An Agency Theory Explanation of American Civil-Military Relations during the Cold War

November 5, 1997


Peter D. Feaver
Assistant Professor
Department of Political Science
Box 90204
Duke University
Durham, NC  27708-0204
(919) 660-4331
(919) 660-4330 {fax}
pfeaver@acpub.duke.edu
The question of how to secure civilian control over a standing army without enfeebling national security was one of the two or three central issues preoccupying the original framers of the U.S. Constitution. Despite its prominence in the constitutional debates of the time, however, the issue received scant scholarly attention for the first 150 years of the American Republic. Perhaps it was thought that the Constitutional framework solved the problem; or perhaps the luxury of distance from the endless cycle of European conflicts, which permitted a relatively tiny professional army, allowed civilian society to largely ignore military policy except for the brief spasms of war. Whatever the reason, the trauma of World War II and the seemingly permanent contest with the Soviet Union that followed occasioned the first wave of systematic study of American civil-military relations. The theory of American civil-military relations, for better or for worse, is largely a creation of the Cold War. And the two great theorists who did the most to establish the field, Samuel Huntington and Morris Janowitz, conceived of their projects as ways to solve problems arising out of the Cold War.

It is not surprising, therefore, that the end of the Cold War has produced something of a crisis in both the practice and the study of American civil-military relations. The practical crisis, epitomized in the extraordinary level of civil-military friction, has received ample discussion elsewhere. The practical crisis has also highlighted what might be called a theoretical crisis: the lack of significant conceptual progress in the theoretical tools used to explain American civil-military relations. What is needed is a deductively grounded, empirically plausible alternative to Huntington and Janowitz.

This paper is excerpted from a larger book manuscript, Agency, Oversight and Civil-Military Relations, which advances precisely this kind of theoretical framework. In that manuscript, the deductive framework of agency theory is developed at length and the simple game theoretic model utilized here is introduced. The book also devotes considerable energy in critiquing the established theories, especially Huntington’s own interpretation of the Cold War. This preparation is necessary context for the argument presented here, but for considerations of space I will only cover them lightly in this paper.

This paper proceeds as follows. I briefly sketch the empirical puzzle raised by Huntington’s theory of American civil-military relations. I introduce the basic workings of the agency model, an alternative way of conceptualizing civil-military interactions. The bulk of the paper consists of applying the model to the Cold War case. This involves first mapping the Cold War experience onto one of the outcomes identified by the agency model, characterizing the nature of civil-military relations in agency terms. Next I use the model to generate hypotheses linking the observed civil-military outcome and other factors affecting the relationship including the costs of civilian monitoring and the likelihood that military misbehavior will be punished. Finally, evidence supporting the hypotheses is presented and evaluated.

**Huntington’s Cold War Puzzle**

In *Soldier and the State*, Samuel Huntington argues that civil-military relations are shaped by three explanatory variables: the level of external threat (his functional imperative), the constitutional structure of the state (one of his societal imperatives), and the ideological make-up of society (the other societal imperative). The motivation for his study, the "crisis of American civil-military relations," is a clash between the functional and societal imperatives brought on by the emergence of the Cold War. The functional imperative in the form of the Soviet threat imposed a requirement on the United States for a large military establishment, but the societal imperative of a traditional liberal anti-military ideology frustrated efforts by political leaders to build the requisite military forces and to leave them alone to do their job of providing national security.

Huntington’s primary contribution, by his own measure, is the identification of a way of meeting the Soviet threat without losing civilian control: rely on objective control. But objective control was not possible so long as liberalism still held sway over the societal imperative. Consequently, Huntington’s empirical theory prescribes a normative solution: shift American ideology from liberal to conservative, permitting the establishment of objective civilian control and, ultimately, the requisite national security. Huntington avers: "The requisite for military security is a shift in basic American values from liberalism to conservatism. Only an environment which is sympathetically conservative will permit American military leaders to combine the political power which society thrusts upon them with the military professionalism without which
society cannot endure."

With the Cold War over, it is possible to evaluate an empirical puzzle raised by Huntington's theory. Did the United States in fact prevail in the Cold War? If so, did civil-military relations change as he predicted? If Huntington's prescriptions were not followed and disastrous results did not ensue, how can we better explain the civil-military implications of the Cold War experience?

Logically, there are five possible answers to this set of questions. First, perhaps the United States did not prevail in the Cold War. In this accounting, perhaps Huntington's prescription simply was not followed yielding the unfavorable outcome predicted by his empirical theory. Second, perhaps the United States prevailed but for reasons that have nothing to do with civil-military relations. Huntington's theory could be wrong, irrelevant, or both. Third, and this was advanced by Huntington himself, perhaps the United States essentially followed his advice. Perhaps civilians rejected liberalism in favor of military conservatism, permitting the solution Huntington recommends. Fourth, perhaps the United States arrived at the kind of civil-military relationship advocated by Huntington but for reasons other than the ideological convergence he specified. The agency model identifies several conditions under which civil-military relations could be expected to meet Huntington's prescription, some of which Huntington did not explicitly consider. This finding would lead us not to reject Huntington's theory but rather to subsume it in the more fully specified agency model. Fifth, perhaps the U.S. neither followed Huntington's prescriptions, nor reached the kind of civil-military relationship Huntington desired, but this did not have the deleterious effect on U.S. security that Huntington feared.

Elsewhere, I have addressed the first three possible resolutions at length. Briefly, the empirical record supports the idea that U.S. civil-military relations provided the requisite security but without the liberal-to-conservative shift in ideology prescribed by Huntington. In this paper, I will address the two questions that remain -- what pattern of civil-military relations emerged and why? -- using a theoretical framework I call agency theory.

An Agency Model of Civil-Military Relations

Agency theory provides a micro-foundational explanation of civil-military relations. It treats civil-military relations as comprised of an ongoing series of strategic interactions. The interactions begin with civilians seeking to trade off the advantages of specialization against the disadvantages of agency. The advantages are that the military function can be performed by experts, freeing the time and energy of civilian masters for other tasks. The disadvantages are the ones inherent in any political relationship: will my representative truly serve my best interests or will he exploit his position to pursue selfish goals? In a democracy like the United States, this is a classic principal-agent relationship where the civilian-principal seeks ways to assure appropriate behavior from his military-agent. Interactions like this can be profitably analyzed using

\[1\] Quote from Huntington (1957), p. 464.

\[2\] In Goodpaster and Huntington (1977).

\[3\] Chapter 4, "Huntington's Cold War Puzzle," in Feaver (forthcoming).

\[4\] This section draws on material from Feaver (1997).
a simple game theoretic model.

The game begins with the civilian deciding how to monitor the military given that there are costs associated with intrusive monitoring. Monitoring intrusively may be thought of as conducting many regular congressional investigations, having large numbers of civilian staff in the OSD to micromanage defense policy, and so on. Some of the costs involve time and effort that could be devoted to other things the civilian leaders care about (for instance, reelection); other costs might be called policy costs which arise from micro-management, i.e., the mistakes caused by civilian meddling in areas outside their expertise. Deciding not to monitor intrusively does not mean that the civilian is unconcerned with military behavior and, importantly, it does not mean that the civilian has given up hope of learning of any military misbehavior some other way. Indeed, deciding not to monitor intrusively means relying on other means to observe military behavior. In the American civil-military context, one of the important other means is an active free press that functions as a watchdog.

Once the civilian has chosen his mix of monitoring mechanisms, it is the military's turn to act. The military chooses

5 The game makes several simplifying assumptions. I assume that the actors adhere to some minimal standard of instrumental rationality and that both the civilian and the military conceive of themselves as principals and agents. I also assume as a point of departure that the civilian and military actors can be represented as only two players. In fact, I recognize that there are multiple principals (the President, Congress, the Secretary of Defense, etc.) and multiple agents (four services, a quasi-autonomous Joint Staff, more-or-less independent combatant commands, the National Guard, and so on) and I explore more fully the consequences of relaxing these assumptions in Feaver (forthcoming).

6 The various techniques of monitoring are discussed in greater detail in Feaver, "Delegation, Monitoring, and Civilian Control of the Military."
between working (W) or shirking (S), between doing what the civilian wants exactly or violating civilian orders. The colloquial meanings of work and shirk are not particularly helpful; the problem in civil-military relations is not a lazy military, or at least this is neither the only nor the most important problem. Working, and hence its opposite shirking, is multidimensional because civilian desiderata are themselves multidimensional. As I have discussed elsewhere, civilians want protection from external enemies and civilians want to remain in political control over their destiny. The first goal may be called functional and the second may be termed relational and both components are reflected in the work/shirk typology. The agent is said to work perfectly when he does what the civilian has asked for, how the civilian has asked for it, with due diligence and skill, and in such a way as to reinforce the civilian’s superior role in making the decisions and drawing the lines of any delegation. The agent is said to shirk when the military, whether through laziness, insolence, or preventable incompetence, does not do what the civilian has requested, or not in the way the civilian wanted, or in such a way as to undermine the ability of the civilian to make future decisions.

Given this understanding, at least two considerations go into the military's choice. First, the difference between

---


8 Pure working, however, does not necessarily mean that the outcomes of military action will please the civilian. This is so because the functional goal, security, is itself in relation to another actor not in the principal-agent relationship: the enemy. Indeed, some of the things the civilian wants done may in fact work contrary to the overall goal of providing security for the state. But if civilians ask for it, then not to provide it is shirking because civilians have a right to be wrong in a democracy. Moreover, in fulfilling the principal’s functional directions, things can go wrong simply due to Murphy’s Law or Clausewitzian “friction.” Both the civilian and the military can share the goal of national security (and in the U.S. case one can even stipulate this as largely true), but both the civilian and the military are imperfect judges of what is needed for national security. The principal-agent problem arises when there is disagreement over what is needed or appropriate for national security, whether or not one side is “correct” about what is in fact needed. This can be represented graphically as three points in a multi-dimensional space where each dimension represents a critical component of national security policy (force structure, grand strategy, operational plan, etc). One point represents the policy mix that would produce true optimal security; this is what the civilian and the military ultimately want. Another point represents the civilians desired policy mix; this is the civilian’s best estimation of what is needed for security; this is what the civilian asks for. The third point represents the military’s desired policy mix; this is what the military asks for. The work-shirk continuum only concerns the nearness of behavior to the civilian or military desired point, and does not directly address whether the output approximated theoretically optimal security.
W and S, between what the civilian is asking and what the military would like to do anyway, will affect the propensity to shirk; other things equal, the smaller the difference the lesser the incentive the military has to shirk. The second consideration has to do with the rest of the game, specifically how the civilian principal responds to shirking.

