

LETTERS

To the Editor—As a proponent of jointness, I applaud Servicemembers who take an interest in the force structures and operations of other Services and offer constructive suggestions. But as a proponent of careful research and creative and *thorough* analysis, I am appalled by Lieutenant Colonel Shrader’s “The End of Surface Warships” *JFQ* 58 (3^d Quarter, 2010). Any policy recommendation whose sole source of information is an entry from Wikipedia is premature.

To begin, a force of the “biggest, baddest battleships with the most powerful cannons” never controlled shipping lines. Balanced fleets built around the naval equivalent of combined-arms forces controlled shipping lines. In balanced fleets, battleships were screened, protected, and operated jointly with smaller, more specialized ships such as cruisers, destroyers, submarines, and so forth to provide sea control against possible threats. In the days of sail, supporting the ships-of-the-line were frigates, brigs, armed merchantmen, and a host of specialty attack craft such as mortar and fire ships. Like armor without infantry or air support, battleships never controlled the seas on their own because they would be vulnerable to asymmetric attacks.

What is most disturbing in Lieutenant Colonel Shrader’s argument is his lack of understanding how *joint* maritime forces operate at sea and from the sea. The author cites the fact that cruise and ballistic missiles are, at a million dollars a copy, “cheap.” But none of those ballistic missiles can actually hit a moving ship at sea. And the ones that might—which China claims to be developing—are not only expensive, but need an extensive and expensive infrastructure. The fact that Hizballah fired off 4,000 missiles to strike fixed land targets has nothing to do with a discussion of moving ships, submarines, and aircraft in maritime warfare. Many of the cheap *cruise* missiles he cites that the United States would face from potential opponents are carried on *surface warships*.

To strike a moving target at sea requires extensive infrastructure including satellites. So let’s discuss the author’s comments on satellites. Satellites have been considered part of naval warfare since the first satellites were launched; many early ones were developed by the U.S. Navy. Extensive planning was done concerning how surface warships could avoid, spoof, or degrade satellite detection. Thus, satellites did not “change everything.” I think most experts would agree that satellites have

actually made surface warships more lethal in both land and sea attacks.

Finally, we get to the author’s alternative—cargo, troop, and aircraft carrying submarines. The author states that Japanese submarines, carrying one or two aircraft each, were “on their way across the Pacific to blow up the Panama Canal when the war ended.” But he did not do enough research to discover that the Navy had recognized that threat in the 1930s; that the small number of aircraft could do little if any damage; or that *we* built or experimented with troop, aircraft, and cargo carrying submarines at the same time (or possibly before) the Japanese (and Germans) did. What *we* discovered is that they were not very effective—with the exception of stealth insertion of special operations forces, which we still do today.

As a retired surface warfare officer, it sometimes pains me (an “outsider” to the submarine force) to admit that the nuclear-powered submarine is indeed the *ultimate warship* for war at sea. But using them to move cargo, aircraft, or large numbers of troops is neither cost effective nor operationally effective. In fact, that would be a waste of a good submarine. Surface warships do missions that submarines cannot do, such as theater ballistic missile defense, or should not do, like counterpiracy. In a maritime campaign, they work together as combined arms, along with other joint forces. Neither replaces the other; even when operating independently, their combined effects are synergistic.

As the author states, “sometimes being an outsider is an advantage” concerning defense analysis. But first, outsiders must do their homework. To those outsiders who would like to understand naval and maritime forces, but with a less daunting learning curve, I can offer an excellent seminar.

—Dr. Sam J. Tangredi
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To the Editor—By arguing for disobedience to legal orders in crucial situations at the top of our government, Andrew Milburn’s “Breaking Ranks: Dissent and the Military Professional” (*JFQ* 59, 4th Quarter, 2010) threatens the good order and discipline of the U.S. Armed Forces. If his opinions evoke any sympathy among officers serving today, then the article, along with opposing viewpoints, should be assigned and discussed in every military school from

precommissioning through CAPSTONE so that it can be exposed for what it is: an attack on military professionalism that would unhinge the American military and put the Nation’s safety in jeopardy.

