

The American Professional Military Ethic: Ephemeral and Unenforceable?

fpri.org/article/2016/08/american-professional-military-ethic-ephemeral-unenforceable/

August 5, 2016

E-Notes

[Frank G. Hoffman](#)

Dr. F. Hoffman is a member of FPRI's Board of Advisors and a retired Marine Reservist. He holds degrees from the University of Pennsylvania, George Mason University and the U.S. Naval War College. He earned his Ph.D. in War Studies from King's College, London.

These comments are his own and do not reflect the policy or position of the Department of Defense.



Despite concerns noted by scholars and professional military officers over the past 15 years, we have not paid enough attention to the topics of civil-military relations and the professional character of the U.S. officer corps. This is unfortunate. As Dr. Eliot Cohen once concluded, “the study of the relationship between the soldier and statesmen lies at the heart of what strategy is all about.”^[1] The development of effective policy and strategy, and civil-military relations, are inextricably linked. The decision making behind the U.S. interventions in Afghanistan and Iraq underscores the challenges and pitfalls of effective civil-military relations.

More recently the professionalism of the U.S. officer corps was challenged by concerns that two senior officers appeared at the Democratic and GOP conventions. Both Lieutenant General Mike Flynn, USA retired and General John Allen, USMC retired) made prominent remarks at these events which drew numerous comments in the media. Ironically, General Allen's speech was delivered in the same city where the iconic General George Washington received his commission. He later made a point and established an enduring element in the profession of arms by surrendering his commission to the Congress that had issued it.

Retired Chairman of the Joint Chiefs of Staff, General Martin Dempsey penned a letter to the *Washington Post* in response to these speeches. As generals, he claimed, “they have an obligation to uphold our apolitical traditions,” “They have just made the task of their successors — who continue to serve in uniform and are

accountable for our security — more complicated. It was a mistake for them to participate as they did. It was a mistake for our presidential candidates to ask them to do so.” [2]

His comments were consistent with past remarks from General Dempsey’s predecessor, Admiral Mike Mullen, USN who served during tense deliberations about U.S. policy in Afghanistan. The American people, he added, “will determine the course the military steers, the skills we perfect, the wars we fight. We therefore must remain a neutral instrument of the state, accountable to our civilian leaders.”[3] General Dempsey’s comments also reflect similar guidance from the current Chairman of the JCS, Marine General Joseph Dunford in the current issue of *Joint Force Quarterly*, the premier professional journal of the Joint community. In the Chairman’s Corner, he stressed “What we must collectively guard against is allowing our institution to become politicized, or even perceived as being politicized, by how we conduct ourselves...”[4]

These concerns are valid. Yet there is no acknowledged set of guiding ethics for the education of the larger U.S. military community. There are numerous guidelines on standards of conduct while serving in uniform but there are few clear and enforceable measures about post-retirement activities, partisan or otherwise.

We need to rectify this gap in the U.S. military’s understanding of its professional status. Rather than speechify about non-existent norms or contested “obligations,” we should formally codify our American democratic values, our expectations, and the foundations of a professional military. The normative values and ethic embodied in any profession are supposed to define its essence and frame its purpose and limits. The military defines itself as a profession, and meets all of the characteristics of a profession, with the exception of an explicit code of ethics.

The US Army has done the most work in this area, having stood up a Center for the Army Profession and Ethics, and issued a White Paper on the Army Military Ethic. That paper clearly tells the Officer Corps to consider themselves as “Stewards of the Army Profession,” with the obligation to sustain an ethic that is more than an empty creed. That paper proclaimed that “We uphold the standards of the profession and adhere to its values; we lead by example and hold ourselves and others accountable for decisions and actions.” [5]

Yet, this implies that we know what the standards are and we hold others accountable, but are they and do we? Should each Service have its own conception about the underlying ethics of being an officer, or should we have a common foundation? Should the Defense Department or the Chairman of the Joint Chiefs of Staff be responsible for that?

The professional military ethic that used to be implicitly operative in the armed services has faded from the collective memory of the U.S. officer corps. Ethics and behavioral norms that I heard my superiors discuss decades ago seem to have faded. Junior officers I have approached during debates about Iraq expressed surprise at the suggestion they had breached an ethical line with public statements and published articles they had written using their status as serving officers. Evidently there is a good deal of confusion today among officers about what is proper, and why, and what is undesirable.

There should not be a lot of confusion. Regulations applicable to active duty members about participation in partisan activities, regardless of rank, are very clear in DoD Directives.[6] But these apply to military personnel currently on active duty, which is not the defined status of Generals and Admirals on the retired list. Those who want to ensure that there are sanctions for senior officials who transgress these proscribed forms of sponsorship and the appearance of improper influence, should either change the directive to include senior retired officials or attempt to instill a greater sensitivity to the long-term implications through education of a formal ethical code developed by and for the profession.

The guiding principles and obligations of selfless service and apolitical behavior have eroded and need to be clarified and explicitly established.[7] The debates over the last 15 years have centered on the clear need for senior officers to speak truth to power, and bring up unpleasant facts and issues in private council, a responsibility with profound implications and one that many notable American generals from George Marshall, Matthew Ridgeway, Colin Powell and Admiral Mullen have acknowledged.

