there is little reason to imagine that he would not attempt to carry out his threats.

During one conversation at Quarters Six, Milley said, "If there's something we've learned from history, it's that aggression left unanswered leads to more aggression." He was talking about Vladimir Putin, but I got the sense that he was talking about someone else as well.

If Trump is reelected president, there will be no Espers or Milleys in his administration. Nor will there be any officials of the stature and independence of John Kelly, H. R. McMaster, or James Mattis. Trump and his allies have already threatened officials they see as disloyal with imprisonment, and there is little reason to imagine that he would not attempt to carry out his threats.

Milley has told friends that he expects that if Trump returns to the White House, the newly elected president will come after him. "He'll start throwing people in jail, and I'd be on the top of the list," he has said. But he's also told friends that he does not believe the country will reelect Trump.

When I asked him about this, he wouldn't answer directly, but when I asked him to describe his level of optimism about the country's future, he said: "I have a lot of confidence in the general officer corps, and I have confidence in the American people. The United States of America is an extraordinarily resilient country, agile and flexible, and the inherent goodness of the American people is there. I've always believed that, and I will go to my grave believing that."

I pressed him: After all you've been through, you believe that?

"There are bumps in the road, to be sure, and you get through the bumps, but I don't want to overstate this. What did I do? All I did was try to preserve the integrity of the military and to keep the military out of domestic politics. That's all I did."

These assertions will be debated for a long time. But it is fair to say that Milley came close to red lines that are meant to keep uniformed officers from participating in politics. It is also fair to say that no president has ever challenged the idea of competent civilian control in the manner of Donald Trump, and that no president has ever threatened the constitutional underpinnings of the American project in the manner Trump has. The apportionment of responsibility in the American system—presidents give orders; the military carries them out—works best when the president is sane. The preservation of a proper civil-military relationship is hugely

important to democracy—but so too is universal acceptance of the principle that political officials leave office when they lose legitimate elections.

As Milley cedes the chairmanship, he also cedes Quarters Six. I visited him there on a number of occasions, and almost every time he walked me out onto the porch, he would look out theatrically on the city before us—on the Capitol that was sacked but not burned—and say, "Rome hasn't fallen!"

One time, though, he said, "Rome hasn't fallen—yet."

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The Civil-Military 'Gap' and Culture Wars

https://www.justsecurity.org/87053/the-all-volunteer-force-at-50-civil-military-solutions-in-a-time-of-partisan-polarization/

The All-Volunteer Force at 50: Civil-Military Solutions in a Time of Partisan Polarization

by Heidi Urben and Peter Feaver
June 28, 2023

The year 2023, marks a major milestone for the United States: the 50th anniversary of the establishment of an all-volunteer force (AVF). 2023 also marks the 75th anniversary of Executive Order 9981, President Harry Truman's decision to end the Jim Crow era in the armed forces, as well as the 75th anniversary of the Women's Armed Services Integration Act, the law that allowed women to serve in the regular armed forces and not merely in the Women Accepted for Volunteer Emergency Services (WAVES) and Women's Army Auxiliary Corps (WAACs), made famous during World War II.

The 50th anniversary of the All-Volunteer Force has coincided with the most acute recruiting crisis in decades. Each of the services has struggled to meet recruiting goals, but none more so than the Army, which failed to meet its target by 15,000 soldiers, or 25 percent, during fiscal year 2022. The recruiting crisis has combined with politicization of all things related to the military to raise doubts about the long-term viability of the AVF.

There is little that can be done about the primary drivers of the recruitment crisis: the comparative health of the civilian economy and the comparative unhealth of youth of recruiting age. By contrast, there is much more that can and should be done about one secondary driver of the crisis: the politicization of the AVF. Addressing the politicization challenge will help on the margins and, just as importantly, shore up best practices in civil-military relations to help this institution weather political storms. It will require, however, that all relevant actors – civilian elites, military elites, and the general public – take the problem seriously and commit to modest remedial steps.

Civilian elites will need to recognize that their actions are a major part of the politicization problem and adjust their behavior accordingly. Military elites will need to recommit to the professional duty to be custodians of professional ethics in this area and be vigilant to patrol their own behavior. And the general public should move from "high regard at high remove" and spend some effort learning more about this institution that is protecting the U.S. Constitution against all enemies, foreign and domestic. Trying to repair the AVF in this manner is better than replacing it with a draft, which is a cure worse than the disease.

Recruitment Woes Are Bad Weather, Politicization of the AVF is Bad Behavior

Most experts agree that the two biggest drivers of contemporary recruiting challenges are in the labor market and public health. First and foremost, a tight civilian labor market makes competition for the pool of workers intense. For instance, according to one recent Department of

Defense study, the percentage of youth (aged 16-21) who report that it is "not at all" or only "somewhat difficult for someone your age to get a full-time job in your community" has been at all-time highs for the past several years. When jobs are easy to come by, recruiters have a tougher time making the case for military service.