After the military has moved, nature has a move: will the shirking be caught or not? Not all shirking will be detected, indeed this is the essence of the agency problem. The probability of being caught is a function of the monitoring system; the more intrusively the civilian monitors, the greater the likelihood that military shirking will be detected. If shirking is detected, the civilian has a move: whether to punish (p) or not to punish. Punishment is not a foregone conclusion. While the principal-agent focus assumes that the civilians have the ability to punish, it does not assume that they will always do so. MacArthur evidently did not think it was certain that Truman would punish him. In addition to the uncertainty over whether the behavior will be discovered, there is uncertainty over how the alleged shirking behavior will be interpreted by the civilian principal. What is excessive force in combat? How much candor can senior military display in their testimony before Congress when they disagree with Administration policy? Civilian principals have the right and the ability to set the boundary of appropriate behavior and to interpret ambiguous behavior as they see fit. In the simple agency model presented here, I treat the probability of punishment as exogenously given, deriving from the relative strength of the civilian and military players which itself is a function of other exogenous factors such as the salience of the issue, the popularity of the offending military agent, and so on.

Figures 1 and 2 show the extensive form of the game. In Figure 2, the game has been simplified by grouping the branches under the shirking node together algebraically. Given the uncertainty over whether shirking will be detected and whether it will be punished if detected, the payoff for shirking can be viewed as the expected value of shirking without getting punished minus the expected value of shirking and getting punished.

---

9 The agency model addresses civil-military relations in a democracy, where the military conceives of itself as the agent of the civilian; crucial to that conception is a recognition of the civilian's right to sanction, and hence an explicit commitment to submit to sanctions. Such an assumption is reasonable in the U.S. case. There is ample evidence that civilians are able to punish the military, if they so choose. Civilians have the ability to fire even hugely popular military officers, as Truman's dismissal of MacArthur makes clear. Many senior military officers have been sacked before and since for a wide range of offenses that can be grouped collectively under the heading of shirking.
Lexicon:
W : Work done as the civilian principal wanted it
S : Work done as the military agent wanted it (shirking)
C1: Civilian costs of monitoring (time/effort costs and the policy costs of inexpert meddling)
S1: The civilian payoff of military shirking if civilian punishes
S2: The civilian payoff of military shirking if civilian does not punish
Given one binary choice by civilians to monitor intrusively or not intrusively, and one binary choice by the military to work or shirk, there are four possible outcomes: working with non-intrusive monitoring, working with intrusive monitoring, shirking with non-intrusive monitoring, and shirking with intrusive monitoring. As demonstrated in Appendix A, each of these four theoretically possible outcomes is also, under certain conditions, an equilibrium -- several pairs of civilian and military patterned behaviors that represent the rational responses each side would make given expectations of the other behavior. The agency theory response to Huntington, therefore, involves mapping his explanation onto one of these equilibria, mapping the Cold War case onto one of these outcomes, and comparing the equilibria conditions.

The outcome of working with non-intrusive monitoring corresponds to Huntington’s prescription: give the military autonomy and the military will do what civilians have asked them to do. Likewise, the working with intrusive monitoring

10 The shirking outcome actually represents the summed expectation of several different shirking and punishment outcomes: the military shirks and is punished with one probability and the military shirks but is not punished with the reciprocal probability.

11 This stylizes Huntington’s theory somewhat. Huntington defines subjective and objective control both in terms of intrusive monitoring, and in terms of the politicization of the military as reflected in military involvement in non-traditional roles. My model captures the first part of Huntington's argument but not the second. Likewise, Huntington's argument involves changing the content of what civilians asked the military to do by changing the civilian ideological profile. Confusion arises because Huntington makes an auxiliary claim about working and shirking that lies outside of the civilian control issue. Both civilian leaders and military leaders draw conclusions about what is needed for national security and that both preferred policies are only approximations of some unknown “true” ideal policy that would provide optimal security for the state. The civilian approximation is represented by the "work" requested of the military and the military
outcome matches Huntington's warning about a crisis in civil-military relations. Huntington's nightmare scenario involves a systematic violation of the autonomy the military needed to be professional -- in other words, intrusive monitoring by civilians (subjective control). Huntington acknowledges that such methods might ensure that civilians get what they asked for (W, working) but he goes on to warn that it would not be what civilians really want, namely adequate protection from external enemies. This is because there are considerable costs associated with such monitoring; in terms of the agency model, this is a claim that C1 is very large, thus the civilian's net pay-off, W-C1, is very small.

---

approximation is represented by the "shirking" it might prefer to do. Huntington claims, in effect, that the military ideal point (shirking) is likely closer to the true point at least in the Cold War crisis of the 1950s than the civilian ideal point (work). Asking the military to deliver the civilian desired point would hurt U.S. national security. He further claims that monitoring the military intrusively (a la subjective control) would produce an outcome even further from the ideal point than the civilian desired point. Civilian micromanagement, in other words, produces negative work that damages the functional goal even worse than simply achieving the desired civilian policy mix. As discussed in the text, the model can reflect part of Huntington's causal argument, specifically the claim that as preferences converge, the military is more likely to produce the civilian-desired outcome. What the model does not capture as clearly, is the fact that the content of what civilians have asked for after a preference convergence has changed.
The two shirking outcomes do not map very well to Huntington’s theory, in part because Huntington does not consider military disobedience to be a serious concern in the American case. Nevertheless it is not too much of a stretch to consider the shirking and no monitoring outcome as a form of Lasswell’s garrison state: maximum delegation of all civilian functions to the military, minimal safeguards on how the military exercise these responsibilities, with the result that military considerations dominate the political process. The fourth outcome, shirking and intrusive monitoring, would be characterized by relatively high civil-military friction; in traditional theory terms, an extreme example of this might be countries that undergo cycles of coups. Table 1 summarizes the four outcomes and the corresponding identifier from traditional civil-military relations theory.

Table 1: Agency Model Payoffs and Traditional Theory

<table>
<thead>
<tr>
<th>Civilian monitors</th>
<th>Military Works</th>
<th>Military Shirks</th>
</tr>
</thead>
<tbody>
<tr>
<td>intrusively</td>
<td>Agency payoff: W-C1</td>
<td>Agency payoff: S2 - C1 + bg(S1-S2)</td>
</tr>
<tr>
<td></td>
<td>Huntington’s &quot;crisis&quot;</td>
<td>Extreme civil-military friction.</td>
</tr>
<tr>
<td>Civilian does not</td>
<td>Agency payoff: W</td>
<td>Agency payoff: S2 + ag(S1-S2)</td>
</tr>
<tr>
<td>monitor</td>
<td>Huntington’s prescription</td>
<td>Lasswell’s &quot;garrison state&quot;</td>
</tr>
<tr>
<td>intrusively</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The agency model also confirms the deductive logic of Huntington’s prescription. If civilian and military preferences converge, as Huntington recommends, there is a greater likelihood of ending up at the non-intrusive monitoring and working outcome. The convergence of civilian and military preferences can be represented as a narrowing of the gap between W and S and so the expression, W-S, gets smaller. When this happens, the equilibrium conditions for strategy pairs that would produce the no-monitoring-and-working outcome become easier to sustain, precisely what Huntington’s informal theory expects. Note, however, that the agency model is agnostic on any significance attaching to the direction of the

---

12 For instance, Huntington claims that during World War II U.S. civil-military relations were pathological and the U.S. military enjoyed too much political power. Even then, however, Huntington claims that the U.S. military essentially did exactly what civilians wanted them to do. Huntington (1957), p. 315.

13 The military will choose to always work when its payoffs from working exceed the expected payoffs of shirking. Expressed algebraically, the military will choose to always work if the following inequalities are true: w1 > s1 - agP and w2 > s2 - bgP. Faced with such a military, the civilian’s best choice is not to monitor intrusively so long as W > W - C1, i.e.,
movement. For instance, it matters not whether the civilian conception of work moves closer to the military ideal point or vice-versa. For Huntington, of course, this was crucial. Civil-military relations would be at their best if the civilian preference moved towards the military; conversely, relations would be pathological if the military preference moved towards the civilian, as happened, Huntington claims, in World War II.14

Did Civilians Monitor and did the Military Work or Shirk?

---

so long as there are some intrinsic costs associated with monitoring intrusively.

14 Huntington (1957), p. 315. A convergence of civilian and military preferences, however, would change the content of "work." A change in civilian ideology could result in a higher likelihood that the military would deliver W, but it would also mean that the new W was quite different from the kind of work that the old civilians wanted. Under these new conditions the military are doing what civilians wanted, but what civilians want is closer to what the military wanted anyway. The concept of shirking reduces to just the relational concerns about who gets to make the decision or whether the military are acting in such a way as to subvert the general superior position of the civilian.
Thus, the agency model is able to incorporate Huntington's argument. It confirms that Huntington's theory is logically consistent about how civil-military relations might have played out during the Cold War. Had civilian and military preferences converged as Huntington prescribe, it would lead to a greater expectation that civilians could eschew intrusive monitoring without running too great a risk of military shirking. However, as discussed above, the evidence that civilian and military preferences converged in as dramatic and sustained a way as Huntington's theory requires is not particularly persuasive.\(^{15}\) In other words, Huntington could have been right about what happened to civil-military relations in the Cold War, but the evidence appears to show that he was not. The question remains, what happened to U.S. civil-military relations during the Cold War and why? Put another way, which cell of Table 1 best represents the U.S. Cold War experience and why did the United States end up in that cell? Did civilians monitor intrusively or not, did the military work or shirk, and why?

The answers to these questions would vary by issue area and time period. Certainly, civilians monitored nuclear policy more intrusively than non-nuclear policy, and even with nuclear policy the intrusiveness varied over time.\(^{16}\) Likewise, the military "worked" in some areas more consistently than in others. For the purposes of demonstrating the plausibility and utility of the agency approach to civil-military relations, a broader-gauged evaluation focusing on one crucial policy component is preferred. I will focus on the use of force, bracketing for the time being the other policy domains of budgeting, personnel policy, arms procurement, and so on. Viewing the entire Cold War period as a whole and compared to previous periods in U.S. history, which characterization of civilian intrusiveness and military working best represents the historical record in the area of use of force?