The public domain, including the influence of social media, needs more clarification. This ethic also meant staying clear of partisan politics, and eschewing involvement with or open identification with political factions or

individuals. Partisan or institutional politics do not abet sound policy or effective relations with the American public. A policy advocacy role, active or perceived, undermines the policy-making process by lending additional weight to what should be purely military perspectives, and aggravates the burdens on the policy maker who must ultimately account for a much wider range of political issues, conflicting foreign and domestic policy aims, matters of risk and tradeoffs, and coalition dynamics. An advocacy role for military officials, active or retired generals, weakens the profession because it suggests that its nominally objective judgment has become colored by self-interest. The dangers of being perceived as political are numerous; including the sensing that the U.S. military is merely another special interest group or that our service and viewpoints are slanted by a political agenda rather than sound military expertise.[8]

It also clouds the question of what weight and value civilian political leaders should give to the advice they receive from military officers, and factors into who is ultimately “in the room” to give counsel.

One means to this end is codifying a professional military ethic and incorporating it in the military educational system.[9] This new code should define the profession and its role in relation to our democracy, and it should address the fundamentals of a profession dedicated to this Republic’s values and institutions. [10]

The American Military Ethic should distinguish what defines the profession of arms as a professional military and what our norms and obligations are. It should also spell out as well as the obligations of retired senior officers. It should identify the acceptable parameters for Officers writing in professional journals and interacting with the media. It should also clarify, for both branches of government, the necessity for keeping the institutional integrity of the Armed Forces beyond reproach.

Once defined, we need to educate our military and citizenry on the fundamentals of this ethic, our senior officers will need to model this ethic, and the Congress and the profession writ large will need to enforce it.[11] The challenge is for Officers to be cognizant of the role of politics, but avoid participating or becoming partisan in the process.[12] There is a legitimate question about how this ethic applies to retired officers, especially to senior officers who have served in policy making posts at the Pentagon or White House.[13]

Producing this codification is serious work, and requires civilian and military participation. Thus, some sort of task force on the American Military Ethic to define and complete this ethic codification is proposed. The task force should also produce a set of detailed case histories on policy and strategy development to illustrate cases and the desired “running conversation” between policy makers and military professionals. These cases would be offered to the country’s civilian and military institutions of higher learning. The new professional military ethic will help define society’s expectations for its uniformed military and the case histories will highlight the benefits of extensive and if necessary intense interaction in the “uneasy dialogue” inherent to crisis planning. These lessons need to be incorporated into the educational programs that prepare both civilian and military leaders for future crises.

Our society need not be concerned about the competence or skills of its military, nor should it be troubled by its political neutrality. Our democracy is not well served by professionals who cannot subordinate their personal political preferences to the greater national interest. If the Officer Corps loses sight of this, it is time for a serious reconsideration of what it means to be a professional. It is time to codify what fundamental ethos guides its service to our society, and how our military education system promotes this critical understanding across the community. Our basis as a profession should not be ephemeral or unenforceable.

[1] Eliot A. Cohen, *Supreme Command, Soldiers, Statesmen, and Leadership in Wartime*, New York: Free Press, 2002, p. xii.

[2] Martin Dempsey, “Generals Do Not Belong at Conventions,” *The Washington Post*, July 30, 2016

[3] Admiral Michael Mullen, “From the Chairman,” *Joint Force Quarterly*, Issue 62, 3rd Quarter 2011, p. 3. The article is a speech delivered at the U.S Military Academy’s graduation.

- [4] General Joseph Dunford, Jr., USMC, "Upholding Our Oath," *Joint Force Quarterly*, Issue 82, July 2016, 2–3.
- [5] Army Professional Ethic White Paper, July 11, 2014, accessed at <http://cape.army.mil/repository/white-papers/Army-Ethic-White-Paper.pdf>
- [6] DoD Directive 1344.10, "Political Activities by Members of the Armed Forces, dated Feb. 19, 2808
- [7] This has been well captured in Don M. Snider, John A Nagl and Tony Pfaff, *Army Professionalism, The Military Ethics, and Officership in the 21st Century*, Carlisle, PA: Army War College, December, 1999.
- [8] Risa Brooks "Militaries and Political Activity in Democracies," in Suzanne C. Neilsen and Don M. Snider, *American Civil-Military Relations: The Soldier and the State in a New Era*, Baltimore, Johns Hopkins Press, 2009.
- [9] For an excellent starting point, see Don Snider, John Nagl and Tony Pfaff. *Army Professionalism, The Military Ethic, and Officership in the 21st Century*, Carlisle, PA: Strategic Studies Institute 199.
- [10] I made this proposal originally in F. G. Hoffman, "Dereliction of Duty Redux?" *Orbis*, Vol. 52, Issue 2, 2008, pp. 217–235.
- [11] For other ideas see Marybeth P. Ulrich and Martin L. Cook, "US Civil Military Relations since 9/11: Issues in Ethic and Policy Development," *Journal of Military Ethics*, Vol. 5, No. 3, 2006, pp. 161-182.
- [12] Mac Owens, "Military Officers: Political without Partisanship," *Strategic Studies Quarterly*, Vol. 9, Fall 2015, pp. 88–101.
- [13] Marybeth Peterson Ulrich, "'Cashing In' Stars: Does the Professional Ethic Apply in Retirement, " *Strategic Studies Quarterly*, Vol. 9, Fall 2015, pp. 102–112.