At the same time, the pool of youth who meet the eligibility criteria (e.g., for medical, physical, conduct, etc.) for joining the military without receiving a waiver is at an all-time low (as low as 23 percent in 2020). Recruiters face a shrinking pool of young people from which to recruit. Add in the lingering effects of the pandemic and a recruiting crisis is probably over-determined. The military can muddle through in the short run by lowering recruiting standards, but that is not a long term solution. If the shortfalls persist even after the labor market cycles back to an environment more favorable for recruiters, then the calls for drastic measures will intensify.

Yet the AVF may be suffering from yet another pernicious problem, one that has a political root rather than an economic or public health origin. One of the most underappreciated threats to the long-term continuance of the AVF is the harmful effects partisan polarization has on the military and its relationship with society and civilian leaders today. Politicization has permeated virtually every institution in American life, and the national security enterprise is not immune. That includes the U.S. military, which has long enjoyed high public confidence from Americans on both sides of the aisle. However, as the American public has become more polarized, the AVF—which must draw from all corners of the country to remain viable—is in danger of being corrupted.

The community of civil-military scholars has been sounding the alarm on the dangers related to politicization of the military for some time now. On the general danger to civil-military relations, there has been widespread agreement. A linkage between politicization and recruiting challenges also seems intuitive but harder to pin down. As yet, there is very little reliable evidence that many potential recruits are declining to serve because they believe the military has become too closely aligned with one party or another. There is, however, evidence that such concerns have taken root among the most partisan members of the public, and it seems likely that such concerns would reduce their propensity to recommend service. People with lower confidence in the military are less likely to recommend to others that they join.

The politicization of the military is thus likely exacerbating recruiting problems while also undermining the readiness of the military. Practical solutions to the problem of politicization, however, are harder to identify. Drastic fixes that demand politicians refrain from responding to political incentives are not feasible, and expecting the military to take a stronger role in thwarting politicization could backfire by drawing them further into partisan politics, making matters worse. If not cures, are there at least practical palliative steps that are likely to yield results?

Earlier this year the America in the World Consortium and Georgetown University's Center for Security Studies held a conference with leading scholars and practitioners and we joined a final panel alongside retired Lt. Gen. David Barno, Michèle Flournoy, and Kori Schake. Collectively the panel created a list of action items, a selective sample of which we explain below. While the political divisions in the country often seem intractable today, these recommendations are feasible steps that can help sustain the all-volunteer force for another 50 years.

Civilian Leaders Should Stop Shirking Their Role in Civilian Control and Civil-Military Relations

Too often, civilian leaders in the executive and legislative branches, whether elected or appointed, give in to the temptation of committing civil-military sins of omission or commission – either failing to take steps to prevent the politicization of the armed forces or actively accelerating that politicization. These five recommendations encourage more responsible civilian leadership.

First, civilians need to better understand their own role. Members of the military benefit from years of professional military education throughout their careers. However, there are few such educational opportunities for civilians in the key roles that assist the president, secretary of defense, and members of Congress in exercising civilian control of the military. Civilian staffers on congressional committees, in the Office of the Secretary of Defense and the service secretariats, and on the National Security Council need tailored education and on-going training on what civilian control truly entails and how key civil-military norms apply in their distinctive work assignments. The need is probably greatest among political appointees, who may have very little experience in military settings. Yet even "civilian" staffers who have extensive prior military experience – and thus have undergone some of the civil-military training given to military officers – will likely only have experienced it from a military point of view and would benefit from opportunities to reflect on the issues while in their new civilian roles. Senior civilians, both political appointees and career, would also benefit from equivalent courses to Capstone, Pinnacle, and the related workshops run by the services. These provide refreshers and opportunities to reflect on how best practices might apply to new levels of seniority as the officers advance in their careers. The relative dearth of such training for civilians, especially for political appointees, is an easy-to-fix source of friction in the civil-military relationship.

Second, civilians could exercise their oversight and confirmation responsibilities to reinforce best practices in civil-military relations. During confirmation hearings, senators could use the open letter signed by eight former Secretaries of Defense and five former Chairmen of the Joint Chiefs of Staff on best practices of civil-military relations to guide their questioning of political appointees and senior general and flag officers. Senators should consider making this a standard advanced policy question (APQ): "Do you agree with the statement of principles and best practices outlined in the Open Letter? If you disagree with any element, outline the nature of your disagreement." In this way, the open letter can come to serve as a grading rubric for civilian and military leaders alike to assess their commitment to, and understanding of, the principle of civilian control by civilian and military nominees. Of course, the senators will pursue many other lines of inquiry and have the discretion to ask about whatever they wish. Yet this modest step could help elevate the public discussion of best practices in civil-military relations and set a baseline standard of expectations – just as Congress regularly reminds the military about their duty to advise Congress with the Senate Armed Services Committee's standard requirement that military nominees promise to provide their personal opinion, if asked, even if it diverges from Administration policy.

