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# Professional Disagreement and Policy

By PAUL D. EATON

Admiral Mullen and Secretary Gates discuss findings of working group report on “Don’t Ask, Don’t Tell”



U.S. Navy (Chad J. McNeeley)

**T**his article attempts to answer some important questions regarding the expression of disagreement by Active or retired military officers with policy or strategy. Specific questions include under what circumstances disagreement should be expressed, what principles should govern such expression, whether we should differentiate between Active and retired officers, and what parameters should govern such expression. From my perspective, the real question is whether officers should render influence and what type of influence is appropriate.

While on Active duty, officers are to respond to testimony—as did Chief of Staff of the Army General Eric Shinseki to questions posed by Senator Carl Levin (D-MI) on force structure to prosecute the 2003 invasion of Iraq—truthfully and with no effort to evade. At times, such rendering of straightforward testimony carries a penalty if it is in disagreement with policy established by the Secretary of Defense. In other words, General Shinseki disagreed publicly with the policy of minimal footprint to invade Iraq. He was under oath and performing his duty before the Senate Armed Services Committee (SASC).

Another great example is the drama around “Don’t Ask, Don’t Tell” (DADT). When Chairman of the Joint Chiefs of Staff Admiral Mike Mullen took a principled and elaborated stand before the SASC on his recommendation to repeal the so-called DADT law, he drew fire from conservatives. But he was technically in line with the administration—thus, no disagreement, so no harm, no foul. But when Commandant of the Marine Corps General James Amos expressed reservations about repeal, in fact disagreeing with the administration intent, a number of those on the left considered him eligible for dismissal. General Amos, like General Shinseki, gave his answer in testimony as we should all expect. As they say, disagreement is not disrespect (or necessarily grounds for attack).

When the same officer is answering questions posed by the press, it is a different matter. The officer has every right to avoid response in order to avoid challenge to

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**Major General Paul D. Eaton, USA (Ret.), was the former Commanding General of the Coalition Military Assistance Training Team in Iraq and former Commanding General of the U.S. Army Infantry Center.**

policy established by the chain of command. Should he choose to answer a controversial question and therefore possibly get out in front of the administration, as did General Stanley McChrystal at a news conference in Great Britain on force structure for Afghanistan, the officer puts himself into the controversy at his personal risk. Outcomes can obviously vary.

Indeed, Active-duty officers owe the best possible advice to their chain of command, to their superior, his superior, his peer group, and to subordinates.

The role of the community of retired officers—generals and admirals in particular—is far more complex. Retired officers can render influence in academia, defense industry, and media, among possible venues.

The academic venue might seem benign. Some retired officers find themselves analyzing public policy outcomes and explaining paths to results. Some take more of a policy assessment approach to the matter. Retired Army Colonel Andrew Bacevich of Boston University takes a fundamental position on the use of military force in his recent *Washington Rules*. The book is largely acclaimed and clearly a challenge to this and previous administrations on the militarization of U.S. foreign policy, the overuse of military force in the prosecution of the Nation’s vital national interests, and the failure to balance other forms of national power.

With respect to influence and the defense commercial sector, things get ethically murkier, although technically within the law.

While I was Chief of Infantry, for instance, I had no end of retired generals come by my office to inform me on acquisition opportunities. These men were friends, former bosses, and had the perception of access to the man responsible for Infantry programs. In fact, fully 80 percent of retired three- and four-star generals and admirals migrate to defense-related industries upon retirement. Even a former Chairman shifted comfortably to a lucrative position on the board of Lockheed Martin, with little reproach. Legal, but this shift can certainly be subject to questions, including real potential for conflict of interest in transition.

The recent observance of the 60<sup>th</sup> anniversary of President Dwight Eisenhower’s “military-industrial complex” speech conducted at the Cato Institute aimed directly

U.S. Air Force (Jerry Morrison)



**General Stanley McChrystal, then ISAF commander, at press conference**

at retired general and admiral influence in defense acquisition and the role of money and Congress in how the United States spends money on defense.

We have seen the role of media pundits become complex, such as when Secretary Donald Rumsfeld gathered a group of retired general and flag officers to manage public opinion through their respective paid and unpaid media outlets. These retired military spokesmen tended to support the Bush administration in general and Secretary Rumsfeld in particular for various reasons. Some simply felt that in so doing they were supporting the troops and their Active-duty colleagues. Some are alleged to have had difficulty separating their business activities and desire for continued Pentagon access from their duty to report objectively.

