
JOURNAL OFFPRINT

EUROPEAN SECURITY

A FRANK CASS JOURNAL

ISSN 0966-2839



UK and RoW: Frank Cass, Newbury House, 900 Eastern Avenue, Newbury Park, Ilford,
Essex IG2 7HH, England
Tel: +44 (0)181 599 8866 Fax: +44 (0)181 599 0984
Email: jnls@frankcass.com

North America: Frank Cass, c/o ISBS, 5804 NE Hassalo Street, Portland,
OR 97213 3644, USA
Tel: 1 800 944 6190 Fax: 503 280 8832 Email: jnls@isbs.com

For more information on this journal and our other publications
please visit our website <http://www.frankcass.com>

Managing the 'Expert Problem' in Civil-Military Relations

DOUGLAS BLAND

Samuel Huntington once defined 'the modern problem of civil-military relations' as managing the relationship between military experts and civilian ministers. The expert/minister problem arises not simply because senior military officers and defense officials hold a monopoly on technical and operational expertise, but also because they are charged by governments to execute policy, a duty that invites their interpretation of those policies. This paper seeks to examine two critical questions: what kind of continuing relationship between experts and ministers best serves liberal democracies in the long run and what strategies and instruments best allow ministers of defense to control defense policy outcomes and the activities of armed forces.

EXPERTS AND MINISTERS

Controlling outcomes in civil-military relations requires elected civilians – the civil authority – to address effectively four general problems. They must resist direct challenges by the military to the civil authority, separate the armed forces from partisan politics, and ensure good order and discipline in the armed forces. Finally, politicians must master what Samuel Huntington called 'the modern problem of civil-military relations', the relationship between the expert and the minister.¹ Mature democracies are defined partly because they have found ways that allow politicians to control the first three problems of civil military relations, but the expert problem may be unsolvable to the same degree.

The emerging democracies in Europe must find their own ways to manage all four problems of civil-military relations as an essential part of their democratization programs. However, managing the 'expert problem' may be the most important and the most difficult of all. Although the so-called Westminster model of civil-military relations, the NATO-standard model, provides a classic example of principles, norms, and rules for controlling most aspects of civil-military relations, political leaders in new

democracies should not expect to find a simple rule-based solution to the difficulties that arise naturally between ministers and their expert advisers. Managing the expert problem in civil-military relations in these states, as in established democracies, demands not only the continuous attention of political leaders but also particular leadership strategies and managerial structures if politicians are to effectively direct and oversee defence policy and the activities of the armed forces. Developing and sustaining these strategies and structures are the next great challenges facing political leaders in new democracies.

The difficulty in the expert/minister problem arises not simply because senior military officers hold a monopoly on theoretical, technical, and operational expertise, although this is an important aspect of the problem. Controlling the expert/minister problem is worrisome also because the regime that has evolved in democracies for controlling the first three problems depends on a type of partnership – a shared responsibility – between politicians and soldiers that enhances the officer's position *vis-à-vis* the politician. The military officer is 'expert' not only in the sense of the adviser who knows in detail, but also because officers are charged by governments to execute policy. Thus where the first problems of civil-military relations can be, and are, amenable to laws and regulations, the expert/minister problem depends on the control of overlapping responsibilities joining the expert to the minister in dynamic ways. Therefore, controlling and monitoring the expert problem is difficult, if not impossible, in the usual sense of hierarchy and public administration.

Moreover, if one were to attempt to solve the expert/minister problem by, for instance, curtailing somehow the officer's responsibility to execute policy, then one might well defeat efforts to control the other problems of civil control. For example, if officers were stripped of their responsibility for disciplining the armed forces, then the task would fall to politicians and that would eventually bring partisan interests into internal military affairs. The expert/minister problem could be solved by making the expert the minister, but practically this would mean that an officer would become minister of defense and this result would defeat essentially civil control. In important ways, the regime of norms, principles, and rules that govern civil-military relations in mature democracies depends on the expertise of senior officers – and increasingly defense civil servants – and a sharing of responsibilities between politicians and these experts.

The situation is not, however, a hopeless dilemma for governments. Ministers need not quake before the 'trade union of the generals'² nor become their own chiefs of staff and seize direct control of the armed forces. The modern problem of civil-military relations can be managed successfully when the relationship between ministers and soldiers is

properly understood and when ministers actively assume their responsibilities.

This essay seeks answers to a critical question: how can liberal democracies best manage 'the expert problem' in civil-military relations? It is part of a larger question: 'what kind of continuing civil-military relationship best serves democracies in the long run?'³ Finally, these questions relate to the broader enquiry: how do civil authorities actually control defense policy outcomes and the activities of armed forces?

