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THE JOINT CHIEFS OF STAFF: CAUGHT IN THE MIDDLE?

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The Joint Chiefs of Staff: Caught in the Middle?

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The views expressed in this academic research paper are those of the author and do not necessarily reflect the official policy or position of the U.S. Government, the Department of Defense, or any of its agencies.

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ABSTRACT

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AS THE SENIOR MILITARY ADVISERS TO THE PRESIDENT, THE JOINT CHIEFS OF STAFF PLAY A KEY ROLE IN THE DEVELOPMENT OF NATIONAL SECURITY AND NATIONAL MILITARY STRATEGY. OF PARTICULAR CONCERN HERE IS THE EXTENT TO WHICH THE SERVICE CHIEFS MUST SUPPORT THE POLICY OF THE PRESIDENT THEY SERVE, EVEN WHEN THEY DISAGREE WITH THAT POLICY. RECENT CONGRESSIONAL HEARINGS AT WHICH THE JOINT CHIEFS WERE ASKED THEIR PERSONAL OPINIONS REGARDING U.S. MILITARY READINESS FORM THE FOCAL POINT AROUND WHICH THE ISSUE IS EXPLORED. SOME BACKGROUND AND HISTORICAL SITUATIONS PROVIDE THE CONTEXT FOR THE ANALYSIS.

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THE JOINT CHIEFS OF STAFF: CAUGHT IN THE MIDDLE?

> "It is absurd to bring the military into the process of war planning so that they can decide purely militarily what the cabinets must do."
>
> —Carl Von Clausewitz, *On War*[1]

At a September 1998 hearing described by the Wall Street Journal as "unusually contentious",[2] the Joint Chiefs of Staff (JCS) described the U.S. military as being stretched almost to the breaking point due to continuous deployments in places such as Bosnia, the Persian Gulf, Haiti, Kosovo and elsewhere. The situation is exacerbated, the chiefs contended, by a shrinking defense budget. The military is still able to support the national military strategy of the Clinton Administration which calls for the ability to fight two nearly simultaneous major theater wars (MTW), according to the testimony, but the risks involved, especially for a second MTW, have increased substantially. The message delivered by the chiefs was that if significant increases aren't made to the defense budget, or if the number of contingency operations isn't reduced, the quality of the military will decline.

While hearings such as this one are routine on Capitol Hill, what distinguished this particular hearing was the vociferous reaction of many of the committee members to the

chief's testimony and to the personal nature of some of the senators' comments. Only seven months earlier, at a February hearing on the FY 1999 Defense budget, the chiefs had told the committee that, in essence, they had sufficient resources to accomplish their respective missions.

Had the situation changed so radically in seven short months? Were the senators justified in questioning the level of the chief's candor in their previous testimony? Did the chiefs know how bad the situation was at the February hearing and choose, for whatever reason, not to alert the Senate Armed Services Committee? What is the role of the JCS in the formulation of U.S. defense policy? How far are they expected to go in defending an action or request by an Administration, particularly when they may not necessarily agree with the Administration's position?

In blunt language seldom heard in the normally friendly confines of the SASC's hearing room, senators accused the chairman and the other chiefs of being disingenuous with the Committee in their responses to questions in February regarding the balance and mix of resources in the defense budget. Senator John McCain (R-AZ), an ardent supporter of the military, said that he was struck by the "almost Orwellian experience" of seeing the chiefs testify in such marked difference to their earlier testimony.[3] Several senators expressed their frustration

that the chiefs had not told them in February of the seriousness of the situation when they could do something about it. Now, in September, it was almost too late to effect the FY 1999 defense budget.

What follows is a discussion of the role of the JCS in the formulation of U.S. national security and defense policy. Specifically, the paper addresses the relationship between the JCS and the President and the Secretary of Defense. While they are certainly not in the chain of command, the Congress wields a tremendous amount of power and influence in this process and so must also be included in any discussion of the role of the JCS. Of specific interest is the question of to whom do the chiefs owe their allegiance, especially when they disagree with their civilian superiors? The Administration they work for or the Constitution and the country to whom they take their oath of commission?

No discussion of the role of the JCS in policy making would be complete without first tracing the history of the JCS in the context of both civilian control of the military and the political environment in which the chiefs must operate. Therefore, the paper seeks to trace the beginnings of today's national security apparatus and explores some historical situations in which the Joint Chiefs of Staff found themselves at odds with the President who appointed them.