Third, politicians running for office and elected leaders — especially those with prior military experience — should avoid using uniformed members of the military as political props during photo ops, speeches, and at political conventions. During presidential elections, campaigns on

both sides of the aisle should resist the temptation to seek out endorsements by retired general and flag officers. Consulting with retired military experts on policy is a legitimate and beneficial way for campaigns to leverage retired officers' combined expertise to improve national security policymaking. However, asking retired senior military officers to spend their hard-earned public prestige on partisan endorsements has the effect of politicizing the military and makes it harder for the active force to be seen as the non-partisan servant of the state, ready to obey whomever the electorate votes into power. This concern applies with special force to veterans serving in senior civilian leadership positions, especially elected office. They have a special responsibility to set the right example for their non-veteran colleagues and sensitize them to the norms of the military profession. While veterans may no longer be beholden to the rules and norms that governed their behavior when they served in the military, they also should not use their veteran status for partisan advantage. They should be sensitive to the manner in which they invoke their military service during campaigns for office.

Fourth, Congress should actively promote the professional development of a more capable civilian workforce within the Department of Defense. One admittedly controversial way to do this would be to eliminate veterans' hiring preferences for positions within the Office of the Secretary of Defense. The veterans' preference advantage has the effect of making military experience a de facto requirement for hiring – thus weakening the development of a strong cadre of civilian national security experts. While veterans' preference for all other positions in the federal government should be preserved, it could be rescinded for positions within the Office of the Secretary of Defense, which accounts for less than 0.5 percent of the 950,000 federal civilian workforce. Programs like the John S. McCain Strategic Defense Fellows Program represent a good effort at growing future civilian leaders in the DOD and should be expanded. This modest reform would not prevent exceptionally qualified veterans from serving in a second career in national security policymaking but it would open up opportunities for civilians, who presently are all but excluded at the entry levels by this particular affirmative action policy.

Lastly, civilian elected and appointed leaders should agree to treat the military as "noncombatants" in the ongoing culture wars. Attacking uniformed leaders, or worse, individual rank-and-file service members, as "woke" crosses the line of civil-military propriety. It likely degrades public confidence in the military and further politicizes how the public views the military. Repeated attacks will likely also cause those in uniform to lose respect for civilian leaders. Of course, it is appropriate for members of Congress to exercise oversight over all DOD activities, to include diversity, equity, and inclusion programs. That said, the way to exercise such oversight without undermining civil-military relations is to put any challenges or critiques directly to the political appointees responsible for setting policy, not to those in uniform. Civilian secretaries and their civilian staffs must be on the frontlines in these debates and must resist the temptation to hide behind the uniforms. For such a truce to hold, however, the military must stay a noncombatant and should avoid needlessly entering the partisan fray. Yes, military leaders should stand up for and defend their institutional values. But they should be careful to do so without using partisan coded language that has the effect of exacerbating rather than mitigating cultural animosities.

Military Leaders Should Reinvigorate Their Commitment to Professional Norms

While civilian leaders and politicians must do the lion's share of the work to sustain the AVF and insulate it from the harmful effects of politicization, senior military leaders also have work to do. Indeed, this is how it is with any profession: it is the members of the profession, not the customers, who have primary responsibility for enforcing the norms. There are at least three steps that would go some distance to doing just that.

First, the military must recognize that combatting politicization requires greater understanding of civil-military norms, especially the nonpartisan ethic, across all ranks. This will entail careful teaching in both professional military education settings and in guided leader development sessions. While the military's nonpartisan identity remains relatively strong, it has been under acute strain in recent years, and the degree to which the services formally emphasize these principles across the ranks has been uneven and episodic. Deliberate efforts to reinvigorate these norms across the force will serve as a bulwark against further politicization. Rank-appropriate training should extend all the way to the senior-most military officials—service chiefs and vice chiefs, combatant commanders, and the Chairman and Vice Chairman of the Joint Chiefs of Staff. The Open Letter signed by the former Chairmen and Secretaries of Defense is a start, but applying those principles to the specific contexts facing each of the most senior leaders will require both greater consensus on the norms and bespoke training sessions suitable to the individuals.