The task of theory, to paraphrase Henry Eccles, is to penetrate to the inner structure of civil-military relations, to its component parts, and to their interrelations.⁴ This discussion is based on the assumption that a version of 'regime theory' guides the management of civil-military relations in liberal democracies. This complex, but subtle, regime of ideas, principles, and norms allows Western liberal democracies to control 'the praetorian problem'⁵ that confronts all states and to manage successfully the other problems of civil-military relations. Moreover, national regimes, evolved through centuries of political and military experience, are widely accepted in society (though perhaps not acknowledged) and in the armed forces and lead inevitably to a system of shared responsibility for national defense.⁶

THE MODERN PROBLEM DEFINED

The expert problem in civil-military relations arises from three main causes. First, military officers usually have considerable technical expertise and operational experience that no civilian representative could hope to match.⁷ This technical expertise brings senior officers directly into the realm of policy making in obvious areas concerned with the development and uses of military capabilities. It also brings them indirectly into other areas of public policy areas not connected to military affairs, such as the allocation of national assets.

Second, officers, and especially commanders, are appointed to conduct operations in the name of the state and these types of duties give them considerable freedom of action and authority. This discretionary authority often gives commanders influence on important national policies and politicians may have trouble controlling it. In some circumstances, commanders of high status or with significant responsibilities for national 'blood and treasure' may tower over their civilian leaders in public esteem, at least for a time. Finally, because national laws usually give officers authority for training, organizing, disciplining, and administering the armed forces, they have a degree of independence from civil authorities that may limit the policy options available to politicians and the decisions they can take.⁸

STRATEGIES AND STRUCTURES FOR MANAGING THE EXPERT PROBLEM

Although the expert problem is not unique to defense ministries, the defense ministers' problems can be particularly demanding because they are responsible and accountable for directing officers who, at times, are answerable for the security of the state, vast national resources and the lives of large groups of men and women in uniform. As Richard Gabriel remarked, 'no [other] profession has the awesome responsibility of legitimately spending lives of others in order to render its service'.⁹ Ministers who act without military advice, who become their own chiefs of staff, take a fearful risk by assuming the military's 'awesome responsibility'. On the other hand, those who too willingly accept military opinion may find themselves caught up in a web of institutional interests that do not necessarily equate with national interests. How then does a civilian minister of defense truly control subordinates who hold a near monopoly on technical information and have traditional delegated responsibilities supported in law?

The answer to this critical question comes, perhaps paradoxically, from strong ministers who actively direct their portfolios and who, at the same time, gain officers' willing cooperation and assistance in controlling the armed forces in the name of the civil authority. Politicians often cannot control defense policy and military outcomes without following this dual-tracked strategy and acknowledging the military's 'rightful authority' over traditional military policies and functions.¹⁰

Ministers can do several things to manage the expert problem in civil-military relations. First, they should reinforce their authority over those issues and areas of responsibility that are clearly theirs. Military leaders in mature democracies rarely take power away from civilian leaders. More often, 'civilian control is in doubt... when civilian officials fail to exercise [control] or neglect to use the powers legally vested in them'.¹¹ On taking office, therefore, ministers should impose themselves, forcefully if necessary, on the defense establishment and create a superior-subordinate relationship between themselves and their senior military and public servant advisers.

Ministers can enhance their control of experts by clarifying the laws pertaining to armed forces and explicitly identifying those areas and decisions that ministers will control personally. The national defense legislation concerning the armed forces should have several specific provisions related to managing the government's defense experts. However, the fundamental premise underlying the national defense law must be based on the idea that the government of the day has the responsibility for the

nation's defense and the armed forces are only the instrument of that policy. This seemingly simple notion immediately places the civil authority above the leaders of the armed forces and allows for no lawful possibility for the military to usurp civil opinion and policy on the pretext that the armed forces are responsible for national defense. Under this type of provision, an armed force acting without the express consent of the government of the day, even in defense of the nation, would be acting illegitimately.

The law should identify clearly the chain of authority linking the government to the military command. Divided civil authority is not necessarily dangerous, but ambiguous arrangements can leave an element of choice in officers' minds and tempt them to intervene wherever politicians cannot agree. The civil distribution of authority should identify who has responsibility to direct the armed forces routinely and this is usually a minister of the government. It might also clarify whether, when, and how this arrangement might change, in times of war for example, and what mechanism will then come into effect. Where authority is divided, as between a head of state and the parliament, then the specific responsibilities of each authority in all conceivable situations should be spelt out in law.

Discipline and obedience – characteristics that differentiate an army from a mob – are the universal mainstay of armed forces. Military traditions and the necessities of warfare demand unusual powers of command by officers over soldiers no matter the political culture. Military codes especially require subordinates to obey orders from their superiors under threat of severe punishment. In democratic states, however, this power is conditioned by two principles: orders must be lawful and they must be issued by an authorized superior. The law, therefore, is the instrument that subordinates the armed forces to civil control and ultimately every soldier in the armed forces of a democratic society must be loyal to the rule of law.