Did civilians monitor intrusively? Compared to the kinds of civilian oversight characteristic of the pre-World War II military establishment, civilians monitored intrusively during the Cold War. Prior to World War II, civilians simply lacked the infrastructure to monitor the military intrusively. Within the executive branch, responsibility was distributed to the War and Navy Departments which had only very small civilian staffs. The White House staff was similarly tiny; indeed the Executive Office of the President and the six agencies of central management, including the Bureau of the Budget (the predecessor to the Office of Management and the Budget) and the Office of Personnel management were only established in 1939.\(^{17}\) Similarly, the interagency mechanisms for oversight, for instance the National Security Council, were not established until 1947. The innovations introduced by Secretary of Defense McNamara, particularly the Planning, Programming, and Budgeting System (PPBS) likewise represented a qualitative increase in the capacity of civilians to oversee military policy from what was available before the Cold War.

The mechanisms for civilian oversight that did exist were generally less robust than their Cold War counterparts.\(^{18}\) Victor Metcalf, the Secretary of the Navy under President Theodore Roosevelt described his position in dismissive terms: "My duties consist of waiting for the Chief of the Bureau of Navigation to come in with a paper, put it down before me with his finger on a dotted line and say to me, "Sign your name here." It is all any Secretary of the Navy does."\(^{19}\) Paul Appelby's evaluation of pre-war secretarial oversight suggests that Metcalf's experience was representative: "The War and Navy departments have done more than all other organizations to popularize the "staff" idea -- and more to destroy it above the military level. Neither department has much truly general staff in any

\(^{15}\) I am not arguing that the gap is (or was) static. Since civilians can use the promotion process to shape the preferences of military, one would expect the gap to narrow over the course of a certain party's tenure in office and then to widen with an exogenous shock like an election that changes party control. The gap should also respond to other changes in accession policy, such as the move from Selective Service to a all-volunteer force. What the evidence does cast doubt upon, however, is the particular liberalism-to-conservatism movement in civilian and military preferences central to Huntington's explanation of the Cold War.

\(^{16}\) Feaver (1992).


\(^{18}\) Smith (1951), pp. 63-64.

\(^{19}\) Rogers (1940), p. 289.
other than military terms. Neither has any real general staff in departmental or secretarial terms.\textsuperscript{20}

\textsuperscript{20} Appelby (1948), p. 72.
In contrast, general assessments of civil-military relations during the period hold that civilians monitored the military far more intrusively, although the intrusiveness varied across administrations. O’Meara claims that monitoring became generally more intrusive over the Cold War although unspecified conservative administrations were less intrusive than liberal ones. By all accounts, including his own, Secretary of Defense McNamara represented at least one of the highwater marks in civilian intrusive monitoring, and the conventional wisdom likewise holds that civilian monitoring was less intrusive during the Reagan era.

Beyond the indicators of organizational capacity -- the addition of oversight offices in the White House, the establishment of the NSC, and the implementation of PPBS -- there are no good systematic measures of civilian monitoring for which data are available stretching back before World War II. Even the data on Cold War monitoring are sketchy prior to the 1970s. However, what data do exist support the idea that civilian capacity to monitor and civilian monitoring itself -- at least as reflected in congressional oversight of military establishment activities -- increased dramatically over the course of the Cold War. For instance, there were but 165 budgeted and detailed staff of the White House in 1935; the number climbed to nearly 632 in 1970 before dropping to around 361 in 1978. While only a portion of this staff was responsible for coordinating national security policy (and therefore part "monitoring" of the military) the aggregate growth reflects an increased capacity to oversee and direct activity from the White House. Congressional oversight of the military had been

---

21 Ingram (1968); O’Meara (1978); Barrett (1983); Feaver (1992).

22 O’Meara (1978), p. 88

23 McNamara (1995), pp. 22-24. McNamara’s intrusiveness poses a special problem for Huntington’s evaluation of Cold War civil-military relations. On the one hand, McNamara’s assertive control would seem to violate the objective control pattern Huntington recommends. On the other hand, Huntington actually invokes McNamara’s OSD reforms, and by extension his method of civilian control, favorably. Huntington in Goodpaster and Huntington (1977), p. 10; and Huntington (1963), pp. 798-802. Huntington commends McNamara for establishing the balanced pattern of organization Huntington recommended in Soldier and the State (Huntington 1957, pp. 186-189). However, McNamara’s reforms resulted in a significant increase in civilian intrusiveness, supposedly anathema to the functioning of objective control.

rather spotty prior to World War II. There were spasms of intensive micromanagement especially during wartime, most famously with the Committee on the Conduct of the War during the Civil War; but the general pattern was one of substantial delegation.25 During the early years of the Cold War, the increased intrusiveness of civilian oversight was reflected largely within the executive branch, although Kolodziej argues that congressional oversight during this period was also more vigorous than is popularly thought.26 By all accounts, however, congressional oversight increased most dramatically after the Vietnam War. Blechman details a dramatic increase in congressional activity on the defense budget. The portion of the defense budget requiring authorizing legislation, one measure of congressional micromanagement, climbed from zero percent in 1962 to essentially one hundred percent by 1983.27 Likewise, the number of studies and reports required of the Defense Department by Congress, the number of other mandated actions, and the number of programs adjusted (from the original budget proposed by the President) all increased dramatically from 1970 through to the end of the Cold War.28

27 Blechman (1990), p. 31.
28 Blechman (1990), p. 41.
The general assessment of intrusive monitoring is somewhat at odds with Bouchard's analysis of naval operations in four key Cold War crises, which concludes that civilian control generally fit the category of non-intrusive monitoring.\textsuperscript{29} Significantly, Bouchard finds uneven use of the kinds of mechanisms of indirect control that the principal-agent framework emphasizes. Eisenhower and Kennedy did make extensive use of detailed rules of engagement, carefully prescribed contingency plans, special mission orders, and the like, but Johnson and Nixon did not.\textsuperscript{30} However, the Navy is always the least intrusively monitored of military forces for the obvious reason that connectivity is much harder to maintain, especially before satellite communications were widely deployed. Moreover, it is not clear what is basis of comparison for Bouchard's qualitative assessment. It appears to be in comparison with some ideal-type of direct positive control under which civilian leaders monitor movements in real-time and the on-scene commander must request permission before doing anything.\textsuperscript{31} As Bouchard himself notes, civilian leaders attempted to monitor naval action more closely than they had historically, and the advance, albeit slow, of communications technology facilitated this effort.\textsuperscript{32} On balance, it seems reasonable to interpret Bouchard's data somewhat differently than he did and conclude that there was relatively intrusive monitoring even in these

\textsuperscript{29} Bouchard examines naval operations in four crises -- the 1958 Taiwan crisis, the 1962 Cuban Missile crisis, the 1967 Arab-Israeli crisis, and the 1973 Arab-Israeli crisis -- and distinguishes between four types of control ranging from intrusive to non-intrusive. His nomenclature is different, thus his "monitored delegated control" would correspond to my non-intrusive monitoring or no monitoring; under this arrangement the on-scene commander must keep higher ups informed periodically but he is given authority to make decisions. Bouchard (1991), pp. 29-30.

\textsuperscript{30} Bouchard (1991), pp. 64, 101, 141, 165.

\textsuperscript{31} Bouchard codes civilian control during the Cuban Missile Crisis as relatively non-intrusive monitoring because civilian leaders did not give orders directly to the ships and instead used the chain of command. It is true that the monitoring would have been even more intrusive if President Kennedy and Secretary of Defense McNamara had skipped the chain of command, but the tight reins exercised via the chain of command would suggest relatively intrusive monitoring. Moreover, Bouchard's own evidence gives ample support to the conventional explanation of the crisis as being characterized by close control of operations. Bouchard (1991), pp. 96, and 128.

\textsuperscript{32} For instance, Bouchard notes that on-scene commanders complained about the deluge of requests for information from senior commanders which tied up scarce communications channels. Likewise, in every case Bouchard studies, the White House gave strict and precise instructions on the geographical limits of where the Navy could operate during the crisis. Bouchard (1991), pp. 72-73, 76, 128, 136, 141, 163, and 185.
cases. In sum, civilians monitored their military agents relatively more intrusively during the Cold War than they had in previous periods.

There is no systematic measure of whether the military worked or shirked during the Cold War and given the long time-frame and wide variety of tasks assigned to the military, it would not be profitable to compile a single index. But it is possible to come to a summary judgement of similar scope to Huntington’s original theory. As discussed above, working and shirking is more than a determination of whether the United States prevailed in the Cold War (i.e. whether the civilian desired outcome of gaining security was achieved). Obviously, the United States prevailed in the Cold War and the desired security was achieved.33 In and of itself, this fact does not decide the work/shirk question. Rather, it is necessary to distinguish work into its constituent elements and then identify how the military and the civilian might disagree on each of these elements. Whether the military worked or not depends on whether they met all the civilian desiderata; were civilian functional preferences followed, and were they followed in such a way as to meet the relational goals as well?

Numerous incidents throughout the long Cold War rise to the level of shirking, according to this definition. The most famous example, and certainly the pivotal experience in American civil-military relations, was General MacArthur’s challenge to President Truman in the Korean War.34 The dispute consisted of a series of disagreements between General Douglas MacArthur on the one hand, who wanted a freer hand to pursue tactical opportunities and, if necessary, to expand the war, and President Truman and his state side military advisors on the other who were concerned to limit the war and greatly wished to avoid Chinese intervention. General MacArthur’s views were shared by Truman’s Republican critics in Congress and by numerous public opinion polls. Bolstered by this support and convinced of his own strategic genius and his superior ability to form military policy (particularly when he was on the scene in Korea and civilian leaders were sitting in Washington), General MacArthur persisted in resisting President Truman’s expressed desire for how the war should be prosecuted. The controversy climaxed with MacArthur’s decision to hold a press conference in which he publicly criticized Administration policy and issued an ultimatum to the enemy, contradicting an express order from Truman. For this disobedience he was removed from his command and ordered to retire from the Army. MacArthur returned to a hero’s welcome both from the American public and especially the opposition party in Congress who gave him a bully pulpit to outline his views on U.S. foreign policy and on civil-military relations. MacArthur defended his behavior as justified by the officer’s oath to defend the Constitution, not to obey the Commander-in Chief; he argued, "I find in existence a new and heretofore unknown and dangerous concept that the members of our armed forces owe primary allegiance or loyalty to those who temporarily exercise the authority of the Executive Branch of Government rather than to the country and its Constitution which they are sworn to defend."35 MacArthur’s justification, of course, violates the basic premise of civilian control and constitutional authority.36 The Supreme Court has the responsibility for reviewing the constitutionality of executive action while the electorate and Congress has the responsibility for reviewing the suitability in policy terms of executive decisions. MacArthur usurped authority that was not his in order to pursue a policy directly contrary to what his civilian superior had ordered. In short, he shirked.

