



The Officer and Society: The Horizontal Dimension

As chapter 7 explains, for the American Armed Forces officer, the vertical dimension of the profession of arms and society—civilian control of the military—is formally enshrined in the Constitution of the United States, which every officer is sworn to “support and defend.” The drafters of the Constitution specified that all of the key powers regarding the military would be in the hands of civilian officials of the legislative, executive, and judicial branches of the Federal government. Over centuries of practice, civilian control of the military has been embedded in the American military’s genetic makeup.

Equally important, but less well defined, is the *horizontal* dimension of the profession and society—how practices and values in the military Services mesh, or do not mesh, with practices and values in the larger society for whose “common defense” the Constitution was crafted and the Armed Forces created. Previous chapters have emphasized the importance of an officer’s exemplary individual conduct to maintenance of effective civil-military harmony. This chapter focuses on the collective responsibility of the Armed Forces to keep their practices in harmony with the fundamental values of the parent society they serve.

A fundamental tension persists between the values that define a liberal democratic society such as the United States and the values that define the profession of arms. The former values seek to provide for the freedom and political equality of all citizens. The latter, in contrast, seek the effective *and disciplined* use of force in pursuit of national purposes. This requires subordination of the individual military member in ways that contrast significantly with the democratic doctrines of

American society. Generally speaking, contradictions or differences between the two diverging goals must be grounded in necessity and compatible with a broad understanding of and respect for the basic national values that the military Services are intended to secure.

The original expressions of American civic and political values are found in the Declaration of Independence and the Constitution of the United States. The Declaration asserts that:

- “all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness”
- “Governments [derive] their just powers from the consent of the governed [and should] effect their Safety and Happiness.”

While the Declaration articulates American ideals, the Constitution establishes the governing principles of the Nation, including civilian control of the military. It also spells out the Declaration’s “unalienable Rights,” most particularly in the Bill of Rights, which guarantees fundamental individual rights including freedom of religion, speech, press, and assembly; freedom to petition for the redress of grievances; the guarantee of a right to keep and bear arms; and the right of the people to be secure in their persons, houses, papers, and effects. More broadly, the Bill of Rights establishes provisions for protecting citizens from the powers of government. Although the Constitution prohibits the passage of any laws establishing religion, and guarantees all citizens its free exercise, it is otherwise an entirely secular document, which establishes an essentially secular government.

The profession of arms invokes and evokes other distinctive values, including those specified for the officer in the commission from the President of the United States: patriotism, valor, fidelity, and abilities, as well as strict performance of duty and obedience. Defined by their ultimate mission and purpose (“to provide for the common defense”), and by necessity hierarchical in nature, the U.S. Armed Forces call for certain sacrifices from their members, including giving up the free exercise of some of those rights and freedoms enshrined in the Constitution. When they put on the uniform, swear the oath, and accept a commission, officers voluntarily—and knowingly—accept limitations on their freedom of speech, limitations that would

be anathema to their civilian fellow citizens. These rights may be “unalienable,” but they can be forfeited or waived by the individual as a condition of service, and that is what officers do when they accept a commission. They end up in the paradoxical position of having sworn to defend their fellow citizens’ constitutional rights, some of which they themselves have abjured for the common good.

Thus, some of the practices and values in the U.S. Armed Forces are noticeably and notably different from the practices and values of the larger, civilian society. Civilians, by and large, choose the cities, towns, and states where they want to live. Military members, in contrast, are issued *orders* that tell them where they will be living. Civilians regularly participate in public demonstrations for or against this, that, or another public policy, public official, or political candidate. In contrast, severe restrictions are in place on military members’ freedom to wear the uniform in such demonstrations or speak in the person of their office in support of, or in opposition to, political questions of the day. Moreover, Article 88 of the Uniform Code of Military Justice forbids officers from expressing contempt for civil officials of both state and Federal governments. That these differences exist is true not only empirically, but also *normatively*. These differences are both necessary and desirable, as the U.S. Supreme Court noted:

This Court has long recognized that the military is, by necessity, a specialized society separate from civilian society. We have also recognized that the military has, again by necessity, developed laws and traditions of its own during its long history. The differences between the military and civilian communities result from the fact that “it is the primary business of armies and navies to fight or be ready to fight wars should the occasion arise.”¹

At the same time, there are differences not only regarding practices, but also as to the importance and expectation of the presence of certain values and virtues. These differences were pointed out earlier in chapter 3 from the standpoint of the virtues inherent in military service. Here they are addressed again, in terms of the differences in their importance to civil and military societies.