National laws, including civil and criminal codes applicable to all citizens, should provide the only basis for 'lawful orders' within the armed forces, and national laws, especially codes of military discipline, must identify superior officers authorized to give such orders. The law, in so far as it is expressed in the hierarchy of armed forces, linking superior to subordinate, is intimately related to the principles of responsibility and accountability and the citizen's 'right to know that the authorities, responsibilities, and duties ... especially of leaders, are performed effectively and efficiently, and within the law'.¹² Here the military concept of unity of command and society's need to hold identifiable persons responsible for the actions and decisions of leaders coincide. Ministers, therefore, should ensure that national laws reinforce the military concept of unity of command but in ways that enhance civil control of the armed forces.

These twin requirements can be achieved by restricting severely political access to and authority to give orders to the armed forces. Ideally, the law should provide one avenue from the government of the day to one officer who has command of the armed forces. Such a provision is needed to prevent the manipulation of parts of the armed forces by politicians for their own partisan ends by blocking political intervention or interference in the military chain of command. This rule separates every officer and commander from the political process, except the chief of staff who becomes, in General Colin Powell's terms, 'the action officer connecting the military forces to the political system, and the political system back to the forces'.¹³ The interface between civil control and the military, therefore, should be at the level of the chief of the defense staff who is also the single individual responsible and accountable to the government for the activities of the armed forces, and the law should make this relationship clear. Once this relationship is properly established, a major worry and responsibility of the minister and the government are removed.

Some might question whether a single chief of defense can adequately advise ministers on the broad range of land, sea, and air subjects common to modern armed forces. Others worry that a single adviser may distort the advice of his peers and block the minister from other opinions. These are significant concerns, but the history of the single chief of defense concept in Western states suggests that they are exaggerated.¹⁴ What is often overlooked by critics of the single chief of defense idea is that it is a response to the needs of ministers who tend to see national defense as a single issue not divisible into service packages. Ministers and the armed forces generally benefit whenever the government is given 'coordinated' military advice rather than a snarl of competing service advice. This effect is especially relevant to smaller states, though it is arguably as applicable to major military powers as well.

CONTROL THROUGH CONSENSUS

Even though the law usually provides ministers unquestioned authority over the general staff and officials, ministers must deal with their experts routinely and they need their willing support. In most circumstances, ministers should strive to create an open and trusting relationship with their subordinates because they will foster a sullen relationship if they regard officers with suspicion or always confront them formally in accordance with the letter of the law. Although ministers must always have the final say, experience suggests that consensus building is a key characteristic of successful defense ministers and workable civil-military relations. Consensus building is, also, an inevitable consequence of shared responsibility for national defense.

Difficulties in deciding defense policy arise because the factors are complex and wrapped in uncertainty. Deciding is difficult, moreover, because intelligent and dedicated people naturally tend to see problems and opportunities differently. The wonder is not that ministers and officers often disagree with one another, but that they very often arrive at strong positions from distant starting points. In most Western ministries of defense, policies reflect a consensus of political leaders, military officers, and senior bureaucrats on the missions of the armed forces, the resources necessary to accomplish these missions, and the organization needed to do it. In strong relationships, the minister leads this consensus building process.

Ministers are more likely to achieve a consensus when they bring to the defense ministry the strong backing of their political colleagues and a clear idea of what the government wants to achieve with its defense policy. Even in the early days of policy making, it is necessary for political leaders to at least sketch out the main elements of defense policy, including expected funding levels. Ministers should then allow officers and defense civil servants time to analyse the government's ideas and to prepare proposals for the government to consider. These proposals should be given careful and serious consideration and this may prompt another round of consultation. This first round of decision making is not, however, without certain dangers for ministers.

The expert problem in civil-military relations is not just a concern about who makes the final choice, but also about who makes the choice of possible choices. In other words, while ministers might make the final decision, preparing the list of policy options for ministers to consider may be the decisive part of the game. When ministers are asked to select policies from among three or more politically untenable options, they are not being given much choice at all. The situation can be even more uncomfortable when political leaders are surprised by the choices they are offered. Thus, it is critical that defense ministers involve themselves in the defense decision-making process early and continually. Not only does this activity help control the process, but it also connects officers to the political dimension of policy making. Without the minister's involvement, officers may misapprehend the political consequences of their analysis or, perhaps, insert their own political ideas instead. 'The buck' may stop at the minister's desk, but ministers ought not to passively wait there for the buck to arrive.

Once decisions are taken based on expert advice, ministers owe military leaders and officials support during the period those decisions are being explained to the public and as they are implemented. Supporting their experts will not only win ministers continued loyalty from officers and officials, but also it will display to them that the system works – that when

they join a consensus their points of view will be respected. On the other hand, a minister will destroy any chance for future consensus building and may find himself without advisers at all, if he unnecessarily jettisons military advice in the face of opposition or blames advisers when policy is unpopular.