After MacArthur, perhaps the most egregious shirker was Air Force General Curtis LeMay whose most senior tours

---

33 A case could be made that the United States survived but faced unacceptable risks, for instance the kinds of risks Sagan (1994), Blair (1993), and others document in the history of nuclear operations. However, as discussed in the text, this is only a working/shirking problem if it became framed as a civil-military disagreement. For instance, it could be called shirking if the unacceptable risks were due to military behavior that deviated from specific civilian requests, or to behavior that was hidden from the civilian principal.


36 MacArthur has not been alone in sharing such an interpretation of military obligation. It appears, for instance, to be the thesis underlying H.R. McMaster’s (1997) evaluation of the Vietnam War, on which more in the text. Moreover, it is echoed from time to time in military journals. See Ricks (1996).
included Commander-in-Chief of Strategic Air Command and Air Force Chief of Staff. LeMay's subversion of civilian authority concerned his views on nuclear war, views that fortunately were never put to the ultimate test. But by his own words, however, LeMay intended to shirk if civilian orders on nuclear operations were not to his liking. In one account, when told that his proposed launch-on-warning policy was "not national policy," LeMay reportedly replied, "I don't care. It's my policy. It's what I am going to do." Elsewhere, LeMay showed a similar lack of scruples about the late 1940s policy of keeping weapons under civilian custody.

I remember sending somebody out -- I don't know whether it was Monty or somebody else -- to have a talk with this guy with the key [to gain access to the nuclear stockpile]. I felt that under certain conditions--say we woke up some morning and there wasn't any Washington or something--I was going to take the bombs. I got no static from this man. I never had to do it or anything, but we had an understanding... If I were on my own and half the country was destroyed and I could get no orders and so forth, I wasn't going to sit there fat, dumb, and happy and do nothing...I was going to take some action at least to get ready to do something. Lacking orders and lacking the assumption that I was going to get some in the near future, I would take some action on my own.38

LeMay may have been but the personification of a deeper problem afflicting the entire nuclear edifice, what might be called "latent shirking." Based on the extraordinarily rich empirical investigation into the details of nuclear operations now available, it seems clear that civilian leaders would have been greatly surprised by the lack of responsiveness that would have attended an order to use nuclear weapons.39 Some of this would have been due to a certain naivete on the part of civilian leaders, as in President Reagan's apparent belief that missiles could be recalled. But enough of the blame could be laid appropriately at the door of the military themselves to receive the label of shirking, particularly the efforts of Strategic Air Command to resist meaningful civilian control over any operational details.

Perhaps the most ambiguous area to evaluate concerns efforts by the military to influence the policy process by appealing over the heads of their direct civilian superiors, as it were, directly to the American people. Such an effort was central to MacArthur's insubordination, but it has been practiced in more nuanced forms ever since. For instance, conservative elements of the military were instrumental in mobilizing opposition to President Eisenhower's New Look policy of fiscal moderation on defense spending with the so-called "alert" seminars and "freedom forums."40 From time to time, the services have sought to encourage retired officers to speak out on policy issues with perhaps more candor than would


39 Bracken (1983); Blair (1985); Blair (1993); Carter, Steinbruner and Zracket (1987); Feaver (1992); Lebow (1988); Nolan (1989); Rosenberg (1986); Sagan (1987); and Sagan (1993).

40 The military's shirking in response to Eisenhower's New Look policy is discussed in Korb (1976), pp. 103-110. Morton (1964, pp. 136-137) described the effort to reach the public over the head of the President as a "dangerous trend" and "an assault upon civilian supremacy." See also Buzzanco (1996), pp. 16-18; and Clotfelter (1973), p. 135-136.
be possible for active duty officers.\textsuperscript{41} Another relatively common form of shirking, at least vis-a-vis civilians in the executive branch is the end run to Congress in which a service attempts to mobilize sympathetic members of Congress to reinstate a treasured program or policy that had been dropped as part of the executive policymaking process. Eisenhower referred to this as legalized insubordination.\textsuperscript{42} Of course, there is nothing wrong\textit{ per se} with explaining public policy to the general public.\textsuperscript{43} Moreover, the military have a constitutional obligation to keep Congress informed about defense policy matters.\textsuperscript{44} Whether or not a public relations effort qualifies as shirking depends on whether it is an attempt to undermine or overturn civilian decisions and on this point the record is too murky for confident assessments but probably favors a conservative evaluation. Evidence of military efforts to influence public debates abounds; evidence of military efforts to subvert civilian decisions in this way is considerably more scarce.\textsuperscript{45}

\textsuperscript{41} Petraeus (1987), pp. 248-249.

\textsuperscript{42} Korb (1976), p. 109.

\textsuperscript{43} Huntington (1961a), for instance, describes these activities without making a judgement as to whether it undermines civilian control.

\textsuperscript{44} See Skrogs (1996) for an intriguing analysis of the Army's alleged relative ineptness in exploiting this opportunity for shirking.

\textsuperscript{45} Clotfelter (1973), pp. 94-147.
Despite these famous (or infamous) examples, the overall record seems more to support a view of military working throughout the Cold War. Michael Desch presents a list of some 35 prominent civil-military disputes and concludes that the military unambiguously shirked on only two, President Carter's effort to withdraw U.S. forces from Korea in 1977 and President Reagan's efforts in 1982 to institute a nuclear doctrine aimed at fighting a protracted nuclear war. \(^{46}\) Similarly, Lawrence Korb judges that for most of the Cold War the military had very little impact on the size of the defense budget and that civilian political leaders got their way on most budget issues. \(^{47}\) Allan Millett, reviewing the first thirty years of the Cold War, concludes that, "...one cannot assert that military organizational preferences or the advice of senior military officers have dominated foreign policy decisions." \(^{48}\)

This general assessment is supported by a closer look at one crucial issue area, the use of force. A rough measure of shirking can be derived by evaluating Cold War deliberations to use force in terms of three questions:

1. whose preferences prevailed in the initial decision to initiate the use of force?

2. whose preferences prevailed in decisions over how to use force?

3. did military operations diverge from how civilian leaders wanted?

Answering these questions across the sweep of Cold War history necessarily involves simplifications and aggregations that are appropriate for the broad-gauged scale of the agency model but that blur the rich detail of any particular case. Identifying a "civilian" or a "military" preference is something of a procrustean exercise. \(^{49}\) If one digs in the record deep enough, one can always find a uniformed official advancing a view that would seem better characterized as the civilian-preferred policy in that instance and one can also usually find a non-uniformed official siding with the military. Similar problems arise in evaluating the implementation of the decision, the conduct of the operations themselves. Nevertheless, since the purpose here is to make a summary judgment of the Cold War case as a whole, quibbles about the details of particular cases and nuances in coding are less of a concern.

\(^{46}\) Desch uses the terms "compliance" and "noncompliance" more or less synonymously with work and shirk. Desch (###), pp. ###. On three other issues, he finds the degree of compliance too ambiguous to code: the 1946-47 fights over the reorganization of the Departments of War and Navy, the Reagan administrations aborted efforts to consider military action in Central America in the mid-1980s, and the lead-up to the 1986 Goldwater-Nichols reforms of the Joint Chiefs of Staff. In the analysis of the use of force presented in the text, I code some cases differently but I do not differ on the baseline assessment about military obedience.

\(^{47}\) Korb (1976), p. 131.

\(^{48}\) Millett (1979), p. 38.

Table 2 addresses the question of whose preferences prevailed in Cold War crises over the initial decision to use force, as distinct from follow-on considerations about how to use force or the actual employment thereof. The first column identifies the case. The second column reports whether there was substantial civil-military disagreement over the decision to use force (as distinct from the follow-on decision of how to use force). I code disagreement as present if the sources identified one of the members of the Joint Chiefs of Staff or the relevant theater commander as advising either a more aggressive or less aggressive posture than the prevailing civilian viewpoint. This somewhat overstates the intensity of civil-military disagreement because in all but six of the cases where there was some civil-military disagreement at least some other members of the JCS sided with the dominant civilian view. The bias that results from this coding will be discussed below.

The third column explains whether the military preferences diverged in the direction of being more or less aggressive than the dominant civilian preference. The fourth column identifies whether the military worked or shirked, i.e. whether civilian or military preferences prevailed respectively. The fifth column briefly details the decision taken.

[Insert Table 2 Working/Shirking on the Decision Whether to Use Force]

In most cases, civilian preferences prevailed on whether to intervene in Cold War decisions to use force. Military preferences prevailed in only six of the thirty cases analyzed. Significantly, in each of the cases where military preferences prevailed, the military shirked by successfully resisting a civilian desire to use force. In no case did the military intervene in the face of a civilian order not to. Military shirking on the initial decision to use force during the Cold War, therefore, only took the form of defaulting to the status quo or inertial policy of not acting. While this still counts as shirking, it is arguably a less disconcerting form of shirking than if the military initiated action without civilian authorization. With a few notable exceptions, then, the military worked during the Cold War insofar as the initial decision to use force was concerned.

Several caveats deserve mention. First, the coding here obscures the role that persuasion plays in changing preferences over the course of a crisis. Even in the cases where the military could be said to have shirked, there is no documented case of the military refusing to use force when expressly ordered to do so. Rather, military shirking took the form of vigorous opposition before civilian principals rendered a final decision, opposition that was sufficient to deflect what otherwise would have been the civilian preferred policy. Since under any theory of civil-military relations the military have an obligation to give advice, it might seem unfair to accuse them of shirking when their advice is simply particularly efficacious. On the other hand, the military advisory role can be pernicious if one of two conditions obtain: (1) the advice consists of estimates which the military have shaded or inflated so as to misstate the true anticipated costs of a course of action; or (2) the military do not respect a civilian decision to overrule their advice and instead continue to seek to prevent civilians from taking the civilian-desired course of action. For instance, military advisors in the Reagan administration may well have inflated their estimates of what was needed for a possible invasion of Libya so as to make military action seem prohibitively expensive.51 In the Central American case during the early Reagan administration, it appears that the Army deliberately refused to develop contingency plans for military intervention so as to reduce civilian options and compel the President to decide against military action.52 Deciding when military resistance to a proposed course of action has crossed the line from advising to shirking is a judgement call and where to draw the line has become increasingly controversial in recent years. I code military action as “shirking” instead of advising if the evidence suggests that the civilian preference was cognizant of countervailing military advice but remained firm, as in Laos 1961 and Nicaragua 1983; military action is not counted as shirking when civilians readily changed their minds when presented with a negative military appraisal as, arguably, was the case in Taiwan Straits crisis of 1954.53 Moreover, in virtually all cases the debates preceded a presidential

50 The table is the compilation of several sources, principally Betts (1991), Petraeus (1987), Gacek (1994), Perry (1989), Halberstam (1972), Millett and Maslowski (1994), Lowenthal and Goldich (1992), and Zelikow (1987). The cases follow the selection criteria used by Betts (1991, p. 239): “... cold war decisions in which the use of American forces in combat was considered by high-level policymakers.”

