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Adam Yarmolinsky

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The American military, the largest and most powerful institution on earth, is by law ultimately responsible to the will of the American people. This will should be expressed in the form of policy direction that determines the monetary and manpower needs of the military, as well as on the educational, social, and professional levels.

THE AMERICAN MILITARY ROLE AND RESPONSIBILITY

Edited version of a keynote address
given at Brown University Symposium
by
Professor Adam Yarmolinsky

One of the most vital and staunchly defended ideas in the American democratic system has long been that of civilian control over the military. This civilian control is primarily seen only in the function of the President as Commander in Chief, but the ultimate responsibility rests at a more fundamental level with those who elect both the President and the Congress, the citizens of the United States. It is therefore altogether fitting and proper that we, as citizens, should discuss the role of our military, particularly in the light of its recent growth to an institution of enormous size and apparent omnipotence. Indeed, the Military Establishment is the largest single institution in the United States and probably the largest single institution in the world. It measures its dollars in tens of billions, where other departments of the Federal Government measure their dollars in hundreds and sometimes even tens of

millions. It measures its manpower in millions, where other departments measure their manpower in thousands. Its influence penetrates to every village and hamlet in the United States where there is a defense contractor, a subcontractor, military base, or recruiting station. And its influence penetrates not only throughout the United States but throughout the world. It has grown so big that the traditional institutions dedicated to its control no longer succeed as automatically as they once did. It might even be useful to remind ourselves what those institutions are, prescribed as they are in the Constitution. The Constitution has three provisions that limit the authority of the Military Establishment and provide for its control.

First, the Constitution requires that no appropriation for the Army can extend for a period of more than 2 years. (Incidentally, that provision does not apply to the Navy.) However, be-

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cause of the long leadtime to develop a new weapons system, Congress has begun to provide funds that can be spent over more than a 2-year period.

The Constitution provides that only the Congress can declare war, but we have seen that a declaration of war is not necessary in order to engage in large-scale combat.

As already mentioned, the Constitution also provides that the President, a civilian-elected official, shall be the Commander in Chief of the Military Establishment. The senior uniformed officer in the military is, in fact, not a commander. He has the very uncommanderlike title of Chairman of the Joint Chiefs of Staff.

Unfortunately, events have proven that if the ideal of civilian control is to remain viable, we need more than the bare provisions of the Constitution in order to control what has clearly become the biggest institution in the world. How did it get so big? Certainly not by any deliberate decision. It grew gradually, war by war. Every time we had a big war—World War I, World War II, the Korean war, the Vietnamese war—the Military Establishment expanded. And when it contracted again, the general trend was for it to not contract quite as much as it had expanded; sort of two steps forward and one step back. Only after the Vietnamese withdrawal did public and congressional reaction force the military back to less than prewar size.

The process has continued to such an extent that one is sometimes tempted to think of it as a kind of conspiracy, and thus talk of the threatening military-industrial complex. I do not believe that it is in any sense a conspiracy, any more than the Bureau of Public Roads, in the Department of Transportation, which handles the financing of all the Federal interstate highways in the United States. It does not spend anything like the amount of money that the Department of Defense spends, but it spends a good

deal. The Bureau of Public Roads has lines to the key Congressmen on the committees who appropriate the money; it has very close connections with the asphalt industry, the concrete industry, the automobile industry, the automobile accessories industry, the Automobile Workers' Union and the unions of operating engineers, all of the State and local officials in areas where new roads are either projected or somebody thinks they ought to be projected, the editors of the newspapers in those areas, the bankers, the lawyers, and the public relations men.

The fact of the matter is that in almost every major area of American life there exists a "complex" that is analogous to the military/industrial complex, but that does not necessarily indicate that it is the product of deliberate plotting. It happened because of a coincidence of interest which some people may regard as happy but which often makes the general public uneasy.

The concern about the military/industrial complex is that it is bigger by several orders of magnitude than any other political/industrial complex and involves more serious consequences. It creates the danger not just of covering the entire country with eight lanes of asphalt or concrete paving, but of destroying the country in one enormous thermonuclear explosion, along with a good deal of the rest of the world.