Ministers, however, must insist that officers implement the government's policies in good faith. Officers who back away from undertakings made during the consensus building process or who conceal special interests in general agreements will not only destroy their relationship with ministers, they may find their careers at an end. Open conflict between ministers and the general staff does no one much good, and may well seriously fracture civil-military relations for at least the term of that particular government.

It is important, therefore, that politicians and officers understand that military leaders will be held accountable to the government for their responsibilities and for the faithful execution of the government's policies. Ministers must put accountability mechanisms in place and they should be as open as national security will allow, which means that *in camera* accounting will be the exception. This type of accountability system will not only serve the minister's needs, but it will also reassure the public that the military is acting under political direction and according to the government's policies. Public accountability also serves the armed forces because where errors can be clearly attributed to political decisions, military leaders might make that point obvious to the citizens and, perhaps, retain their support in turbulent times.

THE DEFENSE BUDGET—MANAGING OUTCOMES, NOT CASH FLOWS

The allocation of funds for national defense and the control of expenditures in the defense ministry and the armed forces is the most obvious way ministers can protect themselves from their expert advisers. It is also the bluntest weapon and, in reality, not as readily available as some might think. There is no question that ministers may decide exactly how much money will be devoted to national defense and by restricting or liberating the flow of cash they can control their experts almost completely. Yet defense expenditures are usually integrated into the national economy in many ways and sudden alterations to the defense cash flow may have unintended and surprising consequences. Short-term and anticipated changes can often be absorbed but radical alterations, up or down, might destabilize the armed forces and important segments of the national economy. Therefore, ministers who think they can control their experts through the treasury had best be careful.

Ministers should and can control and modify the behaviour of their civil and military experts by selectively changing defense expenditures and by holding officers accountable to do with the funds what they have said they would do. Armed forces, like other government-funded institutions, become accustomed to a certain predictable share of the national budget. This predictability allows for the orderly development of capabilities and systems, but it also encourages extant interests and *status quo* policies. If a spending pattern is in place long enough, ministers may find themselves saddled with advisers wedded to weapons and units the state no longer needs. Ministers can redress this situation by making specific budgetary changes aimed at reordering capabilities and promoting different advisers. Building and managing a type of *budgetary outcomes strategy* may be the most effective process for managing the experts.

An outcome strategy begins with a clear and specific decision by government about what capabilities, at what scale, it requires in the armed forces. Ministers should try to make such decisions after building a consensus on national defense capabilities with their military advisers. However, there should be no misunderstanding that the final decision, for better or worse, is the government's decision. Once these critical decisions are taken, then ministers should allow officers time to work towards a defense program that will produce the desired outcomes. Obviously, the defense minister must be appropriately involved in the decision-making process and ministers from other departments might be involved in major expenditure decisions. Generally, however, ministers should allow their experts to plan for and develop the capabilities needed to reach the government's purpose.

After the military experts present their capabilities plan to meet the government's policy, ministers should submit it to close scrutiny to ensure that it in fact meets their intent. Mistakes can occur simply in interpreting what is required and some objectives might really be impractical. Eventually, the government must decide whether to accept or reject the expenditure plan their experts have prepared. Again, generally, because experts agree that defense programs need to be comprehensive and coordinated, ministers might be asked to accept an entire program in circumstances where they would rather pick selected items from the menu. This different approach can create an adverse reaction from experts who worry about the perceived need for long-range planning. A strong, open consensus-building phase might limit, if not eliminate, this type of late developing expert/minister conflict.

After the defense policy is set and outcomes and expenditures agreed, the defense minister should insist on holding the leaders of the armed forces to the agreement. One should not presuppose that officers would try to

thwart the plan, but large institutions can easily lose sight of a government's objectives as they pursue day-to-day affairs. An outcome strategy, therefore, requires a strong accountability element that includes statements of responsibility, firm milestones, and rigorous expenditure procedures. Officers should be able to show how actual outcomes relate specifically to objectives set by government. By placing responsibility on their experts to design technically appropriate outcomes for objectives set by government, ministers can engage their advisers' expertise and bring them into the policy process at a suitable level while maintaining control over the outcomes of the defense program in all important respects.

BUILDING PARTNERSHIPS

Ministers of defense usually enjoy the support of their cabinet colleagues and often they are close to prime ministers and presidents. This association increases their status and power relative to that of officials and military experts. They also carry the legitimacy of popular election. These relationships give ministers considerable influence over their experts, but it is not always enough to provide the type of positive control ministers need in their day-to-day dealings with senior officers and officials.

The choice of a minister of defense is a critical part of managing experts. Senior officers and officials usually respond well to ministers who are in some sense experts in their own right. They tend to judge the minister first as a politician, noting the minister's skill, success, and power relative to his colleagues. New ministers are generally known to senior officers and officials and their reputations may condition the reception they receive as they enter office. Occasionally, a minister will be well acquainted with military and international affairs and this too can be a benefit, but it can also be a hindrance. A minister whose mind is set before meeting with experts may find it difficult to build a consensus or to advance policies. Selecting an appropriate defense minister, therefore, is a critical first step in solving the expert/minister problem because a careless selection might start a conflict the government wishes to avoid.