First, Milburn’s argument makes no sense.

Officers possess no “moral autonomy” except as individuals. The profession of arms does not bestow moral autonomy on officers, and indeed the military in the United States possesses no autonomy whatsoever except that delegated by law and the civilian political leadership. The same goes for each individual officer, by law. Their oaths contain no statements of obedience because that is assumed in the military, as has been true since ancient times, for without discipline and subordination, militaries would be nothing less than armed mobs.

Not only is there no obligation to disobey, but there is no authority—either in law, history, tradition, professional norm, or professional practice. Furthermore, there is no way that officers even at the top are in a position to determine whether an order will “harm . . . the Nation, military and subordinates—in a manner not clearly outweighed by its likely benefits.” By their very nature, military professionals possess neither the tools, experience, perspective, nor responsibility to decide the fate of the Nation. And if they did, by what moral or political standard would even the most senior officer make such a judgment about what is good for the country, a Service, or subordinates?

Military operations today are no more complex than those in the past. Throughout history, policy and strategy and operations have interacted often across very loose boundaries, as military thinkers as far back as Sun Tzu and as influential as Carl von Clausewitz have written. Milburn seems ignorant even of their overlap in World War II, often thought to be the model of differentiation between policy, strategy, and operations.

Using a glib trick of language, Milburn introduces the term *check and balance* as though the Constitution raises the military to a status equivalent to the three branches of government. Actually, the Constitution explicitly subordinates the military to each branch and specifically prohibits in every way possible the military from arrogating to itself the ability, much less the obligation, to defy constituted authority. It somehow sounds reasonable to argue that a military

officer should “exercise his discretion” if the three branches are about to commit or allow a disaster and “the military professional alone is in a position to prevent calamity,” but how would that work in practice? What officer can make that judgment, on what basis, and how, without violating the oath to support and protect the Constitution? By every stricture of constitution, law, military professionalism, and tradition, the military is accountable to the civilian leadership, not the other way around. Milburn trots out that old, discredited distinction between loyalty and obedience to the Constitution and to the President that Douglas MacArthur used to try to justify his defiance of President Harry Truman’s orders, directives, and policies. But everyone knows that the people properly elected or appointed to office embody the Constitution even if they (according to their critics or opponents or the Supreme Court) occasionally violate it. Our system of government operates only through the individuals that the document empowers to govern. How can an officer preserve, protect, and defend the Constitution by ignoring or blocking its proper functioning?

Second, the implications of Milburn’s arguments promise disaster for the United States. No amount of hemming and hawing about complexity and uncertainty, or invocations of “moral autonomy,” can support the disingenuous claims that his “argument does not challenge civilian control of the military.” He cites Chile and Argentina, both countries that have experienced coups and military government in recent times. He uses such words as “public defiance.” While he rejects his war college peers’ endorsement of “leaking the story,” “dragging their feet in execution,” and other “covert actions” to block civilian authority as improper and unprofessional, Milburn then advocates disobedience, which could not be more improper or unprofessional. That has nothing whatsoever to do with “dissent,” a thoroughly misleading word in the title of his article. Advising (and disagreeing with policy or decisions) in the executive branch or Congress in private, or when asked for personal opinions in open testimony, is perfectly proper and indeed obligatory. But trying to overturn or block the decisions of the officials put into office by the American people is altogether different. Think of George C. Marshall in 1942 refusing the Presidential order to round up Japanese Americans on the West Coast because the order might be immoral or illegal (the Supreme Court later ruled in support of the order), or refusing to invade North Africa because American soldiers might be unnecessarily sacrificed at the wrong time and place to defeat Germany (Marshall