51 Petraeus (1987), p. 246. Petraeus says, however, that the military do not consistently inflate estimates.

Thus, the "civilian" preference represented the viewpoints of senior civilian policymakers, but not the civilian principal. The military could well posit that it is not shirking to oppose a proposal from the Secretary of State, only from the Commander-in-Chief. Allowing shirking to include stubborn policy debating among senior advisors thus may overstate somewhat the extent to which the military prevailed against, as opposed to persuaded, their civilian superiors.

This potential for overcounting shirking is balanced by a different bias that has the potential for skewing the conclusion in the opposite direction. The coding rule of identifying a civil-military conflict whenever at least one member of the JCS provides dissenting advice introduces a separate bias in favor of concluding that the military in general worked during the Cold War. Since this is also the inference I draw from the data, I must hedge somewhat my conclusion that military shirking was rare. There were only eight cases where the military viewpoint was unanimously opposed to the civilian: Laos 1961 (and even here the military were divided between the CNO who advocated more aggressive measures and the rest who advocated staying out of Laos), Cuba 1962, Jordan 1970, Nicaragua 1983, Lebanon 1982-83, Grenada 1983, Panama 1988, and Iraq 1990-91. Not coincidentally, four of these also appear on the list of cases coded as military shirking: Laos 1961, Jordan 1970, Nicaragua 1983 and Panama 1988. The four cases coded as working despite unanimous military opposition may be less consequential than they appear. The military mounted stiff opposition only in the Cuban Missile Crisis and the Lebanon 1982-3 cases; military opposition in Grenada was mild in comparison, and the Gulf War case is an uncertain coding since the military only opposed immediate retaliatory airstrikes while endorsing the larger Desert Shield deployment. At the same time, shirking even though the military were divided was very rare; only the decision not to intervene conventionally on behalf of the French in Indochina in 1954 and the decision not to retaliate against North Korea in 1969 for downing the EC-121 would be examples of when elements of a divided Joint Chiefs of Staff prevailed over civilian preferences.\footnote{Significantly, in both these cases, Betts claims that archival material and recent memoirs contradict somewhat other contemporaneous accounts. In the Indochina 1954 case, Betts notes that some scholars believe that Eisenhower may not have strongly favored the use of force anyway. In the EC-121 1969 case, Betts retreats somewhat from his initial estimate that civilians strongly favored while the military sharply retaliating for the shoot-down. Betts (1991), pp. 226 and 230.}

Put another way, military preferences were more likely to prevail over civilian preferences in the initial decision to use force the more they approximated a unanimous military viewpoint. Since the military were rarely unanimous in their viewpoint, this undercuts slightly the general inference that military shirking, rather than military unanimity, was itself rare.

If civilian preferences prevailed on decisions \textbf{whether} to intervene in the overwhelming majority of the cases, the story is somewhat more ambiguous on decisions related to how force should be used. The implementation decision is in fact a compilation of thousands of smaller decisions. There is far more room for negotiation and compromise by which civilian preferences might be sacrificed in favor of a military's preferred course of action. In general, civilians gave military advice greater weight on "how" than they gave on "whether" questions. Consequently, military influence was much stronger in determining how the intervention would go. One analyst reviewing the Cold War history concluded that the U.S. military had been remarkably successful in resisting the use of force under terms the military did not approve.\footnote{Johnson (1996).} The two most prominent exceptions, Vietnam (on which more below) and Lebanon 1982-1983, were notable in that they both were deemed failures and consequently they both hardened military resolve to resist any further assignments along those lines. Although he did not use the term "shirking," he did described the Cold War military as in "control of their own destinies" and "usurping its traditional role of subservience to civilian authority."\footnote{Johnson (1992), pp. 38 and 36.}
This rather pessimistic assessment of civilian weakness in policymaking on how to use force does not show up in the data presented in Table 3 presented below. The first column identifies the case; note that the major wars, Korea, Vietnam, and Iraq, are broken into subsidiary cases. The second column reports the employment issue potentially in dispute, given a decision to use force. The third column reports whether there was civil-military disagreement. I code disagreement as present if the sources indicated at least one of the members of the Joint Chiefs of Staff or the relevant theater commander as advising either a more aggressive or less aggressive posture than the prevailing civilian viewpoint. In almost every case there was at least some disagreement. The fourth column explains whether the military preferences diverged in the direction of being more or less aggressive than the dominant civilian preference. The fifth column identifies whether the military worked or shirked, i.e. whether civilian or military preferences prevailed respectively. The sixth column briefly details the decision taken.

[Insert Table 3 Working/Shirking on the Decision How to Use Force]

The data suggest that the military worked most of the time. In only five cases did military preferences prevail: the Korea case of crossing the 38th parallel, the Korea case of approaching the Yalu, the decision to mount the Mayaguez rescue operation without a B-52 retaliatory raid, the 1983 decision to withdraw rapidly from Lebanon, and the decision to invade Grenada with a very large force. Even in these cases, one could make the argument that the military simply successfully persuaded civilian leaders as to the wisdom of the military-preferred approach. Curiously, there appear to be many instances (thirteen) in which the military worked even though they unanimously opposed the civilian employment decisions. Six of these cases involve the Vietnam War, which will be discussed in greater detail later in the paper. Most of the remaining seven can either be rationalized with idiosyncratic explanations -- for instance the limits placed on the Dominican invasion clearly reflected Vietnam war considerations while the free hand in Grenada probably reflected civilian sensitivities over the recent bombing of the Marine barracks in Beirut. Others stand out as prominent counter-examples that subsequently strengthened the hand of the military, for example the civilian-imposed restrictions in Lebanon). The surprisingly strong finding of military working may also be partially an artifact of several conservative biases in coding. A case is not coded as "shirking" unless civilians vigorously pressed for specific alternative strategies and failed. In most cases, civilians were forced to select from options presented by the military. Civilians may have preferred a more restricted use of force than the one ultimately employed but they did not press the matter, perhaps in tacit exchange for military compliance on the overall decision to intervene. Also the decision whether to use force is binary while the decision how to use force is a continuum. If civilians and the military disagree on whether to use force it is relatively easy to see which side prevailed. The nature of a "how" decision is much harder to characterize and so it is much harder to ascertain whose preferences prevailed. I adopted a conservative coding rule, namely that shirking only occurs if civilians advance a specific plan and are unable to force the military to accept that plan; this probably understates the frequency with which military preferences prevail. Caveats notwithstanding, the data on decisions how to use force reinforce the assessment that the military worked during the Cold War.


58 MacArthur, for instance, is adamant that Truman approved the decision to cross the 38th parallel and approach the Yalu river. MacArthur (1964), p. 392.

Finally, turning to the question of whose preferences prevailed on the level of military operations, the evidence is open to conflicting interpretations. Operations, as I use the term, refer to the actual implementation of the "whether" and "how" policy decisions. It is important to examine the operational level because it represents the actual military output. It is axiomatic in bureaucratic politics that the implementation of policy can change the content of a policy decision. While the empirical record is not as rich at the operational level as at the earlier policymaking phases, there is sufficient material to draw some conclusions about the extent of working and shirking at this stage of force policy. Some scholars suggest that shirking was relatively endemic at the operational level. Posen says "...in peacetime, civilians are seldom exposed to the intricacies of military planning, and, in wartime, when civilian intervention in the details of military policy is much more likely, soldiers often interpret policymakers’ injunctions in ways that allow them maximum operational discretion. There are many historical examples which demonstrate military evasion of civilian control over military operations." The higher expectation of shirking arises because the operational issues are closest to military expertise and so the military would most intensely resent civilian operational directives that conflict with military preferences. Despite this expectation, examples of unambiguous operational shirking of the sort MacArthur engaged in are surprisingly rare, although there are numerous accounts of behavior that could be interpreted as shirking. Moreover, given that primary source research on military operations is not as extensive as it is for debates on whether and how to intervene, it is possible that future research will uncover enough shirking to require a revision of the assessment presented here.

Bouchard’s detailed examination of the naval role in four major Cold War crises comes to an ambivalent judgement on the question of military shirking. Bouchard codes for the extent to which tactical naval operations became “decoupled” from the political strategy being pursued by senior civilian leaders. “Decoupled operations” is not synonymous with shirking and Bouchard is at pains to distinguish deliberate unauthorized acts by the military from those cases where the blame can be laid on civilians -- for instance because their decision-making ability is impaired in a crisis -- or on the complexity of the situation itself -- for instance because the tactical interaction happens too fast for political decisionmakers to catch up. Shirking, as I use it, would exclude situations directly attributable to the fog of war but would include all other instances of decoupled military activity. Thus shirking would include “constructive unauthorized action,” even though, as Bouchard argues: "Not all unauthorized deliberate actions are harmful to crisis management efforts. An on-scene military commander with an appreciation of the political objectives being pursued by national leaders could well decide to ignore orders that are inappropriate for the local situation and pursue a course of action that better supports crisis management efforts.” Civilians have the right to be wrong and the working and shirking continuum is not synonymous with wise and foolish action.

On the one hand, Bouchard finds only modest levels of behavior that constituted shirking and even those he dismisses as largely due to the fog of war. In the 1958 Taiwan crisis he notes that on-scene commanders sent destroyers to defend the offshore islands in advance of presidential orders to do so and likewise continued to convoy resupply ships for a day after they had been ordered to suspend operations; but he dismisses these incidents as due to ambiguous orders and communications problems in the context of a fast-changing tactical situation. In the 1973 Middle East crisis, he finds that the Sixth Fleet took steps to attack Soviet ships preemptively -- steps that the Soviet trailing ships could detect -- even though the White House had clearly tried to position the fleet so as to show resolve without aggressive intent; Bouchard likewise dismisses it as largely due to communication failures and impairment of the political leadership which resulted in the issuance of tactically inappropriate orders. He finds no serious instances of shirking involving naval forces in the 1967 crisis nor in the Cuban Missile Crisis.