Perhaps one solution to the problem of the Military Establishment is to reduce its size and therefore its power. Let us start with the roughly \$85 billion that is likely to be spent by the Military Establishment in the next fiscal year. Suppose we reduce that figure to \$75 billion or \$65 billion or \$55 billion—would you believe \$45 billion? I, for one, would not believe a figure less than, say, \$65 billion, and I doubt that any responsible critic of the Military Establishment would propose cutting it by more than 20 to 25 percent. The point I am trying to make is that no matter

how much you reduce the size of the Military Establishment, it is still going to be of rather unique size.

It becomes readily apparent that we have an institution of unique size and, therefore, we must ask ourselves precisely what problems this size creates. I suppose that the first problem is that once an organization has grown to that extent there exists the danger that it may just continue to grow in a cancerous fashion—growth without need or purpose or control. This could happen. However, let's place the recent growth of the military budget in perspective. If one tries to measure its growth in constant dollars over, say, the last decade, you will find that it has not grown much; in fact, in dollars adjusted to keep pace with inflation it hasn't grown at all. And if one tries to determine what would be the 1975 price of the force structure that existed in 1964, reduced to its present size, it would become apparent there has been only a small increase in the cost for the kinds of systems we are buying, apart from the significant increase in the general cost level. In effect, what I am saying is that as yet the military does not show signs of runaway growth; that does not mean it is not going to.

Even if we do not have the problem of a runaway military budget, we do have the major problem of balancing military need with the needs for those same dollars in the other areas of our Federal budget. It used to be that the place one looked in the budget from which to take money for new programs was the farm budget. The farm budget could be dipped into without endangering either the security of the country or the political security of the party in power, provided one did not dip into it too far. That farm budget is now shrunk about as far as it can go. I suspect that if we are going to fund the essential projects in this country in the areas of health, education, welfare, and housing, some of that money, indeed a

good bit of that money, is going to have to come out of the military budget. We will have to make some very hard judgments about the extent to which our national security depends on our military superiority and the extent to which it depends on the domestic factors involved in the condition of our cities, the state of our education, and the state of our Nation's health.

When you get into this area of discussion, you have to consider both the Executive and congressional roles in creating the balance between military and domestic spending. My own general view is that we are never going to arrive at a decision about the size of the military just by looking at its overall enormity. If we think, as I do, that it is too big, the only way we are going to shrink it significantly is by pressing the claims of other constituencies that need and deserve funding. If you will forgive me a parable which is not deliberately derogatory to the military, the suburban householder who wants to get rid of the crabgrass in his lawn, or at least reduce the extent to which it has taken over the lawn, does not start by pulling out the crabgrass but by planting new grass. It is only by planting new ideas that we are going to be able to change the balance between military spending and what we loosely call domestic spending.

It is not going to be enough to control the overall size of the military budget; we need to concern ourselves with the shape of that budget and the character of the force that it buys. It is a well-established principle of architecture that form follows function and, assuming the military is not a non-functional institution designed only to provide Honor Guards for Veterans Day parades, we, as citizens, need to control the form of the institution.

To this, some pessimists always reply, "Well, we can't do that. Doesn't the Military Establishment, because of its size, really determine our foreign and national security policy? Doesn't the

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military really tell us how we are going to use their institution?"

I simply do not subscribe to this line of reasoning. A cursory glance at the history of wars in which the United States has become engaged over the last 25 years will demonstrate that in none of them was it military initiative or, indeed, military influence that drew us into combat: not in Korea, not in Lebanon, not in the Dominican Republic, and not in Southeast Asia. The American military were dragged, kicking and screaming, into the Vietnam war. However, once involved, they took the position that if they were brought in, it was their business to win the war. (They put on blinders and ignored the tragic human and political consequences of adopting that approach.) It is also not true that our foreign policy—how, where, and under what circumstances we will use our Military Establishment—is determined by the military. Of course, by its very existence the Military Establishment exerts a significant psychological influence on policy-makers. It is a logical foreign policy instrument to use—it's big, it's there, it's been paid for. The cost of using it is considerably less than the initial cost of setting it up and maintaining it. So, to that extent, it is a factor, but not a factor by which the military is playing a conscious or decisive role.