Perhaps the minister's most important and influential supporters are other politicians. Ministers who enjoy strong support in cabinet, as already noted, hold a critical advantage over non-elected officials. Defense ministers, therefore, should not only attend to their political party fences, but they should also seek the advice of knowledgeable members of other parties, especially former defense ministers. Even when such efforts remain hidden from public view, military leaders will soon become aware of them. A united, nonpartisan national defense council may sober officers who wish to take advantage of a lonely minister.

Politicians generally, and defense ministers particularly, have a broad responsibility to maintain the political neutrality of military officers. They can do this by developing and encouraging a nonpartisan relationship between senior officers and politicians of all stripes. Furthermore, defense ministers should facilitate the nonpartisan exchange of information and ideas between officers and politicians who are out of office. One way to accomplish this interaction is to build a strong multiparty defense committee in parliament and to allow members of the committee to discuss routinely military and defense issues with senior officers. This process should reinforce the idea that officers, though loyal to the government of the day, have a professional duty to present nonpartisan expert advice to the political community as a matter of course. Ministers may also discover that by allowing military officers to advise the minister's political opponents they help to build competence in the community. This, too, is an important tool for managing the expert/minister problem in civil-military relations no matter which party is in power.

Even ministers who are well prepared and accepted by their experts occasionally need help testing the advice they receive. Therefore, it is important that ministers develop formal and informal mechanisms and partners to assist them in the management of their portfolios. A defense minister should insist that experts present their advice systematically. This system should include two complementary stages: first is a formal stage aimed at providing a detailed analysis of the policy, the fiscal and technical factors surrounding the project, and its related consequences. The report should relate particular recommendations to other projects and together these coordinated assessments would form an important part of the national defense program.

The second stage should be much more informal and involve fewer people, but especially those who are responsible and accountable to the minister for the defense program and the command of the armed forces. This type of assessment is best conducted in a closed defense council chaired by the minister where unrestrained debate of proposals can be encouraged. The purpose of such meetings is to allow the minister to hear all relevant views and to provide a forum where the minister can actively join the decision-making process before 'the choice of choices' is tabled. Ideally, these meetings would join the military expert, the scientific expert, and the bureaucratic expert with the minister, the political expert, thus powerfully supporting the consensus building process. At this stage, the defense minister might seek the private counsel of political allies. However, no matter the strength of this cabinet of defense experts, its purpose is to advise the minister who alone remains responsible and accountable for the decisions taken there.

THE DEFENSE COMMUNITY

Even if a minister were blessed with a sterling management system, he or she may still be captured by internal opinions which expose the minister to opposition and public criticism. Ministers need advice from outside their ministries to fully manage and test the advice they receive from experts. Most mature democracies have well established external defense communities composed of independent strategic studies centres, defense interest groups, other non-governmental agencies, academics, and the media. These individuals and groups provide a 'counter-expert' assembly which is usually continually engaged in the defense debate in one way or another. They offer ministers other points of view directly as consultants and indirectly through writings and discussions in public fora. Some ministers solicit advice, win support for government policy, and test their experts' recommendations by consulting regularly with individuals and defense associations from outside government. This approach to policy making has political advantages for the minister as well, mainly because it tends to defuse opposition and allows the minister to dissociate himself from unpopular internal expert opinion.

Ministers of defense, therefore, should facilitate the development of a diverse defense community outside the defense establishment. Where such a community does not exist, ministers should help to develop one by, for instance, providing government funds to universities and non-governmental organizations for this purpose.

Invariably, internal and external experts will disagree with each other, sometimes quite vigorously, but this is usually to the greater public good. Public debate on significant issues, especially where the minister can stand aside, helps to suppress criticism that the minister is in the pocket of military experts and their opinions. More positively, both the minister and officers may find that they can look to outside experts as allies whose independence might bolster the government's defense policies in public discussions.

Notwithstanding the benefits a minister might gain from counter-experts, politicians should be careful how such advice is used in the policy process. Although outside experts may have impressive command of defense matters, they are rarely accountable for the consequences of their advice and this freedom may tempt some to promote impractical and even dangerous policies. Officers and officials, on the other hand, are ever conscious that they will be held accountable for decisions taken on their advice and this reality may temper their opinions. Ministers need to understand that officers and officials may wish to travel more slowly than outside experts simply because they carry the burden of responsibility.

Whenever defense ministers consult outside experts they risk alienating military officers, especially if officers suspect that outsiders are trespassing in the field of military professionalism. Most officers believe that the essence of their professionalism is tied to their command of technical military affairs and the strategic and tactical direction of armed forces. Officers may worry and become uncooperative if they believe that their professional status and unique social responsibility are being compromised by ministers who look outside the military profession for advice. Indeed, the closer competitive advice comes to operational issues, the more sensitive officers will become and ministers should expect quarrelsome resistance in such circumstances.