---

60 He goes on to cite the U.S. Navy forcing Soviet submarines to the surface during the Cuban Missile Crisis and General John Lavelle’s unauthorized bombing raids of North Vietnam in 1971-1972. Posen (1982), pp. 31-32.


64 His non-finding in the Cuban Missile Crisis is striking because the conventional wisdom, following Graham Allison’s treatment in *Essence of Decision*, holds that civilian and military leaders clashed especially over the management of the naval
quarantine. For instance, the Navy's decision to force Soviet submarines to the surface is cited as a prime example of military action in contravention to civilian desires. Allison (1971), p. 138.
On the other hand, Bouchard may set the shirking threshold too high. His primary interest is whether inadvertent war could arise out of unauthorized actions and since none of the crises escalated to general war it is not surprising that he also finds no decoupled behavior of that magnitude. He dismisses some incidents of decoupling as trivial because they were neither countermanded nor punished by civilian authorities. For instance, during the 1967 crisis, U.S. naval forces engaged in game of "chicken" with trailing Soviet ships, a provocative action that Bouchard agrees was inconsistent with Johnson's political strategy of minimizing tensions with the Soviet Union; however, since it was not punished, Bouchard does not view that matter as very serious.\(^{65}\) Moreover, given his analytical focus, he is willing to excuse a range of behavior that might be called "benign shirking:" deliberate unauthorized actions that, with hindsight, Bouchard credits as being constructive. For instance, he cites approvingly CNO Anderson's insubordinate behavior to Secretary of Defense McNamara; Anderson "took the lead in preventing what he perceived to be unreasonable civilian interference in naval operations."\(^{66}\) Perhaps, but Anderson was surely shirking.

The Cuban Missile Crisis deserves special attention not least because it is surely the most thoroughly researched Cold War case. Bouchard's generally sanguine assessment about naval operations during the crisis is at odds with the traditional interpretation that the military chafed greatly under extraordinarily tight civilian command.\(^{67}\) For instance, Lebow's interpretation of the Cuban Missile Crisis damns the military with faint praise. He says that civil-military conflict was unavoidable and the numerous instances of military intransigence were likewise understandable because "leopards do not change their spots." Indeed, he credits the military for the extent to which "when pushed, they departed from routine and improvised procedures that responded to presidential directives and needs." But on the whole, Lebow's judgement seems to be that the military shirked, albeit understandably so from the point of view of organization theory.\(^{68}\)

Bouchard is at pains to debunk certain myths of military shirking during the Cuban Missile Crisis. For instance, he rebuts Allison's claim that standard operating procedures caused the Navy to defy civilian orders to move the quarantine line in closer to Cuba.\(^{69}\) Given their close monitoring of the quarantine and in particular the ships' location as reported on


\(^{67}\) Blight and Welch (1995), pp. 825-829.

\(^{68}\) Lebow (1987), p. 79. This is also the assessment offered by the two books most influential in shaping the conventional wisdom on the Cuban Missile Crisis, Allison (1971) and Kennedy (1971).

\(^{69}\) Allison (1971), pp. 129-130.
the Flag Plot, Bouchard reasons, civilians would have known that the ships remained at the 500 nautical mile arc; any covert shirking was impossible. Moreover, Bouchard suggests that President Kennedy merely suggested, vice ordered, that the quarantine line be moved and that the President concurred with his military advisors who cautioned against this plan for fear of the threat of land-based aircraft to the ships.\(^{70}\) He also gives a decidedly less melodramatic account of the famous incident of CNO Anderson confronting Secretary of Defense McNamara on the conduct of the quarantine. \(^{71}\) Given his extensive exploitation of previously unavailable material, Bouchard’s analysis is a useful corrective to Robert Kennedy’s self-serving account of a military barely kept from running amok by heroic civilian leadership.\(^{72}\)

---


On the other hand, there is ample evidence that some low-level operations deviated from civilian expectations, if not their explicit orders. For instance, Blight and Welch claim that the famous incident in which Cuban air defenses shot down the American U-2 spy plane should not have happened; military adherence to Standard Operating Procedures resulted in continued routine flights of U-2's over Cuba despite the manifest civilian preference to minimize provocation during the crisis.\(^{73}\) Sagan also documents numerous episodes that he claims raise serious questions about the safety and reliability of the nuclear forces during the crisis.\(^{74}\) While Sagan is not analyzing the affair in terms of an agency civil-military model -- and no incident resulted in a bona fide nuclear accident -- his findings are suggestive of a certain degree of military shirking. The first incident concerns the attempt by CINCSAC Power and Air Force Chief LeMay to pressure civilian leaders to change safety rules so as to permit immediate deployment of a new nuclear bomb just then entering the stockpile. The civilian assistant to the secretary of defense for atomic energy, Dr. Gerald Johnson, resisted the effort but noted afterwards that he had no guarantee that the Air Force respected his ruling. Sagan concludes, ominously, "we may therefore never know who really won the dispute..."\(^{75}\) In another episode, SAC commanders conducted a previously scheduled test launch of an Atlas ICBM from Vandenberg, even as they were converting other test silos at Vandenberg to a combat function. Civilian authorities were not aware of the launch which Sagan argues was contrary to the civilian's overall desire to restrict nuclear operations during the crisis.\(^{76}\) More seriously, Sagan claims that safety rules designed to prevent an unauthorized launch were deliberately not followed in at least one instance during the crisis. SAC commanders rushed several Minuteman I missiles onto alert status at the Malmstrom Air Force Base even though only one Launch Control Centers (LCC) was operational in defiance of the two-man rule on launch procedures. Malmstrom commanders apparently also co-located launch panels and positive control materials with the single LCC, thus violating back-up rules designed to inhibit unauthorized launch when conditions prohibited observance of the two-man rule.\(^{77}\) In another case, the Air Defense

---

\(^{73}\) Blight and Welch blame civilians for failing to anticipate this problem, but the gap between military behavior and civilian preference was nevertheless sizable. Blight and Welch (1995), p. 831.

\(^{74}\) Sagan also describes other near-accidents that almost resulted from various concatenations of coincidences and poorly designed procedures, including a U-2 accidental overflight of the Soviet Union during the crisis. These might better fit Clausewitz' category of "friction" rather than shirking as understood by the agency perspective.

\(^{75}\) Sagan (1993), pp. 72-73.


\(^{77}\) Sagan notes that civilian authorities worried enough about the Malmstrom incident to direct the JCS to conduct an after-action inspection. The JCS report concluded that no rules were broken but Sagan concludes otherwise. Sagan (1993), pp. 78-91.
Command ordered all nuclear air defense weapons to be alerted even though they lacked authority to do so at that time under the prevailing alert procedures. Moreover, at least one subordinate commander further violated safety rules in implementing this order.\textsuperscript{78}

\textsuperscript{78} Sagan (1993), pp. 95-98.
Some of the shirking might be coded as intra-military shirking. For instance, when SACEUR Norstad tried to dampen the alert status of NATO forces under his command, he was undercut at least temporarily by orders passed directly through service channels. Other problems could be traced not to military shirking but to civilian inattention to important details, as in the case where the ExComm placed extraordinary limits on the operations of NATO missiles in Turkey but failed to place similar limits of the nuclear-armed Quick Reaction Alert (QRA). This latter inattention is particularly surprising since civilian leaders were well aware of the peculiar risks of unauthorized use posed by the QRA aircraft — indeed, the QRA risks were the impetus behind the Kennedy administration’s earlier decision to buttress civilian control of nuclear weapons with coded locks called Permissive Action Links (PALs).

Beyond the evidence from the Cuban Missile Crisis, it is worthy noting that Bouchard’s optimistic findings are at odds with Joseph Sestak’s earlier analysis of the Seventh Fleet operations in the Western Pacific during the Cold War. Sestak finds “with disturbing regularity” that “the operational force posture of the Seventh fleet was often at odds with mandated policy or, at the least, with what policymakers expected it to be.” Some of the shirking Sestak documents was directed at senior military commanders rather than at senior political leaders; for instance, the Seventh Fleet was at pains to ensure that the Fleet could operate autonomously from any non-Navy theater commander. But in other cases, the shirking was in response to civilian policy. Sestak alleges that the Seventh Fleet resisted President Eisenhower’s massive retaliation policy and deliberately emphasized conventional-only operations, at one point during the 1954 Indochina crisis even failing to have a nuclear-capable carrier within range of Dienbienphu even though they were aware the President Eisenhower was contemplating a use of nuclear weapons. Arleigh Burke also apparently countermanded orders from President Eisenhower to deploy “all-attack carriers,” i.e. carriers without fighters to provide air defense for the carrier battle group, and permitted his subordinate commanders to ignore geographical restrictions on where they could sail if those restrictions were dictated by the nuclear-oriented Single Integrated Operational Plan (SIOP). Moreover, the Seventh Fleet often changed alert status

79 Sagan (1993), pp. 103-104


and deployment patterns without higher authorization, at least without explicit authorization from above the Chief of Naval Operations in the chain of command.⁸⁶

---

The evidence from crisis and peacetime operations thus supports a mixed assessment of working and shirking. The record is certainly not one of perfect obedience, even allowing for the normal friction of complex organizations. In some cases, as with MacArthur in Korea, the behavior clearly crossed the line and was unambiguously detected and punished as such. In other cases, the alleged behavior may have crossed the line but the available evidence is too sketchy to draw a firm conclusion. Yet, despite these tantalizing traces of problems and with some notable exceptions especially in the Navy, the empirical record does not support a picture of a renegade military resolutely thumbing its nose at civilian leaders. Although it is hardly dispositive, the military's own self-assessment is more favorable. It is rare for a military officer to admit on the record that civilian orders were disregarded, or, as General LeMay did, that they fully intended to disregard civilian orders if they considered it necessary. Interestingly, however, at least one military officer worried about the reliability of General Power, the SAC commander during the Cuban Missile Crisis. One of General Power's subordinate commanders later recalled in an oral history, "I used to worry about General Power. I used to worry that General Power was not stable. I used to worry about the fact that he had control over so many weapons and weapon systems and could, under certain conditions, launch the force." But quotes like this are noteworthy in part because they are rare. Evidence of operational shirking is most plentiful in the nuclear realm, but even here it must be acknowledged that military obedience was almost certainly the rule. To a very great extent, then, civilians got the military to do what civilian leaders asked them to do.