Perhaps, then, the major problem involved in controlling the military is to clearly define its role in our foreign policy. The U.S. military has, basically, two kinds of forces: nuclear and non-nuclear. The job of the nuclear forces is deterrence: to convince any possible nuclear aggressor that an attack on us would result in major retaliation even after we had absorbed his most powerful strike. Furthermore, this retaliation would create what the Pentagon jargon calls "unacceptable damage."

The nonnuclear job is less clearly defined. We are not really worried about Canada or Mexico or a conventional

amphibious invasion being mounted across the Atlantic, the Pacific, or even from across the Caribbean. The NATO mission, the mission of joining with the nations of Western Europe in deterring the Soviet bloc from launching a non-nuclear attack across the great plains of Central Europe, is clearly the major nonnuclear mission of our military forces.

The other contingencies, outside of Europe, for which we need a nonnuclear force are very hard to define, and yet I think there are very few people who are not dedicated pacifists who would be prepared to say that we should not maintain some contingency force to deal with situations, none of which are likely, but some of which might lead to circumstances in which we would be very unhappy if we did not have forces to deal with them.

Our NATO mission presently determines American force structure, but it will not do so indefinitely. I cannot imagine that 20 years from now—particularly given the improvements in our capacity to move large numbers of troops around and across oceans—that the bulk of our forces will be stationed overseas to support the European defense mission. But no one is exactly sure of the force requirements that will be needed in this new and vague situation. And in the absence of the proper formulation, it seems to me that military planners are justified in asking their civilian taskmasters "How can we tell you what we need when you can't tell us what we need it for?"

I want to point out that the military approaches this problem of uncertainty with several built-in handicaps. Some organizations are just better at dealing with uncertainty than others. A laboratory where the scientists are doing fundamental research is probably the classic example of an institution set up to thrive on uncertainty. It is the unexpected that contains the payoff. On the other hand, a military organiza-

tion is in the business of avoiding uncertainty. If it does not organize itself in a way that rules out all the uncertainties that can be ruled out, it is going to be in serious trouble. Also, a military organization is very large, and it is, of necessity, quite hierarchical. All of these characteristics make it extraordinarily difficult for a military organization to accept the idea that it has to function in an atmosphere of uncertainty.

In addition to that general characteristic of the military, there are two special problems. To begin with, the American military has recently undergone the trauma of losing a war, a war that, in the view of a large number of people, we should have lost. In fact, a war we should not even have become involved in. There are two rules of conduct for professional military officers, each of which has contributed to the trauma. One of them, expressed in the standard three-word phrase, is the need for the prescribed response to an assignment. That response is, "Can do, sir." And it does not matter how difficult the assignment is or even if you think it is impossible. It is not your job to say, "I can't move that mountain." It is your job to move it. You say, "Can do, sir." and then, assuming the mountain has not moved, there is again only one prescribed response: "No excuse, sir."

For a military organization, these are commendable rules, and they are built upon a great military tradition. But when the military finds itself in a situation like Vietnam, where it is given an assignment that it never should have been given and predictably—not because of its own inadequacies, but because of the political constraints built into the situation—it fails, the result is frustration, guilt, misery. It is simply not a situation conducive either to living with uncertainty or living with other people in a reasonable state of harmony. This is particularly true when one considers how the military, which in the early

1960's had been riding so high in popular esteem, has fallen so far.

There have been many other low points in the history of the American military. Indeed, Joe Alsop likes to talk about the U.S. Army as a desert flower gifted with the ability to soak up enough sustenance in periods of heavy rainfall to carry it through long periods of drought. There was a time, in the 1920's and 1930's, when the military had sunk so low in popular esteem that there were signs in the windows of bars and restaurants in Army towns which said, "Soldiers not welcome." And this disdain did not only apply to the lowly enlisted man. When the Chief of Staff of the U.S. Army went up on Capitol Hill to testify before the House Armed Services Committee on his budget, the chairman of the committee looked at him and said, much to the amusement of his fellow Congressmen, "Is that piano wire that keeps the creases in your pants?" The military was fair game.