In 1964, Colonel Ginsburgh, then a staff officer in the Pentagon, expressed the frustration many officers felt when American political leaders appeared to accept the advice of their civilian 'whiz-kids' over advice offered by their military experts. 'It is not too difficult', Ginsburgh wrote, 'for a military man to accept an adverse decision based on non-military considerations. It becomes extremely difficult, however, for him to reconcile himself to an adverse decision by his civilian superior based on military considerations.'

This problem and frustration are common in Western defense ministries and defense ministers who reach outside the military establishment for advice should expect such reactions. In some cases, a minister's disregard for the military's professional sensitivities can cause a rupture in civil-military relations. Such was the case in Canada in 1967 when the defense minister, Paul Hellyer, imposed a policy to unify the three armed services over the strenuous objections of the high command.¹⁵ Ministers who insist officers follow decisions they cannot tolerate must be prepared for continued disagreements, loud retirements, and, perhaps, considerable political damage to themselves and their government. Where serious disagreements arise from matters clearly within the minister's jurisdiction, then politicians should stand firm. However, before ministers enter the officer corps' traditional domain, they should recognize their own limitations and consider the possible harm boundary jumping might have on consensus building.

THE MINISTER'S MINISTRY

A minister of defense, as the agent of the government of the day, is (or should be) responsible and accountable for every action and decision taken in the defense establishment. Yet the minister ought not simply sit behind a desk awaiting the arrival of advice and reports of activities. Ministers must become active participants in the decision-making process of their

departments and the armed forces. More than any other feature, the active minister is the most telling sign of strong civil control over the military. However, no minister can actively supervise the defense establishment unless the defense ministry provides the means for doing so.

If ministers are to manage the expert problem in civil-military relations, they need organizations and processes that faithfully protect the minister's responsibilities and prerogatives while allowing the minister to intervene in any defense issue at any time. These two requirements are usually intertwined within the ministry through such things as committees, advisory councils, and decision-making schemes. Ministers, however, must guard against becoming captives of or servants to the ministerial structure they inherit.

Defense ministers can best protect their position by keeping their most important responsibilities under their direct control. For example, ministers might wish to organize within their own office records of meeting with their defense council and a personal staff to manage their parliamentary business. But if political leaders are to control the armed forces and manage the expert problem, then they must be cognizant of the details of departmental and military plans and activities and stand ready to temper them with political common sense. Indeed,

the degree to which a minister can enter routinely into the details of defense planning and impose his will on the decision-making apparatus of the high command is a key indicator of the extent of parliament's control of the military.¹⁶

But no minister, however bright and well informed, can hope to accomplish this task from an office separated from the ministry and the armed forces command.

The institution best suited to serve the minister's multifaceted duties is the integrated defense ministry. This type of ministry combines the minister's office, the civil service bureaucracy, and the military high command and their separate but linked responsibilities in one establishment. An effective integrated ministry facilitates the exchange of ideas and information between these three branches and aids in consensus building. The management of defense issues and reactions to day-to-day events is also easier when senior leaders are close to each another.

Civil servants and military officers naturally look at problems from distinct perspectives. They also hold different levels of authority and are expert in different areas of national defense. In administrations where the branches are truly separated, and in integrated ministries, these differences are usually well defined in law and in practice so that ministers can hear both points of view free from unnecessary (and, at times, clandestine) compromises. Moreover, ministers often find it useful to test ideas and

opinions by requiring senior civil servants and military leaders to present their advice in ways that expose their different opinions. Tension between the civil bureaucracy and the military staff is a natural phenomenon which can and should be exploited by ministers looking to control experts because, sometimes, the best defense counter-experts reside within defense ministries

Notwithstanding the obvious value integrated ministries bring to defense administration and ministerial control, stepping beyond integration to unification of the civil and military branches in one ministry can be dangerous to civil control of the armed forces and would probably intensify the expert problems facing ministers. A unified ministry would bring together the civil service leadership and the military high command in a powerful combination of authority and expertise few ministers could hope to control. The logic of a unified ministry demands that one leader prevails and eventually only one option will be forwarded to ministers. A defense minister in a unified ministry might discover that controversial decisions are being taken below his level, stripping the minister of one of his most important responsibilities, the management of risk. Significantly, ministers who, in an integrated ministry, might be able to turn to one senior adviser to test the opinion of another may find, in the unified ministry, a unified opinion of experts.

Accountability is another victim in a unified ministry because decision-making there inevitably becomes the responsibility of either a civil/military dyarchy or some type of collegial decision-making process. In such circumstances, ministers will find it difficult to locate precisely who is responsible for the actions of the defense establishment and decisions taken within the ministry. When the mechanism for accountability for defense decisions fails, so too does civil control of the defense policy outcomes and the activities of the military.