History of the Joint Chiefs of Staff

In January 1942, President Franklin D. Roosevelt established the JCS to improve wartime coordination and strategic planning with Great Britain.[4] In 1944, Congress began a series of hearings to determine the roles and missions for the defense establishment, to include the JCS. Following three years of study and debate, Congress passed the National Security Act of 1947 which, together with amendments in 1949, established the CIA and created the National Security Council (NSC) to coordinate policy for the President. The act also created the confederation of the "national security establishment," made up of the army, navy and air force departments, tied together by the service chiefs, sitting as the JCS.[5] The Act designated the JCS as the "principal military advisors" to the President, the National Security Council and the Secretary of Defense.

The act also provided for a joint staff and gave budgetary control over the defense budget request to the newly designated secretary of defense.[6] This was the real beginning of the natural tension in the relationship between the military services, represented by the JCS, and the civilian leaders of the Department of Defense.

The position of the Chairman of the Joint Chiefs of Staff (CJCS) was added in 1949, at the same time the service

secretaries were taken out of the President's cabinet. Both the 1947 and 1949 legislation were intended to ensure a proper balance between the civilian and military components of the government.[7] The 1947 legislation shifted power from the President toward the Congress, while amendments to that act in 1949, 1953 and 1958 gradually shifted the balance back in favor of the executive.

Because inter-service competition for scarce resources resulted in the inability of the JCS to speak with one voice on national security and defense matters, President Eisenhower persuaded Congress to pass the Defense Reorganization Act of 1958. This legislation sought to increase civilian control over the military services.[8] The law also permitted OSD to share the chiefs' advisory role and removed the JCS from the chain of command that ran from the President to the commanders in the field. Although the JCS retained their role as "principal military advisors," the increased latitude given to the defense secretary made it possible for a strong-willed secretary to consolidate power and influence in his hands and to greatly diminish the JCS's ability to participate in policy deliberations.[9] As shall be seen later in this paper, this would have serious implications for the U.S. during the Vietnam conflict.

Goldwater-Nichols

Arguably the most significant piece of legislation bearing on the role of the JCS was the Defense Reorganization Act of 1986 (referred to as "Goldwater-Nichols" for its Senate and House sponsor). This law redefined the relationships and responsibilities of senior U.S. military leaders, specifically the Chairman and members of the JCS and the commanders-in-chief (CINCs) of the unified and specified commands.

The intent of Congress was to increase the power and influence of the CINCs and the CJCS. According to former Vice Chairman of the JCS General Herres, the act is "another evolutionary step" in developing a cohesive fighting force and a system of command and control that ensures that the President and the Secretary of Defense always receive the best possible military advice. That advice is then translated into effective strategy on the battlefield by the CINCs.[10]

Prior to Goldwater-Nichols, the JCS acted more or less like a board of directors in offering advice to the National Command Authority. In effect, the legislation reduced the collective influence of the JCS while significantly increasing the role of the chairman, who now acts as principal military advisor to the President, the Secretary of Defense and the NSC. The chairman

also has a more direct role in the preparation of strategic plans, net assessments and doctrine for joint employment of forces. The other members of the JCS retain their role as military advisors, of course, and may go to the President or Secretary of Defense on any issue on which they disagree with the chairman. The practical effect of the act remains, however, that members of the JCS rarely exercise this prerogative. The act also greatly increased the influence of the CINCs , putting them in the chain of command.

By most accounts, Goldwater-Nichols has greatly improved the functioning of the military services. The first real test of the new law was the Gulf War where General Norman Schwarzkopf exercised real command and control over his organization, Central Command. The late defense secretary Les Aspin, quoting Eisenhower, described the effect of Goldwater-Nichols as having created a military structure, "singly led and prepared to fight as one regardless of service."[11]

General Colin L. Powell served as the twelfth Chairman of the Joint Chiefs of Staff and the first to serve after passage of Goldwater-Nichols. He has said that he believes that Goldwater-Nichols has satisfied the intent of Congress, in that the CJCS, as the principal military advisor to the President, can now give good, crisp and comprehensive military recommendations directly to the President and the Secretary of

Defense. According to Powell, whenever another member of the JCS had an opinion which differed from his own, he would make sure that the President and the Secretary were advised of those other opinions.[12]

Powell dismisses criticism that he pushed the authority of the Chairman too far, at the expense of the service chiefs. He asserts that the service chiefs he worked with were satisfied with the process and that he freed them up to spend more time on organizing, equipping and training their forces, which is their principal responsibility.[13]

Civilian Control of the Military

Any discussion of the role of the JCS would be incomplete without looking at it through the prism of civilian control of the military. At different points in U.S. history the fabric of the relationship between military leaders and their civilian bosses has been stretched thin, but has always held.