The point is not that certain virtues abide *only* in military professionals. As General Sir John Hackett notes, “the military virtues are

not in a class apart.” He continues, quoting Arnold Toynbee, “they are virtues which are virtues in every walk of life . . . nonetheless virtues for being jewels set in blood and iron.”² Physical courage offers one example of how such differences exist—and why they should. Courage is a noble virtue wherever and in whomever it appears. It is not, however, unique to soldiers. Acting bravely in the face of the enemy is admirable for civilians, but it is not expected from them, let alone mandatory. Civilians who fail to act courageously are not condemned. What is unique for the soldier, in contrast to the civilian, is not that bravery is esteemed, but that its opposite is condemned: cowardice in the face of the enemy is punishable by court martial, and is perhaps the military equivalent of a mortal sin.

What is true for physical courage is true for many other virtues as well, virtues that are integral to the profession of arms. To quote Hackett again:

*What is important about such qualities as these . . . is that they acquire in the military context, in addition to their moral significance, a functional significance as well. . . . Thus while you may indeed hope to meet these virtues in every walk of life, . . . in the profession of arms they are functionally indispensable [sic].*³

“Soldiers need virtues,” asserts David Fisher after citing Hackett, “to make them effective soldiers.”⁴ What the civilian ideally should be, military officers *must be*, if they are to fulfill the obligations of subordination and service to which they are committed.

At the same time, if values and practices in the military, and those in the larger society, either drift or march too far apart, then the living tissue that binds the two together is stretched or even torn, with adverse consequences for both. The extent and severity of such differences, and how to reconcile them, have been discussed and debated throughout the Nation’s history. The issue remains less than completely and definitively resolved, probably because no absolute, permanent resolution is possible. How to reconcile those differences, and how best to balance the two sets of values, is a perennial, political, and practical challenge for the military, especially its officers, and for the society, especially its civilian leadership. Some underlying harmony between the Armed

Forces and society is not only desired, but also necessary for the effective defense of the Nation, the existential purpose of both the Armed Forces, and largely, the Federal government.

Their experience with the British “Redcoats” stood out in the minds of the signers of the Declaration of Independence, and it was not salutary. Indeed, it was one of chasms that lay wide and deep between the people of the colonies and the government against which they were rebelling:

- “He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.”
- “He has affected to render the Military independent of and superior to the Civil Power.”
- He has “quartered large bodies of armed troops among us.”⁵

This was a reality the Founders strove consciously to avoid as they established their new government; indeed, they wanted something quite different. Thus, deeply rooted in the American DNA is the belief that the American Armed Forces should *come from* and *be anchored in*, and *not alien to* the American people. “The relationship of the Armed Forces with the American people is both pragmatic and moral.”⁶ The Armed Forces rely on the American people to set the conditions under which men and women, America’s sons and daughters, join and serve in the military Services and “wear the cloth of the nation”; to fund military salaries, and the equipment, training, health care, and housing military personnel require; to support them from afar when they are sent into harm’s way; and to provide for their long-term care through the Department of Veterans Affairs. Without the active, continuing, tangible support of the American people, the Armed Forces would wither and disappear, no longer able to “provide for the common defense.”

The moral connection is more critical than the pragmatic. This is the sacred bond of trust, the trust that gives the American people confidence that the members of the Armed Forces will “provide for the common defense” through reliable, competent, effective, efficient performance of their duties and, reciprocally, gives the men and women in uniform confidence that the American people respect their service and

the sacrifices they make, and will “have their backs” in war as well as peace. These are the proverbial ties that bind the American people and those who serve them in uniform—their Soldiers, Marines, Sailors, Airmen, and Coastguardsmen.

The compact between the people of any nation and the professions that serve them is built and nurtured on mutual recognition of shared values and acknowledgment of natural, necessary differences. Managing the balance between the two is an art, not a science. These shared values come from the Nation and its people, and the professions and their members must adopt those values, internalize them, and incorporate them into their own professional values—if they are to maintain the trust of those they serve. As Brigadier General Anthony E. Hartle has described the relationship, “the subset of national values that we must identify are moral values, those that have an interpersonal focus or that concern good and bad character. The moral values of society will exercise the major influence on the content of particular ethical codes within that society.”⁷ In the case of the United States, Hartle said, those “moral values of society” include democracy, freedom, individual integrity and dignity, and equality in terms of rights. The American Armed Forces are sworn to protect those values, and in order to maintain the trust of the American people, they must embody them to the greatest extent consistent with their professional obligations as members of the profession of arms.