Second, senior retired officers have their own work to do to counteract the baleful practice of partisan campaign endorsements by retired general and flag officers during each presidential election cycle. Prominent retired four-stars, the individuals with the greatest reach across retired ranks and the greatest ability to speak to public audiences, should reinvigorate their efforts to strengthen a professional norm against such endorsements. This can be accomplished through vigorous discussion among private forums, but it may also require continued public explanations to the electorate why they, and the vast majority of retired general and flag officers, choose to make no partisan endorsements. While the number of endorsements each year has not abated, recent lists of endorsers have drawn attention for their relative obscurity, with many having been retired from the U.S. military for decades. The obvious contrast with the more lustrous list of non-endorsers could, if made public during the 2024 election, neutralize the impact of the minority faction of actively partisan retired officers.

Third, the time has come for a symbolic act of self-denial: military organizations should turn off the television in wardrooms, command suites, training rooms, and offices. Televisions habitually tuned to partisan news on cable television in military workplaces not only lay the groundwork for politicization within the ranks but also create perceptions of partisan alignment both in and out of the military.

The American Public Should Understand the Defenders of Their Constitution

While the public takes its cues from civilian and military elites, the AVF cannot be sustained without the support of the American public and its sensitization to civil-military norms. Unfortunately, while the public still holds the military in high regard, it does not know that much about the military. This problem, which was warned about at the time the AVF was

established, has become acute. The American public needs to understand the difference between those currently in the military and veterans. Veterans, including retirees, do not speak for the military institution, and are no longer subject to the rules and norms that govern those on active duty. Many Americans, unfortunately, are imperfect judges of civil-military norms and draw no distinctions between veterans and those on active duty. Some attach too much importance to the views of a small number of politically vocal retirees and veterans. A better understanding of civil-military norms, including the difference between active duty and veterans, could neutralize efforts to politicize the military.

For many Americans today, most of what they know about military culture and civil-military relations comes from pop culture and Hollywood. The military can do more to address this gap with active campaigns reaching out to the public beyond the settings of major sports events and holiday observances. There is clearly a need to reinvigorate civics education across the United States as well. Even if civics education could somehow be refreshed and strengthened, however, Hollywood and pop culture will likely continue to shape how the public thinks about the military. It is important for the armed forces and for thought leaders to work with these influencers to minimize the wild skews and inaccuracies that all-too-often characterize the depiction of the military in popular entertainment.

These Fixes are Better Than Returning to the Draft, a Cure That is Worse Than the Disease

Current recruitment challenges have prompted more than one observer to look longingly at a return to the draft as a potential solution. Former Chairman of the Joint Chiefs, retired Admiral Mike Mullen surprised many when he argued that it has become too easy to go to war, and that reducing the size of the Army by 100,000 troops—which, in turn, would necessitate a draft in future conflicts—would force more difficult conversations around dinner tables in the United States.

While it is a legitimate concern that, under an all-volunteer force, the American public has grown accustomed to the idea that someone else will always be willing to volunteer and fight the United States' wars, make no mistake: a return to the draft would be a cure worse than the disease. Conscripting Americans into service against their will is fundamentally illiberal and something that the country has tolerated only briefly during periods of intense national security threats. Moreover, the argument that the draft would bring about positive developments, such as greater unity in the country, more equitable burden-sharing, and a country more circumspect about the use of force, does not hold up to close scrutiny. The United States had a draft at the outset of both the Korean and Vietnam wars. During the Korean War, draftees believed they were forgotten by the American public every bit as much as volunteers fighting the Global War on Terror – indeed Korea was dubbed "the Forgotten War" as early as October 1951. During the Vietnam War, President Lyndon Johnson believed relying on draftees rather than calling up the reserves would help ensure that the conflict would not distract from his domestic priorities. Certainly, the American public should care more about its military and the wars it fights, but a draft will not bring that about on its own.

Abandoning the AVF and returning to reliance on the draft would create a military that is less ready, less professional, and less capable of meeting the twin challenges of high-intensity combat

and irregular warfare – and less inclined to abide by the laws of armed conflict while doing so. If we had the luxury of living during a time of general geopolitical stability and peace, then perhaps the United States could afford the risk of having less-capable armed forces; we do not enjoy that luxury and we must not act as if we do.

The AVF has proven to be a resilient bulwark for national security, but its future success is not guaranteed. To paraphrase Ben Franklin: we have a viable AVF, if we can keep it. And to keep it, all of the stakeholders – the military, civilian political leaders, and the American public – have a lot of work to do.