The concept of civilian control over the military is not directly addressed in the Constitution. To the Founding Fathers the point was moot since the military, as established at that time, was civilian itself. The Constitution provides for a clear separation of powers: the President is designated the Commander in Chief of the armed forces but the Congress is given the

authority to declare war and to raise and support armies as necessary.[14]

Only rarely did the military play a significant role in the development of U.S. foreign policy prior to World War II, and only then in wartime circumstances. General Winfield Scott established occupation policies in Mexico in the 1840s. General Ulysses S. Grant exerted great influence over his civilian superiors, including President Lincoln, during the latter stages of the Civil War. And General John Pershing was given wide latitude in dealing with the Allies during World War I.[15]

Civilian control of the military has been a guiding principle throughout U.S. history but it is a fragile commodity which must be nurtured by both civilian and military leaders. General George C. Marshall noted in 1942 that it is incumbent upon soldiers to understand the concept and to exert "eternal vigilance" to preserve it. He told his soldiers that he was "turning over to you a sacred trust and I want you to bear that in mind every day and every hour. We have a great asset, and that is our people, our countrymen, do not distrust us and do not fear us. They don't harbor any ideas that we intend to alter the government of the country or the nature of this government in any way. This is a sacred trust. I don't want you to do anything to damage this high regard in which the professional

soldiers in the Army are held by our people, and it could happen if you don't understand what you are about."[16]

James Webb, former Navy Secretary and decorated Marine veteran of Vietnam, wrote recently that, "in an era when fewer and fewer policy makers have any connection to the military, it becomes the ultimate duty of senior military leaders to express their opinions frankly."[17] He rejects the notion that civilian control precludes senior military leaders from offering frank opinions to policy makers. He adds that, "Military subservience to political control applies to existing policy, not to policy debates. And military leaders who lack the courage to offer such opinions are just as accountable to history as the politicians who have secured their silence."[18]

Congressional hearings often have been the forum for exploring the views of senior military officials, sometimes as contrasted with those of the administration they serve. In such a setting, a U.S. military officer has an obligation to present his or her own personal views to Congress, when asked, and not simply to repeat the Administration's position.[19]

Another aspect to the role of the JCS with respect to Congressional testimony is whether military officers should confine their advice to civilian superiors to strictly military matters or whether they should consider other

factors such as the economic or political implications of a particular policy.

There are two schools of thought on this question. The "purist" believes that complex national security issues are often a blend of military, economic and political considerations, but *as determined by civilian policy makers*. The purist believes that as military officers are not experts in such areas as economics or politics they should not offer advice in those areas.[20]

Fusionists, on the other hand, believe that in the national security policy arena in the post-World War II world there is no such thing as purely military considerations. For the most part, civilian leaders in this country have been fusionists who did not want their military leaders to confine themselves to offering only military advice.[21]

February 1998 Hearing

To understand what happened at the September 1998 hearing before the Senate Armed Services Committee, it is necessary to review the committee's February 1998 hearing on the FY 1999 defense budget request. At that hearing, the members of the JCS, with the exception of the Marine Commandant, testified that they had sufficient resources to accomplish their respective missions. They described as "minimal" and "acceptable" the risk

associated with having to deal with two near simultaneous MTWs, as outlined in the National Military Strategy.[22]

The Chairman of the Joint Chiefs of Staff, General Henry Shelton, testified that the military was fundamentally healthy and that the JCS would "continue to report our readiness status to Congress and the American people with candor and accuracy."[23] The chiefs agreed with General Shelton that they had achieved the right balance in the force and that the President's budget request for defense was adequate to meet their requirements.

Now, seven short months later, the chiefs were back before the committee telling a markedly different story. What had happened in the interim? Had the situation really changed that much in seven months? Should the chiefs have been surprised by the hostile reaction by some members of the committee to their testimony? Was this just part of the normal give and take between the Administration and Congress, particularly in an election year?