The ideal relationship between a profession and the society it serves is one of “moral integration.” As James Burk argues, citing the work of Edward Shils:⁸

*societies have a central value system that informs expectations about how institutions should conduct themselves if they are acting properly or legitimately. When institutions conduct their business and maintain relations with society that accord with those expectations, then we can say that the institution is morally integrated with society.*⁹

“Moral integration with society,” Burk continues, “is a key element of organizational legitimacy.”¹⁰ Legitimacy, in turn, is a key element in building and nurturing trust between an institution or profession and the society and the people it serves.

Military-Civilian Gap

If practices and values in the military and those in society become less harmonious and if they drift or march too far apart, then the desired and vital moral integration deteriorates. At the end of the Cold War, both American society and the Armed Forces struggled to redefine their place in the world. As the Soviet Union, the principal antagonist against which most of the American military had prepared for 45 years, disintegrated and withdrew into vastly reduced borders and circumstances, a certain amount of introspection and reflection developed in the American defense community. One source of external concern had to do with academic criticism of what appeared to be the exercise of undue professional involvement in foreign and defense policy issues, accompanied by a growing tendency toward public expression of partisan preferences by members of the Armed Forces, and by the very public participation of retired officers offering endorsements in partisan political conventions and public criticism of defense and foreign policies in the 24-hour broadcast media—phenomena that continue today. On the other side, there was concern within the political leadership and the uniformed military that the mutual understanding essential to effective moral integration of the Armed Forces and general public was beginning to fray, due to a lack of familiarity on both sides and a belief on the public side that the requirement for military forces had disappeared and a “peace dividend” was to be expected.

Senior U.S. officials aired concerns publicly, lamenting the loss of civil-military moral integration. William Cohen, then Secretary of Defense, raised this worrisome prospect in a September 1997 speech at Yale University:

So one of the challenges for me is to somehow prevent a chasm from developing between the military and civilian worlds, where the civilian world doesn't [fully] grasp the mission of the military, and the military doesn't understand why the memories of our citizens and civilian policy makers are so short, or why the criticism is so quick and so unrelenting.¹¹

Just 2 years later, Richard Danzig, who had served as Secretary of the Navy, noted the damage that would ensue if the military and

society lose their moral integration: “To allow the military services to drift away from the society that must nurture them is to put great institutions in great jeopardy.”¹² In 2011, Representative Ike Skelton, long-time member and former chairman of the House Armed Services Committee, told an audience of one-star military officers from all five Services: “First, there is a military-civilian gap, it is serious, and it is growing. Second, there are two sides to this gap. Both the military and society have contributed to the creation and expansion of this gap. Consequently, there is work that must be done on both sides in an effort to narrow this gap.”¹³

These worries were not confined to civilian officials. Senior military officers expressed similar concerns. In an address to a January 2011 conference on military professionalism held at the National Defense University, Admiral Mike Mullen, then Chairman of the Joint Chiefs of Staff, articulated the same concern:

*But our audience, our underpinning, our authorities—everything we are, everything we do comes from the American people. . . . And we cannot afford to be out of touch with them. And to the degree we are out of touch, I think it’s a very dangerous course . . . we don’t know the American people. The American people don’t know us. And we cannot survive without their support—across the board.*¹⁴

While harmony and moral integration between the two cultures are the ideal, the question remains: how can society manage those areas in which military and societal practices and values differ? One view is that the integrity of the military as a profession, and the value of preserving its ethos intact, argue, indeed even demand, that society not only not tolerate such differences as exist but, that in order to maintain a desirable degree of harmony, society must adapt its practices and values to correspond more closely to those of the military. This was the position taken in the depths of the Cold War (1957) by Samuel Huntington in *The Soldier and the State*. After laying out some of the differences between the profession of arms and a liberal democracy, he argued: “The requisite for military security is a shift in basic American values from [classical] liberalism to [classical] conservatism. . . . If the

civilians permit the soldiers to adhere to the military standard, the nations themselves may eventually find redemption and security in making that standard their own.”¹⁵ In short, Huntington argued that all would be well if civilians would only act more like the military.