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WAR ON THE ROCKS
https://warontherocks.com/2023/04/how-the-anti-woke-campaign-against-the-u-s-military-damages-national-security/

HOW THE ANTI-WOKE CAMPAIGN AGAINST THE U.S. MILITARY DAMAGES NATIONAL SECURITY

RISA BROOKS APRIL 7, 2023
COMMENTARY

According to critics of the U.S. military, its civilian and military leaders are overly fixated on diversity, equity, and inclusion initiatives at the expense of the military's warfighting mission and organizational well-being. These commentators and politicians accuse the military of everything from making servicemembers uncomfortable in the ranks by requiring their participation in diversity training to wasting time and money and damaging recruitment through those efforts. As Sen. Ted Cruz puts it, "Perhaps a woke, emasculated military is not the best idea" — a message he once tweeted alongside an image comparing a U.S. recruiting ad featuring a female soldier raised by two mothers with one lauding supposedly more masculine Russian soldiers doing push-ups and firing their weapons.

Anti-woke criticism of this kind has become a rallying cry of the American right, especially among those who use nationalism and appeals to a version of American nostalgia to unite a fervent base to “renew America.” The military has become a political football in this campaign. The term woke is now grounds for a grab-bag of complaints against it, including the Department of Defense’s climate initiatives and efforts to develop zero-emissions non-tactical vehicles, as well as the purported decline of masculinity and revamping of fitness standards in the ranks.

Critics frame these attacks with some truly remarkable rhetoric. Fox News commentator Tucker Carlson has famously mocked the Air Force for providing maternity flight suits for pregnant personnel who seek to stay on the job. Sen. J.D. Vance has in turn complained that the military is ignoring important challenges like its adversaries’ development of hypersonic missiles because military leaders only care about diversity training. Florida Governor Ron DeSantis has claimed that the Navy’s supposed obsession with pronouns means that “China is laughing at us.” A glossy brochure sponsored by Florida Sen. Marco Rubio and Rep. Chip Roy even singles out individual civilian and military officials by name as agents of some alleged woke indoctrination initiative within the military.

These attacks are doing serious damage to the U.S. military and, by extension, U.S. national security. They undermine the military’s internal cohesion, politicize oversight, and distract Congress and the American people from serious national security problems — all while addressing a problem that is poorly defined and mostly unsubstantiated. Those who have long seen these attacks for what they are — more performative partisanship than substantive critiques of real problems — should do more to counter them effectively.

In correcting the record, military leaders have a role to play in providing facts to the public and to their congressional overseers about the organization’s personnel policies. They should not shy away from providing that information while avoiding being baited into joining the partisan gamesmanship.

Even more vital, though, is the role of the military’s civilian leaders in countering the anti-woke camp. They are best positioned to explain to the American people the role of diversity initiatives and related policies, and to counter the flawed arguments and false claims circulating in right-wing rhetoric about personnel issues today. The public itself also needs to do more to scrutinize anti-woke claims about the military.

The Anti-Woke Critique

Anti-woke critics are quick to complain about the military, but the specifics of their critique are as murky as the actual definition of “woke.” Some highlight a handful of anonymous and unverified submissions to their websites or conversations with servicemembers reporting that racial or gender issues were discussed in their units in a manner they found offensive, such as someone commenting positively on the Black

Lives Matter movement, or they point to the topics covered during the extremism stand-down that followed the Jan. 6, 2021 attack on the U.S. Capitol.

At other times, self-described anti-woke activists allude to a misplaced organizational focus on diversity trainings or related initiatives, often claiming without much evidence that they are taking over the military. A recent Heritage Foundation publication, for example, contends that "[The Department of Defense] is promoting philosophies that are divisive, far out of the mainstream of American beliefs, and part of postmodernist theories' school of thought." The report's authors claim that a survey of 301 active-duty military personnel shows that an "overemphasis" on diversity, equity, and inclusion is a dominant "area of concern for active military members." Meanwhile, a former naval officer, who from 2007–2010 taught at the U.S. Naval Academy, claims that anti-bias and cultural awareness training has displaced other essential coursework at the academy, leaving midshipmen incapable of critical thinking and unprepared for their future jobs.

Even if anti-woke claims are taken at face value, the evidence does not support that there are widespread morale issues in the ranks. There is also scant evidence that supports the claim that intellectual blinders are resulting from diversity training, or that this training is crowding out other priorities. As the sergeant major of the U.S. Army, Michael Grinston, stated in recent congressional testimony: "When I looked at it, there is one hour of equal opportunity training in basic training, and 92 hours of rifle marksmanship training." He then added, "And if you go to [One Station Unit Training], there is 165 hours of rifle marksmanship training and still only one hour of equal opportunity training."

As Marine Corps Commandant Gen. David Berger noted last December with respect to servicemembers' concerns about wokeism in the enlisted ranks, "I don't see it. I don't hear it. They're not talking about it. It's not a factor for them at all." Other servicemembers have since echoed that sentiment. It also seems unlikely that the Marine Corps would have exceeded its retention goals this year if this were a concern, as the commandant recently noted. That the Army too surpassed its retention goals belies an argument that diversity training is somehow deterring people from serving.