September 1998 Hearing

The September hearing was prompted by a letter written by General David Bramlett, outgoing Commander of Forces Command, to Army Chief of Staff General Dennis Reimer, in which Bramlett stated that he was over $150 million short in his readiness account. This had forced him to use funds from the quality of

life and infrastructure accounts to cover the shortfalls. When the letter leaked to the Hill, alarm bells sounded and the SASC immediately scheduled a hearing to find out what exactly was going on.

SASC Chairman Senator Strom Thurmond (R-SC) opened the hearing saying that the Committee wanted a review of the status of the U.S. Armed Forces and their ability to successfully execute the National Military Strategy. Thurmond referred to several recent reports which indicated that the U.S. military capability in some areas was beginning to suffer as a result of increased deployments, decreased modernization, declining pay and benefits and insufficient funds to train personnel, maintain equipment, operate facilities and repair infrastructure. The problem, according to Thurmond, was symptomatic of the result of deep cuts in the defense budget by the Clinton Administration.[24] Thus, right from the beginning of the hearing, the chiefs were in an awkward position. On the surface, the Republican-led committee's agenda was to review the status of the military's readiness. However, it was obvious, or should have been, that some senators were intent on using the hearing to criticize the Clinton Administration's support for defense. In addition, mindful of their February testimony to the committee, the chiefs should have been better prepared for the sharp criticism they received from some committee members.

Senator Carl Levin (D-MI), the ranking Democrat, in defense of the Administration, emphasized that the level of defense spending in the previous two years had been agreed to by the Congress and the Administration. He pointed out that over the past four years 85 percent of the adjustments made to the defense budget by Congress was made to procurement, R&D and military construction. Only 10 percent of the money went to personnel and O&M accounts, the traditional readiness accounts. Thus, according to Levin, while the Congress had added money to defense it was overwhelmingly in areas that DOD did not request and had told the Hill that they didn't need. He said that Senator Thurmond had asked the military to identify their priorities in the event additional funds were made available for defense. The chiefs told the committee that preserving the level of O&M funds in the budget was their first priority. Levin said that, once again, the committee didn't agree to the recommendation of the military. To make his point, Levin reminded the other senators that the FY 1999 Authorization Act increased the budget request for procurement by almost $800 million and included some funds for planes and other items which were not even in the Future Years Defense Plan (FYDP). The act also reduced O&M funding by almost $350 million below the FY 1999 budget request.[25]

In his opening remarks, General Shelton described for the committee a meeting held earlier that month between the JCS and President Clinton and Defense Secretary Cohen. The purpose of the meeting was to inform the two men of the seriousness of the strains which were being seen in the military in such areas as training, critical spare parts for fighter aircraft and civilian and military pay. While not specifically requesting more money for defense, the chiefs made the case to their leaders that budget cuts and personnel reductions since the end of the Cold War had reached a critical point and that any further reductions would result in unacceptable risk to the national military strategy goals.[26]

At the meeting with the President the chiefs focused almost exclusively on readiness and the ability of the military to fight and win the Nation's wars, according to the New York Times. The senior military leaders warned their civilian bosses that the armed forces were being "stretched thin by increasing duties and decreasing budgets.[27] Shelton described the meeting as "very frank and candid." He said that both the President and the Secretary had listened carefully to each of the chiefs and the CINCs regarding readiness. In fact, he reported that the President had subsequently directed DOD to work with OMB to see if some relief could be given to the Services in the FY 2000 budget request.[28]

Following the meeting the President also pledged to submit a $1 billion supplemental request for FY 1999 to address shortfalls in spare parts, manpower in the Navy and in Army unit training readiness.

Shelton went on to say that the military had been busier than anticipated just 18 months earlier at the completion of the Quadrennial Defense Review (QDR). He cited operations in Bosnia, Haiti and the Persian Gulf as well as contingency operations, such as the noncombatant evacuations in Albania and Africa.

General Shelton then stated that after DOD and the Services had carefully balanced the defense budget, the Congress, while meaning well, moved some things forward and added several items which were not requested.[29] The bottom line, according to Shelton, was that the Services are faced with the difficult task of balancing current readiness against modernization, against the maintenance of the operational infrastructure and against taking care of its people.

Other areas singled out by General Shelton included the pay gap and problems associated with the so-called REDUX retirement system established by Congress in 1986 for all new members of the military.