Taking a quite different, perhaps somewhat more nuanced and less “pure” position was Huntington’s contemporary, Morris Janowitz. He noted “a convergence of military and civilian organization: the interpenetration of the civilian and the military is required. . . . It has become appropriate to speak of the ‘civilianization’ of the military profession and of the parallel penetration of military forms into civilian social structures.”¹⁶ In the original (1960) edition of his book, *The Professional Soldier*, Janowitz argued that even traditional military virtues have had to adapt to societal norms, that is, norms from *outside* the profession: “Military honor has had to respond . . . to changes in the social values in the society at large.”¹⁷

History reveals that the Huntington view has not prevailed. Indeed, in a democratic society grounded on individual liberty, it was unlikely to do so. What has happened, over time, looks more like Janowitz’s notion of convergence. Three descriptive models have emerged that explain how changes in values and practices in the military have occurred in relation to changes in values and practices in the civilian society since World War II.

Models of Military-Civilian Integration

In the first model, practices in the military were forced to change well in advance of changes occurring in the larger society. This was the case with regard to racial integration of the Armed Forces. On July 26, 1948, President Harry Truman issued an executive order intended to end segregation by race in U.S. military units:

*It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.*¹⁸

Truman's order came 6 years before the Supreme Court declared in *Brown vs. Board of Education* that racial segregation in public schools was unconstitutional, and therefore must end. Racial integration in the military remained uneven until the Korean War, when military necessity forced changes in deeply ingrained, decades-old practices that mirrored practices of racial segregation in the larger American society.

Racial integration in the military was not seamless or trouble-free. Thoughtful, determined leadership—at all levels in the chain of command—was required to facilitate that monumental transition. Likewise in the broader society, successive Supreme Court decisions, sometimes enforced by Federal military and police powers, were required to bring about the end of racial segregation in public schools, after desegregation by “all deliberate speed” proved to be neither deliberate nor speedy. And it took a stormy, but inspiring, decade of civil rights activity and legislation to implement racial integration across all domains of American life. Here too, the process was not seamless or trouble-free, but the trajectory was clear. In the military Services, racial integration is largely a success story. In civil society, the struggle still continues.

In a second model of military-civilian integration, practices in the military changed in parallel with changes in practices in the larger civilian world. This was the case of expanding gender opportunities in the 1970s. During that decade, Congress dispensed with separate organizational structures for women and mandated that opportunities in the military previously denied to women must now be made available to them, perhaps most notably allowing women to enter the U.S. Service academies. At that time exceptions were made for those specialties involving direct combat. Career paths opened for women in uniform as opportunities for women were expanding outside the Armed Forces in higher education, athletics, and the corporate world. As in the case of racial integration, practical factors played a part in facilitating this transition. With the end of conscription and the introduction of the All-Volunteer Force, there was widespread concern within the Services that they would be unable to enlist the necessary number of recruits *of sufficient quality* to “man” and command the force. That meant that the Services needed to draw from a wider pool of candidates—women as well as men.

Once again, this sea-change transition was not always smooth and easy, but the overall vector was clear and enormous progress was made. Recent orders by the Secretary of Defense to open *all* service specialties, including combat arms, to qualified women indicate that the process of gender integration is still ongoing and contested.¹⁹ Most often the remaining issue is the identification and achievement of consensus on credible standards to define who is *qualified* for particular roles. Notably, the profession has a role in advising the civilian authorities on these matters, but the final decision rests with the civilian masters who retain the constitutional authority to tell the professionals who will be allowed to serve.

More recently, a third model has appeared—where changes in the military lag behind changes in major segments of the broader society. This is the case of discrimination based on sexual orientation. In the second decade of the 21st century, following a huge shift in civilian attitudes, Congress repealed a 20-year-old statute that enabled the Defense Department policy of “Don’t ask/Don’t tell,” a policy which permitted service by gay, bisexual, and lesbian military members only so long as their sexual orientation did not become known. Repeal of the statute led to a policy decision by the executive branch to allow gay, bisexual, and lesbian Servicemembers to serve openly in the Armed Forces of the United States, a transition achieved with remarkable speed by all the Services.

The question of the status of transgender Servicemembers remains in contention in civil society. For the military Services, the question has been answered by the civilian authorities at the top of the Department of Defense.²⁰ Subject to unexpected challenges from the Congress under its Article I powers, this policy seems unlikely to be reversed. As in the other cases mentioned, it now becomes the duty of the officer corps to provide leadership and wisdom to produce an effective armed force from all those persons the civil government deems eligible for service. At this writing, the military departments are engaged in doing so.

As shown above, change in all three of these models was neither seamless nor trouble-free. All three posed and continue to pose leadership challenges at all levels of the chain of command as deeply held individual values clash with wider public and Service values; none of

those challenges, though, need be insurmountable. *Leadership matters*. Even though problems exist, and will likely continue, the trajectory of change is clear: practices (and ultimately the values they reflect) in the military and in the parent society must achieve more, rather than less, *moral integration*.