In sum and on balance during the Cold War, the military worked and did not shirk, especially on the issue of greatest importance to civil-military relations, the exercise of its monopoly on the use of force. This generally positive conclusion does not excuse the military for the instances of shirking that did transpire. But the conventional wisdom probably is correct: the United States during the Cold War enjoyed a remarkable degree of military obedience.

Why Did the United States Reach the Monitoring With Working Outcome?

The agency model translates this empirical finding about the Cold War configuration of working/monitoring into hypotheses about the values of other parameters in the civil-military relationship. The model can be flipped to use the observation of a given outcome to retrodict the likely values of the associated parameters; given the working/monitoring configuration identified above, what does the model suggest must have been the values of other relevant parameters? The model identified the conditions under which certain strategy pairs would be equilibria. Recall that a strategy pair is a

87 Perhaps the most provocative example of this kind of operational sabotage is the story Seymour Hersh tells of Air Force activities after Soviet air defenses shot down KAL 007. According to Hersh, subordinate officers tried to provoke an incident with the Soviet Union by filing fraudulent intelligence reports and changing their rules of engagement without authorization. If Hersh's account of military behavior is true it would be egregious shirking. Hersh (1986), p. 74


89 Nor does it excuse civilians for tolerating behavior that should have been stopped much earlier, for instance, the involvement of military intelligence in spying on suspected Communist sympathizers among civil-rights groups and elected political officials.
combination of civilian decisions to monitor or not given a military response, coupled with a military decision to work or shirk given a civilian decision on monitoring. These strategy pairs could combine to produce each of the four monitoring/working outcomes summarized above in Table 1. The equilibria conditions associated with these outcomes express the conditions under which we could expect those outcomes. Table 4 summarizes this discussion and identifies the equilibria conditions associated with each outcome.

Table 4 Equilibria Conditions Associated with Monitoring/Working Outcomes

<table>
<thead>
<tr>
<th>Monitoring and Working Outcome</th>
<th>Strategy Pairs that would Produce this Outcome&lt;sup&gt;90&lt;/sup&gt;</th>
<th>Equilibria Conditions Associated with that Strategy Pair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monitoring/working</td>
<td>Civilians monitor and the military works if monitored but shirks if not monitored&lt;sup&gt;91&lt;/sup&gt;</td>
<td>C&lt;sub&gt;1&lt;/sub&gt; &lt; W - S&lt;sub&gt;2&lt;/sub&gt; - ag(S&lt;sub&gt;1&lt;/sub&gt;-S&lt;sub&gt;2&lt;/sub&gt;) and w&lt;sub&gt;2&lt;/sub&gt; &gt; s&lt;sub&gt;2&lt;/sub&gt; - bgp and w&lt;sub&gt;1&lt;/sub&gt; &lt; s&lt;sub&gt;1&lt;/sub&gt; - agp</td>
</tr>
<tr>
<td>Monitoring/shirking</td>
<td>Civilians monitor and military always shirks</td>
<td>C&lt;sub&gt;1&lt;/sub&gt; &lt; (bg-ag)(S&lt;sub&gt;1&lt;/sub&gt;-S&lt;sub&gt;2&lt;/sub&gt;) and w&lt;sub&gt;1&lt;/sub&gt; &lt; s&lt;sub&gt;1&lt;/sub&gt; - agp and w&lt;sub&gt;2&lt;/sub&gt; &lt; s&lt;sub&gt;2&lt;/sub&gt; - bgp</td>
</tr>
<tr>
<td>No monitoring/working</td>
<td>Civilians do not monitor and the military always works</td>
<td>C&lt;sub&gt;1&lt;/sub&gt; &gt; 0 and w&lt;sub&gt;1&lt;/sub&gt; &gt; s&lt;sub&gt;1&lt;/sub&gt; - agp and w&lt;sub&gt;2&lt;/sub&gt; &gt; s&lt;sub&gt;2&lt;/sub&gt; - bgp</td>
</tr>
<tr>
<td>No monitoring/shirking</td>
<td>(1) Civilians do not monitor and the military always shirks</td>
<td>(1) C&lt;sub&gt;1&lt;/sub&gt; &gt; (bg-ag)(S&lt;sub&gt;1&lt;/sub&gt;-S&lt;sub&gt;2&lt;/sub&gt;) and w&lt;sub&gt;1&lt;/sub&gt; &lt; s&lt;sub&gt;1&lt;/sub&gt; - agp and w&lt;sub&gt;2&lt;/sub&gt; &lt; s&lt;sub&gt;2&lt;/sub&gt; - bgp</td>
</tr>
<tr>
<td></td>
<td>(2) Civilians do not monitor and the military works if monitored but shirks if not monitored</td>
<td>(2) C&lt;sub&gt;1&lt;/sub&gt; &gt; W - S&lt;sub&gt;2&lt;/sub&gt; - ag(S&lt;sub&gt;1&lt;/sub&gt;-S&lt;sub&gt;2&lt;/sub&gt;) and w&lt;sub&gt;2&lt;/sub&gt; &gt; s&lt;sub&gt;2&lt;/sub&gt; - bgp and w&lt;sub&gt;1&lt;/sub&gt; &lt; s&lt;sub&gt;1&lt;/sub&gt; - agp</td>
</tr>
</tbody>
</table>

On balance, American civil-military relations during the Cold War belongs in the "monitoring and working" cell.

<sup>90</sup> As demonstrated in Appendix 2.C, the military strategy of shirking if monitored but working if not monitored can be eliminated as long as the impact of intrusive monitoring degrades the military's estimation of the value of shirking the same as it degrades the military's estimation of the value of working (as long as s<sub>1</sub>-s<sub>2</sub> = w<sub>1</sub>-w<sub>2</sub>).

<sup>91</sup> The other notional strategy pair -- the civilian always monitors and the military always works -- is not an equilibrium as long as there is some cost to monitoring. If the military always works and there are costs associated with monitoring, then the civilian is always better off not monitoring.
According to the agency model, this would be the outcome when civilians monitored intrusively and the military adopted a strategy of working when monitored and shirking when not monitored. The conditions associated with this equilibrium (listed in column three) suggest that this outcome is more likely when some or all of the following circumstances are true: the costs of monitoring (C1) are low relative to the stakes as civilians see them (W-S2); the expectation that civilians would catch and punish shirking in the absence of monitoring (ag) is low and/or civilians perceive little difference between punishing shirking and letting shirking go unpunished (S1-S2); the military expectation of punishment under the monitoring regime (bgp) is large enough to compensate for the "benefit" the military would derive from shirking (s2-w2); and/or the expectation of punishment under the non-monitoring regime (agp) is not high enough to compensate for the benefit the military would derive from shirking (s1-w1). These circumstances, furthermore, imply the following about the real world values of certain key parameters during the Cold War: the costs of monitoring were low; the reliability of non-intrusive monitoring regimes (eg. fire alarms) was relatively low; the military expected to be punished when they were caught shirking under an intrusive monitoring regime; and/or the military were less concerned that they would be punished under a non-intrusive monitoring regime. The latter two conditions further suggest that "g," the expectation that shirking would be punished if detected, and "p," the pain of the punishment, were relatively large but that the ability to detect shirking varied significantly across monitoring regimes. Does the evidence support these expectations?

I evaluate these hypotheses in three ways. In effect, this is an attempt to demonstrate the validity of the model by exploring as many observable implications of the theory as possible given reasonable research constraints. First, I treat the entire Cold War as a single case and, weighing the evidence accordingly, come to a judgement about the overall values of the parameters. Second, I examine cases where the military shirked -- i.e. where the coding diverges from the general assessment given for the Cold War as a whole -- to see if there were corresponding changes in the equilibria parameters. Third, I consider more closely one sub-case, the Vietnam War, to see whether the agency model expectations hold in this instance. Vietnam is a particularly interesting case not only because of its substantive importance but also because it fits the intrusive monitoring with military working pattern of the Cold War as a whole even though several of the parameters hold extreme values -- it was a high stakes issue and military and civilian preferences strongly diverged. Thus, the agency model would expect to see similarly pronounced values for the other parameters in order to produce the equilibrium outcome.

**Evidence from the Cold War in General**

Looking at the Cold War as a whole, the evidence is supportive but not dispositive. The agency model identified two kinds of monitoring costs that the civilian considered: (1) electoral costs, which include considerations of time, effort, and feasibility, and (2) policy costs, which refer to the likelihood that civilian monitoring will degrade into harmful meddling. The Cold War saw an important change in the electoral costs of civilian monitoring. Compared to pre-Cold War periods, there was a higher direct electoral payoff for politicians focusing on military issues.92 The American electorate recognized that military issues mattered in a way that they perhaps did not prior to the Cold War, and they punished and rewarded politicians accordingly. For instance, with the exception of the 1973-1980 detente period, national security issues were regularly cited by the public as among the most important problems facing the nation.93 One analysis of Cold War presidential elections finds that the electorate’s perception of differences between candidates on foreign affairs and defense

---

92 Russett (1990), pp. 88-92

93 Russett (1990), p. 90.
policy issues were "consequential."\textsuperscript{94} Although the electoral connection was weaker for members of Congress, even congressional civilian principals found ample incentives to invest time and energy in national security issues.\textsuperscript{95} This suggests that civilian principals during the Cold War were less inclined to see monitoring the military as a waste of time or a distraction from other more electorally fruitful activities.

\textsuperscript{94} Aldrich, Sullivan, and Borgida (1989), p. 135.

\textsuperscript{95} Lindsay (1994b), pp. 33-52.
Just as monitoring seemed less costly in electoral terms during the Cold War, it also became more feasible across a wider range of military activity. For peacetime military activities, the Planning, Programming, and Budgeting System established by Secretary of Defense McNamara in the 1960s institutionalized a form of intrusive monitoring that gave civilians far greater access to information than had been available previously. Once established, intrusive monitoring regimes made intrusive monitoring that much easier in the next round. For instance, the growth of congressional staffs with oversight responsibilities in national security affairs was itself a manifestation of intrusive monitoring. But, once established, the ready availability of a large expert staff lowered the costs of engaging in intrusive monitoring on the next issue.