While the Committee is usually sympathetic to the needs of the military, General Shelton violated a cardinal rule of Congressional relations by saying that part of the problem was

that the Congress had authorized some rather expensive items which DOD did not request. No matter how correct you might be, it is never acceptable to publicly embarrass a Member of Congress, a Congressional staffer or a Committee.[30] General Shelton should have known that his comments would ignite the ire of some Committee members.

Several senators reminded the witnesses that when the services were asked for their priorities earlier in the year none had argued for additional funds for readiness, asking instead for increases to procurement, military construction, modernization and flying hours.

Senator McCain, in unusually blunt language, challenged General Shelton's assertion that the military had been far busier than anticipated. He asked Shelton if he thought that Saddam Hussein "was going to join the Boy Scouts?" Or did he think that "we were going to leave Bosnia within a year," as Secretary Cohen had testified?

He asked General Shelton if he had requested a change in the retirement system when he testified the previous February. Shelton replied that he had not because that matter had not surfaced as a big issue in the military up until that point, that it was an issue which has developed over time. That things could have changed so dramatically in seven months strained McCain's credulity.

In perhaps the most direct accusation, McCain charged that, with the exception of General Krulak, the chiefs were "not candid with this member about the challenges that we face."[31] This goes to the heart of the question of what do members of the JCS do when they disagree with the Administration's position on a critical issue. Congress, of course, maintains that military leaders have an obligation to give their personal assessments when asked. Clearly, Senator McCain and other members of the SASC felt that some of the chiefs had not been candid in their previous testimony.

Senator Rick Santorum (R-PA) agreed with the sentiments articulated by McCain and Roberts about the degree to which the chiefs had not been candid with them at the earlier hearing. He said that he believed that "while the President of the United States is your Commander-in-Chief, I think, when you come before this Congress, you have an obligation to represent the needs of the people in the military and be forthright in advocating for them."[32]

Senator Smith said that, with the exception of General Krulak, the chiefs had not provided direct answers to the committee. The question, as he saw it, was whether or not the JCS were intent on continuing with the charade. He asked whether the chiefs had reported the shortfalls which they outlined at this hearing to their policy superiors. The chiefs replied that

they had informed their civilian leaders. Smith then asked if the civilian policy makers were following the advice of the military leaders. The chiefs, in essence, said that, while they had been listened to, the President had not given them everything they asked for. Here the JCS must walk a thin line. How do they answer Congress's questions honestly and candidly and at the same time protect their relationship with the President and Secretary of Defense? Here it is imperative that the JCS remember that they are obligated to give the full benefit of their advice to the Congress as well as to the Administration they serve.

February 1999 Hearing

On February 2, 1999 the SASC held its annual hearing on the posture statement of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff. Following the February and September 1998 hearings, the committee members were anxious to hear the assessments of Secretary Cohen and General Shelton as to the state of readiness of the military.

Senator Warner, newly installed as SASC chairman, said that testimony earlier in the year from the service chiefs had identified some $17.5 billion as being needed at a minimum to meet the shortfalls in readiness and modernization. According to the JCS, this figure did not include the additional funding

required for contingency operations and increases in pay and retirement.

Senator Levin pointed out that the FY 2000 budget request included an increase for DOD of some $112 billion over the next six years for improved pay and benefits, readiness and modernization, the first sustained increase in defense spending in over ten years and the largest pay raise since 1982.[33] It was obvious that the President had heeded the warnings in September of his military advisors.

Secretary Cohen pointed out that the defense budget request was predicated on the assumption that there would be an overall budget resolution for FY 2000. Failing such an agreement, increases to the defense budget would not be realized. This caveat added a significant political twist to the debate over how much money should be allocated to defense. Both Cohen and Shelton made it clear in response to questioning by Senator Robb that if DOD had to cut its request in the readiness and modernization accounts to get the pay and retirement increases that it would oppose such an outcome. Once again, the chiefs are put between the Administration and the services.[34]

Recent Congressional Budget Action

The House and Senate have both passed legislation calling for significant increases for military pay and pensions.

Ironically, Secretary Cohen has warned lawmakers that the bill, as currently written, could threaten the future readiness and modernization of the military by diverting defense funds into expanded military welfare programs. Both parties have indicated that they would oppose removal of the budget spending caps, meaning any budget increases must be offset by an equal decrease.

Complicating the issue, and perhaps clearing the way for approval of the increases, is the current situation in Kosovo. The House has just approved $13.1 billion to both pay for the operation in Yugoslavia, as well as to address shortfalls in readiness. The bill provides $1.8 billion for military pay and retirement benefits. The bill now goes to a House - Senate Conference.