Nor does the now pervasive claim that diversity and inclusion efforts are a major cause of the services' recruiting challenges match the evidence. As Maj. Gen. Jonny Davis, the commanding general of U.S. Army Recruiting Command, recently put it, "While there are many things that prevent young Americans from enlisting in the military, including a lack of awareness about military life in general, 'wokeism' is not one of them." Army surveys of young Americans' attitudes back that up. The surveys reveal broad misconceptions within Generation Z about the military, such as that most jobs in the Army involve combat, and a lack of knowledge about the benefits of military service. There are at the same time obvious alternative explanations for today's recruitment shortfalls, not least an economy with low unemployment and a shrinking pool of Americans fit to serve.

As a recent analysis notes, “By the raw numbers, there have been over four times more articles, op-eds, cable news interviews, think tank reports, and angry web posts on the issue of wokeness deterring service (87,000 at last count) than the actual number of recruits in the gap.”

To the extent some small number of potential recruits are nonetheless deterred from serving, this may be more due to false perceptions created by anti-woke rhetoric about the climate in the military, as due to any actual widespread problem to that effect. The anti-woke campaign may be generating its own self-fulfilling recruiting challenge.

Undermining Cohesion

Beyond recruitment, the anti-woke cause could damage the military in other ways, potentially by undermining the military’s cohesion.

Maintaining a cohesive military is a building block of an effective armed force. When militaries are riddled with mistrust and perceptions of social disparities, research shows that they perform poorly on the battlefield. Sociologists have demonstrated that on the tactical level, small-unit bonds are a key ingredient of an effective military. More recent research supports that cohesive teams in the military are better capable of unity of effort and maximizing individual performance. More broadly, where divisions arise between military leaders and the personnel who they command, the capacity of that military to execute on the battlefield suffers. In the worst cases, it can yield acts of insubordination, as we have seen most recently in the Russian military.

Armed forces in democratic countries often have the advantage of being able to build cohesive militaries. Unlike autocracies, leaders in democratic militaries do not need to worry about military conspiracies from below and therefore face fewer risks in ceding initiative to junior officers and to fostering small-unit bonds. In the U.S. military, for example, doctrinal concepts such as mission command rely on a foundation of trust and resilience in the chain of command.

Yet, while democracies have advantages, they are not immune to divisiveness in the ranks. This is currently playing out in the Israeli military. It is also a lesson that the U.S. military learned as well in the Vietnam War when political divisions over that conflict at home, combined with racial strife and other problems in the ranks, undermined cohesion.

Today, the anti-woke agenda has the potential to undercut the military’s unity. Rather than merely arguing with other politicians, anti-woke actors are injecting partisanship into the military. To be sure, politicization of the military by civilians is nothing new. Over the last few decades there have been numerous instances in which politicians have used the military either to shield themselves from blame or as a prop to promote their priorities or leadership. But whereas once politicians tried to play off the military’s status to enhance their positions or public stature, anti-woke politicians today are criticizing or undermining it to achieve the same goal.

The problem is also worsened by the tendency of anti-woke politicians to single out for criticism the senior military leadership. Before he lost his bid for a Senate seat in Arizona, for example, Blake Masters called for firing all the country's generals and replacing them with "conservative colonels." Vance has also singled out generals as complicit in a woke agenda against the military. Carlson has stooped to calling the chairman of the Joint Chiefs Gen. Mark Milley "a pig" and "stupid." Former President Donald Trump has reportedly called the country's generals "a bunch of dopes and babies."

The suggestion that military leaders are agents of some conspiracy to indoctrinate the troops, and do not care about readiness or training, is similarly corrosive to trust and confidence in the chain of command. The anti-woke agenda thereby risks undermining the cohesive teams that are a hallmark of the U.S. military.

Anti-woke champions also do not give much credit to the troops they say they are defending. They often decry diversity training in part because they equate it with efforts to make white people feel guilty or dislike the United States, or because it at times may allude to past and present racial and gender disparities in society. In so doing they often misconstrue the content and intent of the initiatives, rather than seeing them as Secretary of Defense Mark Esper put it in June 2020, as growing from a commitment to meritocracy and out of a recognition that "as a military, we succeed by working together, hand in hand, side by side."

Critics counter that diversity training instead undermines cohesion by unnecessarily drawing attention to differences among servicemembers — but that argument ignores that those differences often exist regardless and that actively trying to bridge any divides that individuals carry with them from civilian society promotes, rather than detracts from, shared bonds within a unit.

Seen in this light, the anti-woke campaign actually poses a two-sided threat to unity within the ranks. On the one hand, critics' divisive rhetoric can split officers from enlisted personnel and polarize the enlisted ranks internally. On the other, if critics succeed in purging the military of diversity and related training, it might be harder for units comprised of servicemembers with varied backgrounds to work together.