Defense ministers, therefore, should build ministries that conform to the law and handle efficiently and effectively the business of national defense, while enhancing the minister's control of decisions and experts. Western military and political experiences suggest that such a ministry would include three main branches, a minister's office, a civil service bureaucracy, and the office and staff of the military chief of the armed forces. These branches should be joined under the minister by a council and a series of departmental functional committees. The effect is to provide the minister and the government with a coordinated source of contested advice and a single locus for administration where authority, responsibility and accountability are sharply defined. Yet the organization ought not to be so rigid that it conceals the natural conflict of opinion and advice that flow through every defense ministry.

Defense ministries are the instruments governments use to control the armed forces and the broader defense establishment. Weak or incomplete structures usually reflect poor control of civil-military relations. It is a mistake to think of defense ministries simply as necessary nuisances concerned with 'the outpourings of menial clerks'. The business of ministries is making choices about national defense and cannot be separated from 'the central business of government'.¹⁷ Therefore, the efficiency of their defense ministry as a controlling instrument should be a primary concern of ministers.

CONTROLLING EXPERTS: LAW-BASED OR ACTION-BASED?

The law provides the main instrument for controlling civil-military relations in liberal democracies. Together with a regime of principles, norms, and rules, national laws have largely solved three obvious civil-military problems: preventing military interference in government, maintaining discipline in armed units, and keeping partisan politics out of the armed forces. The idea and practice that give effect to the law and the regime is shared responsibility. This means that military officers provide an essential element in the maintenance of civil control of the armed forces in democratic states. In other words, military officers are not only the state's 'managers of violence', but they are also the state's agents for managing important aspects of civil-military relations. Officers are the defense minister's experts and share with the minister responsibility for civil control of the armed forces.

Ministers, therefore, are inescapably bound to their experts as advisers, commanders, and partners in the civil control of the armed forces. While laws and regulations may provide the base for the control of the first three problems of civil-military relations, the law alone is not a sufficient or effective base for managing the expert problem.

There are three dimensions to the modern problem of civil-military relations, the expert/minister problem. The first dimension appears because officers and officials, who have a professional and institutional interest in the decisions politicians take, hold a near monopoly over the information their political leaders need to make critical decisions. This might be called the conflict of interest dimension. The second dimension follows from the demand that political leaders be held accountable for the activities of the armed forces when the direct control over these activities is in the hands of professional experts. This might be termed the accountability dimension. This unique relationship between officers and officials who are expert and politicians who are accountable gives the experts a degree of power over, and can bring them into conflicts with, their civil superiors.

The first two dimensions of the expert/minister problem, conflict of interest and accountability, are obvious and often discussed in ministries, defense literature, and military staff colleges. The defense minister is dependent on those he or she would control for information and for the practical application of ministerial directions. But even if laws and the defense minister could overcome these first two dimensions of the problem, the minister would still be captured by the officer-commander's willingness or unwillingness to follow the minister's policies. Officers, and to a certain degree officials, are the individuals who enact the government's policy and this responsibility provides significant power over outcomes. This third aspect of the problem might be termed the discretionary dimension of the expert problem of civil-military relations and it is largely situational and impossible to control through laws and regulation.

The modern problem of civil-military relations, therefore, is not a puzzle that has a finite solution. Rather, it is a difficulty, an ever present concern, that ministers must manage continuously through a set of leadership strategies, structural schemes, and managerial procedures that can help minimize the worse effects of the minister's dilemma. The key element in this prescription is the active minister who understands his place in law and custom and who eagerly and purposefully joins his experts in the management and direction of national defense.

Governments can enhance the defense minister's position by enacting a national defense law that plainly defines the authority of ministers, senior officers, and senior civil servants. The law should also define unambiguously the line of authority from government to the armed forces and within the military chain of command. The procedures and authority for passing orders and directions to the armed forces must be obvious and constructed with as few links in the chain as possible. Finally, the law must protect the armed forces from partisan politics and the ministers should act as the military's guardian in this respect.

Where decisions and activities concerning national defense are shared by different actors, then the defense minister should strive to build a consensus with relevant players before acting. Consensus building implies that the minister will invite those officers and officials who have significant responsibilities for policy management and outcomes and others who have genuine expertise in the field under review to discuss the matter. This managerial strategy implies, also, that once decisions are taken, ministers and officers will stand together until new factors cause them to rebuild the consensus.

Ministers need partners and allies outside the defense establishment and they should actively develop them. Some ministers might organize formal committees of outside advisers to assist them in assessing internal policy

advice. Others are content to support the development of an informal defense community composed of academics, defense media, non-government agencies, and associations to provide alternate views on defense policy and issues. This type of defense community can ease the grip of internal experts, but ministers must be careful not to undermine the confidence and trust of officers and officials who carry responsibilities outsiders do not hold.