Officers bear special responsibilities to ensure that duly enacted laws and properly established policies are enforced, internalized, and followed in the day-to-day lives of the men and women in uniform. Those finally unable or unwilling to adapt must be identified and separated from the Armed Forces for the health and integrity of the profession. This is often not easy, and sometimes quite difficult, but officers must ensure that the laws and policies they are sworn and commissioned to uphold are implemented properly, even officers who might have personal, private objections to some of those laws and policies. Commissioned officers, military men and women serving under authority, do not get to choose which laws and which policies they will carry out. The moral obligations of the oath and commission must be respected: the officer must do his or her duty in spite of personal belief, or take leave of the profession. There is no third way.

Balancing the requirements and imperatives of the profession of arms and the values and ideals of a liberal democratic society like the United States is an art, not a science, and calls for continual monitoring, attention, and leadership. The stakes are enormous for both the military and the society it serves: maintaining and nurturing that bond of trust the Founders insisted upon for the new, very different nation and armed forces they were building—a bond of trust that is the polar opposite of the relationship between the Redcoats and the colonists in the 18th century. That delicate, challenging work continues, and Armed Forces officers, with and because of the “special trust and confidence” placed in them by the President of the United States, must be in the forefront of those efforts.

Notes

¹ United States ex rel. Toth v. Quarles, 350 U.S. 11, 350 U.S. 17 (1955), available at <<https://supreme.justia.com/cases/federal/us/417/733/case.html>>.

² Sir John Winthrop Hackett, *The Profession of Arms* (New York: Macmillan, 1983), 141.

³ *Ibid.*, 141.

⁴ David Fisher, *Morality and War* (Oxford, UK: Oxford University Press, 2001), 109.

⁵ *The Declaration of Independence and the Constitution of the United States of America* (Washington, DC: NDU Press, 1994), 32-33.

⁶ Richard Swain, *The Obligations of Military Professionalism*, paper commissioned by the Institute for National Security Ethics and Leadership, National Defense University, December 2010, 7.

⁷ Anthony E. Hartle, *Moral Issues in Military Decision Making*, 2nd ed., rev. (Lawrence: University Press of Kansas, 2004), 136.

⁸ Edward A. Shils, *Center and Periphery* (Chicago: University of Chicago Press, 1975).

⁹ James Burk, "The Military's Presence in American Society, 1950-2000," in *Soldiers and Civilians: The Civil-Military Gap and American National Security*, ed. Peter D. Feaver and Richard H. Kohn (Cambridge, MA: MIT Press, 2001), 250.

¹⁰ *Ibid.*, 262.

¹¹ William S. Cohen, "Remarks as delivered by Secretary of Defense William S. Cohen Yale University, New Haven, Connecticut, September 26, 1997," News Release, Office of Assistant Secretary of Defense (Public Affairs), No. 562-97, October 22, 1997.

¹² Richard Danzig, *The Big Three: Our Greatest Security Risks and How to Address Them* (Washington, DC: NDU Press, 1999), 55-56.

¹³ Ike Skelton, unpublished remarks prepared for delivery at graduation dinner for Fellows of the National Defense University's Capstone course.

¹⁴ Chairman of the Joint Chiefs of Staff, speech at the National Defense University Conference on Military Professionalism, as delivered by Admiral Mike Mullen, January 10, 2011, available at <www.jcs.mil/speech.aspx?ID=1517>.

¹⁵ Samuel P. Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Belknap Press, 1957), 464, 466.

¹⁶ Morris Janowitz, *The Professional Soldier* (New York: The Free Press, 1971), xi.

¹⁷ *Ibid.*, 217.

¹⁸ Executive Order 9981, "Establishing the President's Committee on Equality of Treatment and Opportunity in the Armed Forces," available at <www.trumanlibrary.org/9981a.htm>.

¹⁹ Secretary of Defense, Memorandum for Secretaries of the Military Departments, Acting Under Secretary of Defense for Personnel and Readiness, Chiefs of the Military Services, and Commander, U.S. Special Operations Command, Subject: Implementation Guidance for the Full Integration of Women in the Armed Forces, December 3, 2015, available at <www.defense.gov/Portals/1/Documents/pubs/OSD014303-15.pdf>.

²⁰ Memorandum for Secretaries of the Military Departments, Directive-type Memorandum 16-005, "Military Service of Transgender Service Members," Department of Defense, June 30, 2016, available at <www.dtic.mil/whs/directives/corres/pdf/DTM-16-005.pdf>.