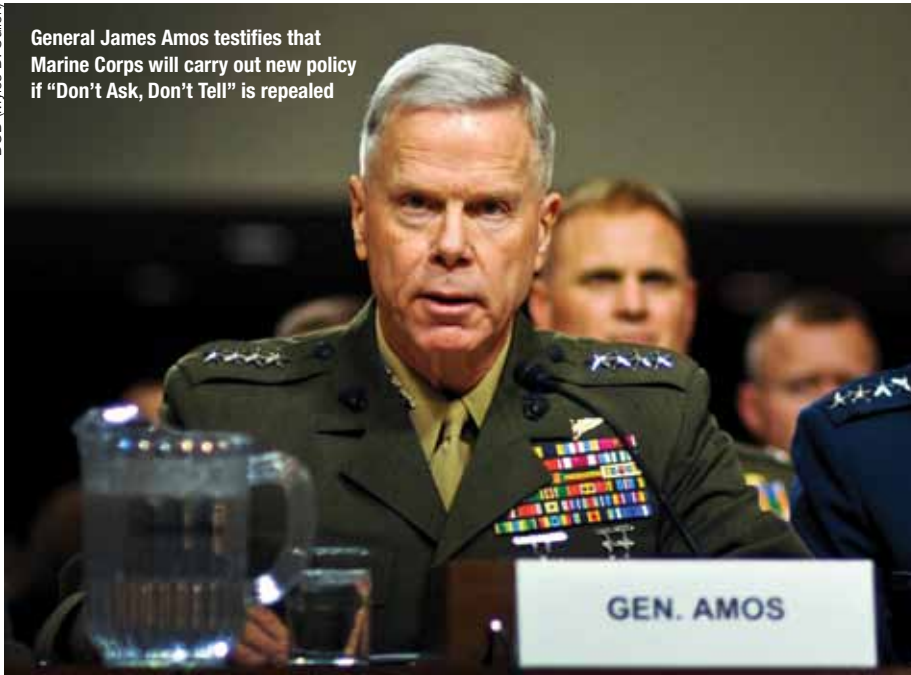
So from the media influence perspective, we have had a large number of retired senior officers work to influence public opinion, in addition to informing a public largely disconnected from and ignorant of military matters. When the retired general is a cheerleader for the administration, there is a complete absence of drama, unless conflict of interest is found. However, when the retired officer disagrees in the media with policy, the alarms go off.

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General James Amos testifies that Marine Corps will carry out new policy if “Don’t Ask, Don’t Tell” is repealed



On March 19, 2006, the *New York Times* published my op-ed, which was critical of Secretary Rumsfeld, shortly after my retirement. In it, I essentially provided the Secretary a 360-degree performance review, declaring him incompetent tactically, operationally, and strategically. That op-ed did not go down well in some circles, notably at West Point and with Professor Don Snider and some Active-duty academics such as Colonel Matthew Moten. Whereas I had been an absolute advocate for the Army and ground Marine force in particular, but the other Services as well, I was now perceived by many as an activist general, a role deemed wholly inappropriate.

Normally I would agree, but March 2006 was a special case, and I would like to explain why I attacked Secretary Rumsfeld, a political appointee, and avoided attacks against our elected officials.

March 2006 was a really bad year for our troops in Iraq and for the Iraqi Security Forces that I had helped to develop. With the February 22 bombing of the al-Askari Mosque in Samarra, the incompetence of the Secretary came to its logical head. Multiple simultaneous and sequential errors in the

prosecution of the war (from insufficient troop strength in the beginning and through 2006), failure to organize for fighting an insurgency that was largely denied, and an unwillingness to fight today’s war led to a lack of preparation for what Massoud Barzani promised me would happen in January 2004 while I was on a Kurdish soldier recruiting trip in the north. Secretary Rumsfeld and the generals who passively watched him did not violate every principle of war, but did so with several.

American Soldiers were serving variable length tours in harsh combat conditions of up to 18 months, sometimes exceeding that figure. The Secretary and his Chairman had both stated that we did not need to grow the Army or Marine Corps to meet what was admittedly a heavy demand for ground forces. Furthermore, they had not moved to man, train, or equip the force for the insurgency that they were fighting or to do the concurrent nation-building work required. The Mine Resistant Ambush Protected vehicle was stalled, the force assigned to develop the Iraqi Security Forces was inadequately manned and equipped, and we had not implemented the structure to integrate the diplomatic/political and economic tools to adequately fight the war.

And then I read the *2006 Quadrennial Defense Review Report*, my trigger point for action. That document continued Cold War acquisitions, did not address the current

fight, and actually called for a reduction of the Army and the ground force Marines.

In March 2006, the press was largely silent, giving Secretary Rumsfeld a bye. Congress went silent. All power was concentrated in the hands of the executive branch, and there, in the hands of three men, the President, Vice President, and Secretary of Defense. The first two were inappropriate targets for a retired general, but the third as an appointee was fair game.

Enter the Revolt of the Generals and the attendant controversy surrounding a handful of men who had read Major (now Brigadier General) H.R. McMaster’s *Dereliction of Duty* and chose to not walk past a mistake. In the words of Richard Whalen, we responded to a constitutional crisis. On a personal note, I have to admit a personal component. My father, an Air Force fighter pilot, was killed over Laos, missing in action for 38 years, and is now buried in Arlington. His death occurred January 13, 1969, well after the timeframe that sparked McMaster’s book. And I had two sons serving 18-month tours in Iraq and in Afghanistan.

While my assessing Secretary Rumsfeld in the *New York Times* was viewed by many as an inappropriate means of influence, the picture of a lieutenant general (in uniform) on *Fox and Friends* defending the Secretary of Defense from the retired generals was not discussed. Nor was the public affirmation of the Secretary’s solid performance by other very senior generals both active and retired, in Pentagon press conferences and other venues.

Finally, let us look at the men behind the so-called surge. Retired General Jack Keane, in concert with Fred Kagan of the American Enterprise Institute, went around the Secretary and Vice President and convinced President George W. Bush to increase Iraq troop strength by 30,000—influence to be sure, but with absolute interest in the welfare of our troops and the mission.

So the question is a bit more complex than simple disagreement. We are really talking about influence across a spectrum and whether it is appropriate for retired officers to disagree. I suspect that if we couple influence with personal gain, ethicists could have a more nuanced opinion than they might have with the deployment of influence where there is not only absence of personal gain, but also potentially disagreement with its consequences. **JFQ**

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