Historical Perspective

There are many examples in our history where the JCS have found themselves caught between the Congress and the Administration. What follows are two such examples.

The Admiral's Revolt

The so-called "Admiral's Revolt" following World War II represents not only a situation where the JCS got caught between the Congress and the Administration, but also is an example of service parochialism at its worst. In 1949, the House Armed

Services Committee held hearings concerning a dispute between the Navy and the Air Force over funding priorities.

The Navy wanted a big share of the Defense budget to build aircraft carriers - specifically the new supercarriers for smaller naval attack aircraft. The Air Force, on the other hand, wanted to build up to 70 combat groups, as well as atomic weapons which only its land-based bombers could deliver. Some would say that the Navy deliberately created a scandal to gain public awareness of their plight.[35]

As the dispute dragged on, there was "no clear command guidance forthcoming, from either civilians or military. The Truman administration seemed to view only the fiscal bottom line, and, in the words of Vice Admiral Howard Orem, 'the Supreme Court deliberates, the Congress legislates and the Joint Chiefs of Staff just bicker.'"[36]

Secretary of Defense Forrestal said he would support the carriers if that was the decision of the JCS. Complicating the situation was the fact that the carrier was included in the President's budget, causing the Air Force Chief of Staff to reluctantly express support for the carrier because he would, "never presume to contradict the Commander in Chief."[37] Adding further to the turmoil, Chief of Naval Operations, Admiral Denfeld, distorted the position of the JCS, arguing that the U.S. was now committed to the "sole" strategy of atomic blitz by

the new B-36s. Denfeld himself knew this to be inaccurate; the NATO defense of Europe was based on a conventional stand against a Soviet invasion of Europe. Denfeld's hidden agenda was clearly to get the supercarriers funded. Denfeld had also kept his civilian superiors in the dark on these matters. While his motive may have been a matter of his strongly held opinion that the future of the country rested on how these deliberations came out, he nonetheless was clearly in violation of the strictures regarding civilian control of the military.[38] Denfeld eventually resigned under pressure from Defense Secretary Johnson.

In the end, the Admiral's Revolt has been described as "one of the sorriest spectacles in American military history." Perhaps worst of all, was the fact that "the real issue was left unresolved: how to determine appropriate roles for the executive, Congress, and the services in the conduct of national strategy and national defense."[39]

Vietnam and the Joint Chiefs

The experience of the JCS during Vietnam highlights the danger when, for whatever reason, the military is kept out of the policy process. Many believe that if the JCS had been allowed to participate fully in the deliberations leading up to the decision by President Lyndon Johnson to dramatically escalate the Vietnam War that perhaps the U.S. might not have

gotten into that divisive conflict. Evidence suggests that they were kept out of the policy development process by Defense Secretary McNamara who insisted on acting as the preeminent military adviser to the President. For whatever reason, the President's most senior military leaders chose not to offer their own candid and honest assessments of the situation to the Commander in Chief.[40]

The relationship between the JCS and the President depends, to a great extent, on the personal style of the President. President Kennedy, having no executive experience, was uncomfortable with the NSC staff structure used by President Eisenhower, preferring instead to get his foreign policy and defense advice and counsel from ad hoc groups of trusted advisers. This setup greatly diminished the influence of the JCS and resulted in the President making important decisions effecting national security matters without routine direct input from his senior military leaders. Under Kennedy, this tenuous relationship between the President and his senior military advisers had serious ramifications in both the Bay of Pigs incident as well as the situation in Laos.[41]

Following Kennedy's assassination, Lyndon Johnson inherited the impending military situation in Vietnam. The relationship between the JCS and those charged with establishing national security policy had reached a low point. Indeed, the CJCS,

General Maxwell D. Taylor had a closer relationship with Defense Secretary McNamara than he did with his fellow military chiefs.[42] And McNamara was intent on filling the role as the President's preeminent advisor on all defense related matters. Thus, the JCS was frozen out of the policy making councils of the Johnson Administration.