Ministers can maintain some control over the defense bureaucracy by manipulating the flow of funds to national defense. However, it is usually more effective if ministers assist the experts in gaining the best outcome from defense expenditures by providing political guidance and support. At the same time, ministers need to supervise their expert advisers to ensure that they work to implement the government's preferences and not their own.

Defense ministers are accountable for the efficient and effective management of national defense policy and for the outcomes of that policy, and they should insist that the defense ministry provides them an instrument appropriate to their duties. Ministers should understand, and make their experts understand, that the ministry of defense is the minister's bureau. Therefore, the cardinal rule of defense organization is to construct a ministry of defense to enhance the minister's dual role as society's agent responsible for controlling the armed forces and as the government's chairman of the board of the defense establishment.

Ministers can manage the expert problem in national defense if they choose to lead their experts. Leading in this sense means gaining the willing cooperation of the experts who share with them the responsibility to provide for the national defense. Leading also means setting in place terms of reference, procedures, and organizations that explain to subordinates the boundaries of their authority and legitimacy.

As necessary as laws, rules and directions are, ultimately, ministers will have to trust their experts and depend upon them to provide sound advice without stepping into the minister's areas of responsibility. Trust, however, must never be blind. It can only survive when officers and officials are loyal, competent, and willing to subordinate their preferences to the minister they serve. In the end ministers can best manage their experts by holding them accountable for the advice they provide and the results they deliver.

NOTES

1. Samuel Huntington, *The Soldier and The State: The Theory and Politics of Civil-Military Relations* (NY: Vintage Books 1957) p.20. See a discussion of the problems of civil-military relations in Michael Howard (ed.), *Soldiers and Governments: Nine Studies In Civil-Military Relations* (London: Eyre & Spottiswoode 1957).
2. See John Terraine, *The Western Front 1914-1918* (London: Hutchinson 1964).
3. For a discussion of this question see Douglas Bland, 'Protecting the Military From Civilian Control: A Neglected Dimension of Civil-Military Relations', in Ernest Gilman and Detlef Herold (eds), *Democratic And Civil Control Over Military Forces: Case Studies And Perspectives* (Rome: NATO Defense College Monograph Series No.3 1995) pp.107-25.
4. Henry Eccles, *Military Concepts And Philosophy* (NJ: Rutgers UP 1965) p.27.
5. Samuel Huntington, *The Third Wave: Democratization In the Twentieth Century* (Norman: U. of Oklahoma Press 1991) p.231.
6. For a discussion of 'regime theory' as applied to civil-military relations, see Douglas Bland, 'A Unified Theory of Civil-Military Relations', *Armed Forces & Society* 26/1 (Fall 1999).
7. Occasionally, individuals such as the Duke of Wellington, Charles de Gaulle and General Eisenhower have combined significant military experience and high office, but they generally separated themselves institutionally, and sometimes intellectually, from their former positions.
8. Richard Kohn, 'Out of Control: The Crisis In Civil-Military Relations', *National Interest* 35 (Spring 1994) pp.3-17 and Colin Powell *et al.*, 'Exchange On Civil-Military Relations', *ibid.* 36 (Summer 1994) pp.23-31.
9. Richard Gabriel, *To Serve With Honor: A Treatise on Military Ethics and The Way of the Soldier* (Westport, CT: Greenwood Press 1982) p.86.
10. Richard Betts, *Soldiers, Statesmen, and Cold War Crises* (NY: Columbia UP) pp.7-8.
11. Eccles (note 4) p.175.
12. Canada, *Dishonoured Legacy: The Lessons of The Somalia Affair* (Report of the Government of Canada Commission of Inquiry Into the Deployment of the Canadian Forces to Somalia, 1992-93) Vol.2, p.389.
13. Bob Woodward, *The Commanders* (NY: Simon & Schuster 1993) p.154.
14. See for example, Bill Jackson and Dwin Bramall, *The Chiefs: The Story of The United Kingdom Chiefs of Staff* (London: Brassey's 1992) and Douglas Bland, *Chiefs of Defense: Government and the Unified Command of the Canadian Armed Forces* (Toronto: Canadian Inst. of Strategic Studies 1995).
15. See, for example, J.V. Brock, *Memoirs of a Sailor: The Thunder and the Sunshine*, Vol.2 (Toronto: McClelland & Stewart 1983); David Burke, 'Hellyer and Landymore: The Unification of the Canadian Armed Forces and an Admiral's Revolt', *American Review of Canadian Studies* Vol.VIII (Autumn 1978) pp.3-27 and Paul Hellyer, *Damn the Torpedoes: My Fight to Unify Canada's Armed Forces* (Toronto: McClelland & Stewart 1990).
16. Bland (note 3) p.118.
17. John Sweetman, *War And Administration: The Significance of the Crimea War for the British Army* (Edinburgh: Scottish Academic Press 1984) p.21.