opposed that invasion). If attempted by more than one officer, or as the product of discussion, disobedience becomes conspiracy and revolt, not exactly “moral” or “professional” by any stretch of the imagination. Think of Vietnam in the 1960s: the chiefs and the commanders in chief (today’s combatant commanders), and probably officers and enlisted down the line, joining the demonstrators (to the delight of the Left) in some “professional” version of “Hell no, we won’t go!” Indeed, put into practice, what Milburn proposes would not only destroy the good order and discipline of the Armed Forces, as subordinates down the line react to the revolt of their leaders, but also destroy all trust between the military and its bosses—elected and appointed civilian leaders—and its client: the American people—with calamitous results for policy and decisionmaking.

Last, Milburn makes some elementary errors. He muddles the most famous historical example (MacArthur never made any “threat to cross the Yalu River”), asserts wrongly that “when the Constitution was written, the army was intended to be only a militia,” and that the military has not since 1783 “overstepped its bounds by trying to influence Congress,” and even misspells the name of the leading scholar of civil-military relations (Eliot Cohen, not “Elliott”).

In sum, Milburn’s article lacks all credibility: because his sloppiness calls into question his knowledge; because his arguments lack logic and evidence; and because their implications would destroy the armed forces, the Constitution, and democratic government in the United States.

—Richard H. Kohn, Ph.D.

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To the Editor— Civilian control of the military is a cornerstone precept of the American constitutional republic. It brooks no exceptions, no qualifications, no sliding scale of obligation, and no too-clever-by-half reformulation. It is absolute and fundamental—inherited from the British system after Oliver Cromwell’s coup was set aside, clearly (even if tacitly) enshrined in the Constitution, and reaffirmed throughout the American military history. Among these affirmations, George Washington’s leadership in arresting the Newburgh Conspiracy, Abraham Lincoln’s firing of a series of inept and garrulous Union generals, the subjugation of the Combined American Chiefs of Staff’s strong preference for a 1943 cross-channel invasion to the strategic priorities favoring invasion of North Africa and then Sicily/Italy

as determined by President Franklin Roosevelt in consultation with Winston Churchill, and the sacking of General Douglas MacArthur for failure to align his rhetoric and activities in Korea to the Truman administration’s strategic restraint stand supreme.

The immutable concepts and their consistent application have been the subject of ample scholarship and opinion, both by members of the academy and senior uniformed leaders. All have uniformly agreed that the bedrock tenet of service in the American profession of arms is that the military must be servile to elected civilian leadership. It is an instrument of American democracy, not an independent political voice within it.

Lieutenant Colonel Andrew Milburn’s article (“Breaking Ranks: Dissent and the Military Professional,” *JFQ* 59 [4th Quarter, 2010]), in which he submits that “[t]here are circumstances under which a military officer is not only justified but also obligated to disobey a legal order,” dramatically breaks faith with the norm of absolute civilian control in a way that is historically unsound, legally unsupported, morally reckless, and practically dangerous. Fortunately, I find his opinions to be without a uniformed constituency. At most, they may be held by an insignificant minority of fellow officers—and may actually be held by none beyond Milburn himself. In my experience, Marine Corps officers honor the traditional view, casting some doubt on the precise contours of the opinions that Milburn claims represented in his small sample set of War College classmates.

Milburn’s theory constitutes authority theft: taking, without permission or sanction, power that constitutionally, legally, ethically, and historically belongs to our civilian masters. This theft breaks faith with the officer’s oath, which comes with no stipulation on unwavering obedience of the type Milburn proposes. There is neither precedence nor rationale in American military history for officer obedience to civilian authority only “when morally warranted in the eyes of the assessing uniformed officer.” The duty of an officer is *defined* by the orders of civilian superiors—in the administration, Congress, and courts. Therefore, it does not exist independent of civilian direction.

As military professionals, we expect unwavering loyalty and obedience to legal orders, and this is a standard to which our civilian superiors are likewise entitled.

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