Politicizing Oversight

The anti-woke campaign also erodes the fundamental, if more mundane, foundations of civil-military relations in the United States. In particular, it undermines civilian control and especially the essential oversight role played by members of Congress and the public at large. To start, it absorbs time and resources that might be better devoted to problems that are demonstrably of concern to Congress, including the challenges of peer competition in the international arena.

Take, for example, the recent creation of a new subcommittee of the House Armed Services Committee that focuses on "quality of life" concerns in the military. This might

seem unremarkable, except, as recently noted by an analyst of military personnel policy, there already exists a Military Personnel subcommittee that is responsible for quality of life and related issues. The latter's committee head, Rep. Jim Banks, though, is a self-described leader of the "anti-woke caucus." He aims to focus his efforts in Congress on rooting out the government's supposed role in "inducing self-hatred through indoctrination, stripping away [the oppressor's] rights by not enforcing the laws on their behalf, public humiliation, hatred, expropriation, and ultimately violence." This approach underscores why there is a need for a new subcommittee to deal with substantive personnel issues under Congress' purview.

This politicization erodes norms of congressional oversight. It encourages members to scrutinize military activity when there is some partisan angle to be had and to pay less attention when there are few political benefits from doing so. At the same time, the anti-woke campaign potentially makes it harder for politicians to ask good faith questions critical of personnel policy or the U.S. military. This undermines Congress' essential oversight function. While the bulk of oversight continues with little fanfare, these dynamics are not helpful to the job that members of Congress do.

The anti-woke campaign also distracts the military and absorbs precious time and resources from other priorities. When senior military officers or enlisted are called upon to testify in Congress they must be ready to answer many questions, ranging from the alleged effects of wokeism on force readiness to cultural dynamics within the military. Their staffs must also field calls and deal with any number of inquiries from Congress and negative press about the military's allegedly woke policies, which distract from serious issues that senior leaders have to grapple with on a day-to-day basis.

Finally, all of this circles back around to the public's relationship to the military, which many observers agree could be healthier. Research shows that the public seems to have little understanding of the conventions of civilian control of the military, or of its nonpartisan status. Perhaps this is unsurprising as civil-military relations is not a common topic in high school civics education, or in higher education. But that lack of awareness of foundational principles means that what the public knows about the military is primarily what they see in curated news commentary or in short snippets in social media feeds. Given the inflammatory rhetoric of the anti-wokeness critics and their widespread coverage, especially in sympathetic news and opinion outlets, the public may come to believe that that the Department of Defense's leadership is compromising the organizational health of the military, despite the dearth of evidence to support that claim.

What Is to Be Done?

As with most questions of civil-military relations, the military, civilian leadership, and the public can all play a role in ensuring a healthier discussion about the U.S. armed forces and its personnel policies.

For the military, dealing with anti-woke politicians might at first glance seem like a classic no-win situation. If they say nothing when critics attack the institution for its alleged fixation with diversity in the ranks, it enables those claims to fester. At the same time, speaking out also risks feeding the beast. Nevertheless, as we have seen in recent testimony by senior enlisted members or in public commentary by military leaders, it is appropriate for senior leaders to provide the facts and to be as forthcoming as possible when answering questions. At the same time, coming across as overly solicitous of politicians belaboring the anti-woke critique is to be avoided. One should not confuse responding judiciously and forthrightly to critics with seeking to mollify or appease them.

Civilian political leaders and policymakers are much better positioned to fend off unsubstantiated claims that the Department of Defense is so absorbed in diversity and inclusion initiatives that it is neglecting other priorities. That includes marshaling facts that make the case for such initiatives. After all, while critics claim that diversity efforts are alienating people from joining the military, one might ask: Who exactly are they alienating? According to Pew polling from 2017, nearly 43 percent of servicemembers identify with one or another minority group in society.

Despite this diversity though, the presence of minority groups in the military's senior levels remains limited. While black Americans are overrepresented in the Army's enlisted ranks, they comprise only 6.5 percent of the service's general officers and most serve at the one- and two-star level. And while there are some outstanding female leaders in the military's senior ranks, women overall remain underrepresented at the top. Beyond that, according to Department of Defense figures, across all the services in 2021, women made up just 17.3 percent of the active-duty force.

One thing civilian policymakers therefore should not do is signal a willingness to abandon proven and effective cultural awareness training and other diversity initiatives merely to appease critics. In particular, they should not abandon them out of some misguided notion that it will improve recruitment: There are numerous other options that would better serve that purpose. Indeed, eliminating tools that enable leaders to manage diverse teams could cause significant damage to morale and cohesion.