Nevertheless, we are not in that situation today. The military has fallen a long way, but never before in its history has it been so large in size, possessed so much in spendable dollars, and at the same time on the bottom of the scale in national esteem—a very disturbing combination.

These circumstances create a special problem, one of morale. Another special problem to which it is particularly difficult for the military to adjust is the uncertainty of the volunteer force, a pursuit that I am not sure is realistic. I happen to be one of those who opposed the termination of the draft for two reasons: first, because I thought that a more equitable draft was preferable to a situation in which we are recruiting for some of the most dangerous tasks in our society, people who cannot find other opportunities to make a career or earn a living; and secondly, I also thought it good for any large organization—the military or any other—to have a significant number of people in that organiza-

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tion who would rather be someplace else. That can be highly corrective. There is nothing like a draftee's mother to keep the military honest. Volunteers have mothers too, but they do not wield quite the same influence with their Congressmen.

The second major issue I would like to touch upon is how to make it less difficult for military planners to adapt their force structure and weapons procurement to those uncertainties and to the decisions that the civilian planners in the area of U.S. foreign policy are going to be making.

To properly achieve this goal, we need to go about the job in two ways: first, we must take the military into our confidence. We need not know and should not pretend to know exactly how we propose to use the military when, in fact, we do not. Some argue that the Nixon Doctrine may be the first step in that direction. I read the text of the doctrine and I find not equations, but identities, statements of the obvious. Perhaps if one takes the Nixon Doctrine not only as a formal statement but everything that encompasses it, there is some guidance, but not very much. I think we need to provide more, and I think we need to be more honest about the fact that we are groping. We might even ask the military to grope along with us.

Secondly, we need to significantly loosen up the structure of the Military Establishment, much of which must be done by persuasion. A military career has long been one open to talent and, to an astonishing extent, a ladder for social mobility in the United States. On the other hand, the pressures of the career itself have tended to isolate career soldiers from the mainstream of American life. Students of military society in recent years have noted a tendency toward what they call "convergence" between the lifestyles and attitudes of military and civilian personnel. Military men now tend to work in offices instead

of command posts and to live off the post in housing developments alongside civilian professionals. It has been pointed out that, to a degree, this convergence makes more difficult the civilian control of an institution that continues to pursue its own bureaucratic imperatives. If the military is isolated from the rest of society, it can be more easily controlled by direct regulation; but if military men work side by side with civilians in spelling out and carrying out sophisticated policy directions, then civilian control has to rest much more on mutual understanding, and particularly on the continuing education of the military in the civilian policy perspectives, which in our society must be ultimately controlling. Particularly in the unhappy situation in Vietnam, but generally throughout the world, military policy cannot be separated from its political and economic consequences. Nor can the civilian policy premises all be spelled out in explicit detail. In the bygone days of the Eisenhower administration, there was a great 3- or 4-inch volume called *Basic National Security Policy*. It detailed the basic national security policy of the United States. When the Kennedy administration came in, we were pressed to revise the Eisenhower policy and to issue a new 1961 version. Many people went eagerly to work rewriting those 3 or 4 inches; but eventually President Kennedy issued a one-page document, only one sentence long, that said, in effect, the basic national security policy of the United States is to be found in the speeches and other statements of the President and high public officials.

There is no other way for a flexible, sophisticated, and democratic foreign policy to be expressed. It simply cannot be properly written in the format of a military style directive.

To the extent that the tendency of the military today is to turn inward for mutual support, that tendency has to be

countered by measures to broaden the perspectives of military professionals and to give them a sense of what the foreign policy perspectives of those civilians are. There are several conceivable ways in which this could be done.

Many of our colleges and universities, reacting to the antimilitary sentiments of the Vietnam era, phased out their ROTC programs. I feel that these, particularly in the academically stronger institutions, should be reactivated. If that does not happen, I think such institutions should participate in the creation and support of off-campus options, similar to the network of regional officer training centers proposed by Professor Radway of Dartmouth. Concessions are going to be required, undoubtedly, on both sides, but given reasonable goodwill they can be managed.