Prior to the 1964 election, Lyndon Johnson was determined to dampen any talk of escalation in Vietnam. In a March 1964 meeting with the JCS, Marine Commandant General Wallace Greene and Air Force Chief of Staff General Curtis LeMay told the President that once military action was committed to in Vietnam, it must be carried to success, regardless of the cost. That is, "either get in or get out" the President was advised. Johnson, however, told the two men that he didn't have the support of either Congress or the American people for a major military buildup in Vietnam and that his primary objective was to win the upcoming election.[43]

The service chiefs also were hampered in their efforts to forge a united front in dealing with the Vietnam issue by their inability to overcome their service parochialism. Once again this only strengthened the hand of an already strong-willed Secretary of Defense. The JCS, having seen that they would wield little influence in the development of policy relating to the conduct of the war in Vietnam, collectively failed to confront

the President with their misgivings. Instead they attempted to mitigate what they perceived to be a flawed approach to winning the war by graduated pressure by working within the system to remove the restrictions on the use of overwhelming military power.

Other factors kept the chiefs from opposing the President's policies, however flawed they believed them to be. As professional military officers the chiefs felt a sense of loyalty to the Commander in Chief. Army Chief of Staff, General Harold K. Johnson, contemplated resigning in protest but decided against it because he believed it would be more beneficial to the Army for him to remain in office and to work from within the system to change U.S. policy.[44]

General Greene talked about the uncomfortable position he and other members of the JCS were put in by members of Congress who asked for their personal opinions on U.S policy.[45] Much evidence exists today to indicate that McNamara and Johnson, and to a lesser extent JCS Chairman General Wheeler, manipulated the service chiefs into appearing to support the Administration's Vietnam policies. While appearing before the Senate Foreign Relations Committee in August 1964, General Wheeler made no attempt to correct misleading statements by McNamara, signaling his agreeing to go along with what was later shown to be deception of Congress.[46] This was abetted somewhat by

exhortations by JCS Chairman Wheeler to consider these matters in the broader political context "through the eyes of the President."[47]

In January 1965 General Wheeler said that, contrary to rumors, there was no dissension between military and civilian leaders in DOD and that "the current relationship between the soldier and the state is possibly the best we have had in many years."[48] Wheeler made this statement fully aware of the fact that the JCS had been held at arms length by McNamara throughout the policy deliberations.

Conclusion

The role of the Joint Chiefs of Staff in the policy process is more complicated than it appears at first glance. The chiefs deal not only in the world of military threats and calculations, but they must also operate in the sometimes equally challenging, and for them more confusing, political environment. While they swear an oath of allegiance to the Constitution, they also must be faithful to the President and the Secretary of Defense for whom they serve. Occasionally they find themselves in the awkward position of having to support the Administration on a substantive matter on which they disagree with the President's policy.

In such instances the responsibility of the JCS is clear. They must either support the President's policy, or, if they cannot, they must resign. Having said that, it does not follow that a member of the JCS must blindly support a policy decision with which he has serious reservations or objections. He has an obligation, should he decide not to resign, to continue to argue the case against such a policy, within the confines of the Administration's policy making process, until a final decision has been reached by either the President or the Secretary of Defense.

Of course, the situation gets particularly complicated for the chiefs when Congress gets involved. Here, it is imperative to remember that Congress has a legitimate role to play in national security and foreign policy matters. While the President has tremendous latitude as Commander in Chief of the U.S. military, it is Congress which appropriates the funds necessary for the military to operate. Congress also has the sole power to declare war. In the exercise of this Constitutionally given authority, the Congress has a right to that information which they require to do their job.

When appearing as Administration witnesses before Congressional committees, members of the JCS must be supportive of the President but if asked for their personal opinion on an issue they are, traditionally, bound to give that opinion, even

if it contradicts the Administration's position. If done carefully this needn't put the service chief in too awkward a position vis-à-vis the President. The problem faced by the chiefs at the September 1998 hearing was that they violated the fundamental rule of Congressional relations: namely, keeping the Congress informed.

What the members of the Senate Armed Services Committee objected to the most was that for seven months, from the original hearing the previous February, the chiefs had not shared their concerns about readiness with the committee. Of course, there were the usual, and perhaps a bit more, political pot shots taken (in this case by the Republicans) at the President's conduct of foreign policy and his level of support for defense in general. However, the anger expressed by the Senators was real. They blamed the chiefs for not telling them about their concerns for the state of the military's readiness in time for the senators to take action on the FY 1999 budget. The chiefs' protestations that things had changed a great deal since February simply was not believed by the committee members.