Finally, the public's role in countering the false claims of anti-woke actors is straightforward, if more easily recognized than achieved: Rather than get caught up in hyperbole, Americans should listen for the facts. Public scrutiny and skepticism are arguably the best antidote to the anti-woke campaign against the U.S. military.

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Image: Wikimedia Commons

In this brief op-ed, Prof. Feaver points out one of the most dangerous consequences of using the military for partisan combat in the political wars raging in the United States today. Can the senior military do anything to persuade the political leadership to keep the military out of politics, or to lessen the impact on the force?

https://townhall.com/columnists/peter-feaver/2023/07/21/we-should-not-be-cavalier-about-declining-public-confidence-in-the-military-n2625819

We Should Not Be Cavalier About Declining Public Confidence in the Military

Peter Feaver | Jul 21, 2023

The opinions expressed by columnists are their own and do not necessarily represent the views of Townhall.com.

When the nation sends them into combat, the military expects to take incoming fire. Of late, however, they've been taking fire from an unexpected direction – from political leaders and media pundits. The political dysfunction in Washington has made our men and women in uniform inadvertent combatants in an ongoing culture war and the public's long standing high confidence in the military could end up being an unfortunate casualty.

This politicization of the military comes at a bad moment, with the all-volunteer force facing an exceptionally difficult labor market that has caused the services to fall drastically short of recruitment goals at the same time that a geopolitical environment dominated by the return of great power competition underscores the need for a strong defense. Declining public confidence in the military would make recruiting that much harder and further complicates the challenge of building public support for America's role in the world.

The issue was put in sharp relief during the recent Senate Armed Services Committee (SASC) confirmation hearings for General CQ Brown, President Biden's nominee to be the 21st Chairman of the Joint Chiefs of Staff. Both Chairman Reed and Ranking Member Wicker referenced a rise in the politicization of the military and a decline in public confidence in the military in their opening remarks.

The Senators likely held different interpretations of who (or what) was politicizing the military. Senator Reed probably had in mind the blanket hold that fellow SASC member Senator Tuberville has placed on all general and flag officer nominations in protest of the Department of Defense policy to cover the transportation costs female service members might incur as a result of the Dobbs decision overturning abortion policy.

Senator Wicker, by contrast, claimed that it was the Democrats who were politicizing the military with their emphasis on Diversity, Equity, and Inclusion (DEI) policies – or perhaps the military politicizing themselves by embracing those policies. Senator Wicker also added an important additional consideration: perhaps the public has lost confidence in the military's ability to perform in wartime because the military underperformed in the post-9/11 environment without apparently holding anyone accountable for poor outcomes.

Both Senators are describing different parts of the same proverbial elephant and both are right to draw attention to the issue of public confidence in the military, which remains high relative to other governmental institutions but has dropped noticeably in recent years. As I outline in a just-released book, Thanks For Your Service: The Causes and Consequences of Public Confidence in the US Military (Oxford University Press), public confidence is driven by the confluence of six factors:

- **Patriotism:** rally around the flag support for the military during wartime.
- **Performance:** the perception that the military is good at its main mission.
- **Professional ethics:** the perception that the military behaves ethically.
- **Party:** predictable patterns where Republicans consistently express higher confidence than Democrats.
- **Personal contact:** one's connection to the military, whether as a veteran or as a family member of a veteran.
- **Public Pressure:** saying you have confidence in the military because you believe that others have confidence in the military and so this is the politically correct view to hold.

Many of these factors were likely to trend in a negative direction regardless. With the war on terror winding down, it is doubtful that a rally around the flag dynamic would stay strong. Likewise, the passing of the generations that experienced mass mobilization and the draft means that the pool of people with personal connections to the military inexorably is shrinking. Increasingly, it is a case of the public having high regard for – but at a high remove from – the military. Confidence in the military is high but hollow.

Yet it is also the case that the politicization of the military – by dragging the military into partisan politics – can adversely affect many of these dynamics, at least indirectly. For instance, the most partisan Republicans are the ones making claims about a supposed "woke military," and those claims are bound to shape the views of other Republicans, which may be why some recent polling suggests that the confidence of Republican respondents has dropped more markedly than that of Democratic respondents.

It would be better if both political parties decided to treat the military as noncombatants in the ongoing culture wars. Let's focus those partisan fights on civilian political leaders, the ones who actually make policy, not on the military, the ones who are obliged to implement the policy regardless of their own personal viewpoints. Otherwise, the politicization of the military will further poison public attitudes toward the military and further complicate civil-military relations.

In his opening statement, General Brown underscored the importance of this issue, stating: "Above all, I will dedicate myself to this proposition: that the American people should understand and know their military and its servicemembers solely as the unwavering defenders of the Constitution and our nation." That pledge, and more like it, could help take the military out of the crosshairs of the culture war and help shore up public confidence in this crucial institution.

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