I believe the Military Academies should not be further expanded but that their recruiting net should be thrown ever more widely. I believe that promotion lists for flag officers should be thrown open to include more officers who are not graduates of the service academies on much the same basis that civilian promotion lists include disadvantaged minorities.

I believe that new kinds of sabbatical and educational tours should be devised for officers at all levels. Unless the War College curricula can be drastically revamped, and I notice that the Naval War College is making a major effort in this direction, I think more senior officers should be sent to civilian colleges and universities for the equivalent of the War College year, instead of sending more of them to the War College and fewer of them to the civilian institutions, which is the practice today.

I also think the possibility of "lateral entry" for staff specialists into the officer corps should be seriously examined. We are gradually accepting the proposition that we need to open up

more career lines for these specialists not based on the same criteria as those for combat commanders. The military is trying to figure out how to provide career opportunities for those people, whether as specialists in research and development or political/military analysis or systems analysis or whatever, opportunities which are as promising as the opportunities for the commanders of combat units.

It seems to me that a logical corollary of this proposition that some of these staff specialists who choose not to make their whole career in the military can as well make a later part of their career in uniform as they can an earlier part.

None of these measures is going to be effective unless they are all pursued in a spirit of genuine concern for the welfare and morale of the uniformed establishment. Its members cannot respect the views of the civilian authorities unless they feel a mutual respect for their own institutions. If the military know that they are respected and valued for what they can do, they can more easily live

BIOGRAPHIC SUMMARY



Mr. Adam Yarmolinsky did his undergraduate work at Harvard University, earned his LL.B. from Yale Law School (1948), and served as a law clerk for Mr. Justice Reed, U.S. Supreme Court,

1949-51. Besides being affiliated with major law firms in New York City and Washington, D.C., early in his career, he has served as a Special Assistant to the Secretary of Defense, 1961-64, as Principal Deputy Assistant of Defense (ISA), 1965-66, and subsequently as professor of law, Harvard Law School. Mr. Yarmolinsky is currently serving as the Ralph Waldo Emerson University Professor at the University of Massachusetts, and his most recent publication is *The Military Establishment* (New York: Harper & Row, 1971).

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with the idea that others determine when and where and why they do it.

The structure of ideas on which the military moved into the age of nuclear weapons was largely put together by civilian strategists. The fundamental limitations on the usefulness of nuclear weapons which underlie our most basic thinking about nuclear deterrence are primarily a product of civilian thinking. The basic managerial concepts for budgeting and planning in very large organizations are, similarly, a civilian product. Many of the men who formulated the concepts had an opportunity to test them in practice in the Pentagon in the 1960's. The succeeding generations of civilian analysts have, however, been focusing their efforts primarily on domestic problems: on housing, on cities, on education, race, welfare, health, and there is now a real shortage of civilian scholarship in the field of military strategy and military planning.

This shortfall is being made up to

some extent by scholars in uniform, and an increasing number of these scholars are producing doctoral dissertations, learned articles, and even books. It is extraordinarily difficult for a man who is making his career in the military to achieve the perspective of a person whose career is in the academic world. The questions facing the military and their civilian masters have no easy answers. They are not amenable to technological or organizational quick-fixes. To figure out what it means for the military that its nonnuclear role will be primarily constabulary or primarily deterrent or primarily unpredictable, to figure out how the military can make the volunteer Army work or replace it with a more equitable universal service system, to figure out how the military can learn to design new weapon systems that we can afford to buy; these are tasks worthy of the best imaginations of our generation, both in the universities and out in the real world.



It is a senseless proceeding to consult the soldiers concerning plans for war in such a way as to permit them to pass purely military judgments on what the ministers have to do; and even more senseless is the demand of theoreticians that the accumulated war material should simply be handed over to the field commander so that he can draw up a purely military plan for the war or for a campaign.

Clausewitz: Krieg und Kriegführung, 1857