Much of the acrimonious nature of the hearing could have been avoided if the chiefs had met with the members prior to the hearing to apprise them of their concerns and to tell them about their meeting with the President and the Secretary of Defense earlier in September. Of course, General Shelton should have

avoided blaming part of the problem on Congress for giving defense things in the budget which they did not ask for and did not need. Such action by Congress is considered part of "doing business" by members and to have it raised publicly serves only to embarrass and anger the senator.

As we have seen, the role of the Joint Chiefs of Staff in the policy process is complicated. It places the chiefs in a world where some of their duties are clearly delineated, whether by statute or tradition or preference of the President. Other duties and responsibilities are less clear. The chiefs must often navigate their way through political minefields which are so foreign to anything they have faced in their long and distinguished careers. The prevailing tenet is civilian control of the military. This does not and should not denigrate the essential nature of the contributions of the senior military leaders to U.S. defense and foreign policy deliberations.

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ENDNOTES

[1] Carl Von Clausewitz, On War (Princeton: Princeton University Press, 1976),607.

[2] Thomas E. Ricks, "Joint Chiefs Tell Senate Military Faces Readiness Crisis, Needs Bigger Budget," Wall Street Journal, 30 September 1998, sec. A, p.1

[3] Congress, Senate, Committee on Armed Services, To Receive Testimony Regarding the Status of U.S. Military Forces and Their Ability to Successfully Execute the National Military Strategy, 106th Cong.,2d sess., 29 September 1998, 85.

[4] H.R. McMaster, Dereliction of Duty (New York: HarperPerennial, 1997), 13

[5] Ibid.

[6] Amos A. Jordan, William J. Taylor, and Michael J. Mazarr, American National Security (Baltimore: Johns Hopkins University Press, 1999), 166.

[7] Ibid., 168

[8] McMaster,14

[9] Ibid.

[10] John Osgood, "The Goldwater Nichols Act - Managing the Defense Department," 1998; available from http://pw2.netcom.com/~jrosgood/w16.htm;Internet;accessed 7 February 1999.

[11] Ibid.

[12] "The Chairman as Principal Military Adviser," Joint Force Quarterly (Autumn 1996): 29.

[13] Ibid.,31

[14] Christopher M. Bourne, "Unintended Consequences of the Goldwater-Nichols Act," Joint Force Quarterly 18 (Spring 1998):100.

[15] Jordan, Taylor, and Mazarr, 164

[16] Forrest C. Pogue, George C. Marshall: Organizer of Victory (New York: Viking, 1973),458-59.

[17] James Webb, "Our Hollowed Navy," Wall Street Journal, 5 January 1999, sec. A, p.6.

[18] Ibid.

[19] Jordan, Taylor, and Mazarr, 176.

[20] Ibid., 189.

[21] Ibid., 190-191.

[22] Congress, Senate, Committee on Armed Services, FY 1999 Department of Defense Authorization Request, 106th Cong., 2d sess., 4 February 1998, 21.

[23] Ibid., 37.

[24] Congress, Senate, Committee on Armed Services, 29 September 1998, 3-7.

[25] Ibid., 12.

[26] Ibid., 22.

[27] Steven Lee Myers, "Military Leaders Make Case To Clinton for More Money," New York Times, 16 September 1998, sec. A, p. 20.

[28] Congress, Senate, Committee on Armed Services, 29 September 1998, 54-55.

[29] Ibid., 67.

[30] James T. Currie, "Testifying on the Hill: A Guide to Survival," Parameters (Winter 1992-93): 80, 84.

[31] Congress, Senate, Committee on Armed Services, 29 September 1998, 89.

[32] Ibid., 98.

[33] Congress, Senate, Committee on Armed Services, FY 2000 Department of Defense Authorization Request, 107th Cong., 1st sess., 2 February 1999, 2.

[34] Ibid., 31.

[35] Philip S. Meilinger, "The Admirals Revolt of 1949: Lessons for Today," Parameters 3 (September 1989): 81-84.

[36] Michael T. Isenberg, Shield of the Republic (New York: St. Martin's Press, 1993), 151.

[37] Meilinger, 85.

[38] Isenberg, 158.

[39] Ibid., 162.

[40] McMaster, 330.

[41] Jordan, Taylor, and Mazarr, 185.

[42] McMaster, 23.

[43] Ibid., 70.

[44] Ibid., 330.

[45] Ibid.

[46] McMaster, 135.

[47] Ibid., 146.

[48] Ibid., 179.

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