Advances in communications technology likewise lowered the costs of monitoring force deployments and military operations in the field. The telecommunications revolution, foreshadowed by novel applications fielded in World War II, marked the most significant advance in command and control technology since the advent of the telegraph enabled President Lincoln to monitor Civil War battles more intrusively than had his predecessors. For instance, Bouchard details how communications technology made possible more intrusive monitoring of the Cuban Missile Crisis than was available in the 1958 Taiwan Straits crisis. To be sure, civilians rarely exploited the new communications capability to their fullest. During the Cuban Missile Crisis, President Kennedy had the ability to speak directly to the commanders of the naval vessels patrolling the quarantine line. He did not do so, although he probably listened to reports coming in from those ships. However, by the time of the Pueblo crisis in 1968, then-President Johnson was exploiting the capability to speak directly with the on-scene commanding officer aboard the aircraft carrier *Enterprise*, although Johnson apparently did not give "rudder orders" -- precise directions for moving the ships and positioning escort vessels. By the time of the 1973 *Mayaguez* crisis, central commanders (in this case, the JCS) were giving rudder orders. The general pattern, then, was for intrusive monitoring to increase as advances in communications technology facilitated; while civilians may not have taken advantage of the most intrusive capability the first time it became available, gradually in something like a step-wise fashion. Civilian leaders became accustomed to a level of monitoring that would have been stifling in a previous

---

96 Enthoven and Smith (1971); Yarmolinsky (1971).


technological regime. Insofar as military operations went, the intrusiveness of civilian monitoring was largely a function of what was permitted by prevailing communications technology; as improvements in technology permitted greater intrusiveness, *ceteris paribus*, civilian principals took advantage of the new capacity.\textsuperscript{102}

\textsuperscript{101} This is part of a more general trend by which advances in military technology have permitted greater independence and initiative at lower tactical and operational levels which have, in turn, necessitated the growth of centralized staffs to coordinate and control this increased activity. See Irvine (1938), Van Creveld (1985) and Van Creveld (1989).

\textsuperscript{102} Sestak (1984), p. 71-72; Bouchard (1992), pp. 217-220; Van Creveld (1985), pp. 232-260. President Reagan’s apparent willingness not to micromanage the invasion of Grenada, provides an interesting counter-example and suggests that presidential style also plays a role. According to ###, President Reagan deliberately did not exploit the monitoring capability of the White House Situation Room to track events as they unfolded in the Grenada operation.
The agency model also directs attention to the policy costs of monitoring. Traditional treatments of civil-military relations hold that the costs of civilian micro-management are severe.\textsuperscript{103} Because civilians are inexpert, their interventions are likely to be counterproductive; because military operations are so complex, intrusive monitoring by civilians is likely to be a dangerous distraction. While the model is not dispositive on this question, it does raise the intriguing hypothesis that the policy costs are lower than popularly believed. To my knowledge, no one has done a systematic test of the hypothesis that civilian intrusive monitoring incurs high policy costs. There have been, however, at least some scholars advancing the view that civilian intrusiveness is not as pathological as popularly thought.\textsuperscript{104} And, obviously, civilian principals who decide to monitor intrusively evidently agree, at least at that moment, with Woodrow Wilson who claimed that his war was so unprecedented that it could and should be run by "amateurs."\textsuperscript{105}

There is one further reason for suspecting that the policy costs of civilian monitoring were lower in the Cold War than in previous periods in American history. The Cold War saw the flowering, for the first time, of a civilian-based expertise in strategy and national security.\textsuperscript{106} Nuclear strategy and unconventional war theory were essentially civilian-invented disciplines that the military eventually imported. Thus, perhaps the gap between civilian and military expertise was less than traditional theory would expect. If democratic theory accepts that civilians have a right to be wrong, the agency model interpretation of the Cold War suggests that civilians may have been wrong less often than one would expect.

The second condition implied by the agency model concerns the reliability of non-intrusive monitoring. The parameter reflecting the reliability of non-intrusive monitoring (a) shows up in all the inequalities governing this equilibrium and it influences civil-military relations along two distinct causal pathways. First, it affects civilian calculations about the necessity of monitoring intrusively. The following inequality stipulates the conditions under which civilians will decide to monitor intrusively: \(a(S1-S2) < W - S2 - C1\). As non-intrusive monitoring gets more reliable in detecting when the military shirks (as "a" increases) and/or if the expectation of civilian punishment should shirking be detected (g) is particularly high, then this inequality becomes harder to sustain. Civilians would choose under those conditions not to monitor intrusively. The intuition is simple: if non-intrusive monitoring is sufficiently reliable civilians will rely on that, especially if the stakes (W-S2) are low and the costs of monitoring are high. The fact that civilians did monitor intrusively, suggests that the perceived reliability of non-intrusive monitoring was itself low. In other words, civilians were unwilling to rely on fire alarms like the media and non-governmental experts to monitor military behavior. The second pathway concerns military calculations about whether to work or shirk and is reflected in the requirement that the other two inequalities simultaneously hold: \(w2 > s2 - bgp\) and \(w1 < s1 - agp\). Again, the intuition is plain: when non-intrusive monitoring has a low probability of detecting shirking, the military can maximize their utility by working when they are intrusively monitored and shirking when they are not monitored. Since we have already determined that on balance civilians monitored intrusively and the military worked during the Cold War, the agency model leads us also to expect that both civilians and the military did not consider the non-intrusive monitoring regimes to be very reliable.

At first glance, this expectation may seem surprising. During the Cold War there was indeed widespread use of the devices associated with non-intrusive monitoring and, compared with other countries, this approach would seem to be particularly reliable in the United States. A non-intrusive monitoring regime involves the extensive use of indirect mechanisms of civilian oversight rather than direct oversight. Three broad categories of tools constitute the non-intrusive

\begin{itemize}
  \item \textsuperscript{103} Upton (1917); Huntington (1957), p. 83; Barrett (1983), 82-85; Van Creveld (1985), 258-260; Owens (1990); Crovitz (1990); Bouchard (1992) pp. 218-222. Even Russell Weigley, who is otherwise uncompromising on the obligation of the military to accept civilian meddling, argues that civilian involvement often puts the military at a disadvantage. Weigley (1993).
  \item \textsuperscript{104} This is, for instance, one of Posen's conclusions in Posen (1984), pp. 220-236. See also, Brodie (1973), pp. 416-419 and 456-457. And Quincy Wright claims that Lloyd George had a superior mastery of World War I compared with General Kitchener in Kerwin (1948), p. 122.
  \item \textsuperscript{105} Rogers (1940), p. 291.
  \item \textsuperscript{106} Lyons (1961), pp. 56-60.
\end{itemize}
approach to civilian monitoring: contract designs, screening and selection mechanisms, and fire alarms that monitor the military and then alert the civilian principals when they detect shirking. These categories include such measures as offers by civilians to use less intrusive monitoring in exchange for obedience, skill requirements for entrance into military service, loyalty oaths and other accession instruments, the ethic of professionalism, the news media, defense-oriented think tanks, and even interservice rivalry. All of these measures were used during the Cold War. Some, like the activity of third-party fire alarms, clearly flourished; others, like accession policies and the ethic of professionalism, at least were points of emphasis during the Cold War.

The civil-military fire-alarm network came into its own during the Cold War. A vigorous national security media and an extensive system of non-governmental watchdog organizations grew up from a baseline of almost zero to become a quite sizable presence in the policymaking process. Prior to 1945, there were only a handful of organizations focusing on foreign and defense policy matters. The short list would be headed by the Council on Foreign Relations, the Navy League, and a few service-oriented journals like the *Proceedings of the Naval Institute*. By the mid-1970s, the list of organizations focusing on military and foreign affairs would balloon to include dozens of journals and a wide spectrum of organizations ranging from quasi-official entities like RAND and the Institute for Defense Analyses, to respected middle-of-the-road think tanks like the Brookings Institution or the Center for Security and International Studies, to more partisan groups like the Center for Defense Information, the Natural Resources Defense Council, and the Committee on the Present Danger. By the end of the Cold War, the number of interest groups lobbying the federal government on defense and foreign policy issues was estimated at over 900, and this does not even include the sizable military expert community in academia.\(^{107}\) Compared with virtually any other country of interest, the United States has enjoyed the most robust of "fire alarm" communities with a vigorous, attentive and relatively free press regularly reporting on the doings of the military. As anyone who has spent time in government can attest, this community does in fact serve a fire alarm function, bringing different national security concerns to the attention of policymakers and forcing the pace of oversight. Moreover, the Foreign Policy Leadership Project public opinion surveys found that the civilian elite placed a remarkably high degree of trust in the reporting of the press, at least in comparison to reporting by the government itself. In each of the Cold War polls, a majority of civilian respondents agreed somewhat or strongly with the statement that the "press is more likely than the government to report the truth about the conduct of foreign policy."\(^{108}\) Thus, there is at least some reason for believing that civilian leaders would trust these third-party organizations to serve as fire-alarm monitors of military behavior.

On the other hand, this large watchdog community was balanced during the Cold War by an extraordinary growth in governmental secrecy. The effect of security classification was to remove a large portion of defense affairs out of the public eye. To some extent, the reliability of these independent and quasi-independent monitoring systems was also undercut by the simultaneous rise of an aggressive public relations operation by the official defense establishment.\(^{109}\) In a sense, then, the efforts of the fire-alarm community to detect and report on shirking may have been countered at least somewhat by the ability of the military establishment to withhold and shape information, which had the effect of hiding shirking and otherwise coloring perceptions about military behavior. Thus, compared with the higher probability that shirking would be uncovered with direct intrusive monitoring, the non-intrusive monitoring regime may have been less reliable than one would otherwise suspect based on a crude comparison with the pre-Cold War era. Moreover, although the national security "fire alarm" community grew substantially over the Cold War, its size, relative the size of the fire alarm community may not be so large, relative to the task assigned to it and relative to other issue arenas. For instance, the domestic policy community of fire alarms dwarfs the security policy arena -- over 8000 versus over 900 -- and one could therefore infer that the national security watchdogs are relatively less important in the former arena.\(^{110}\) Arguably, then, civilian policymakers, accustomed to the information-rich domestic policy environment, might not have been willing to rely on the much more rarified non-governmental security policy community.

\(^{107}\) Zegart (1996), pp. 36-37.

\(^{108}\) The percentage of civilians agreeing with this statement in the 1976, 1980, 1984, and 1988 surveys was 64%, 54%, 55%, and 62% respectively. The surveys showed an even stronger military distrust of the press, however, dropping from the 41% high in 1976 to 35%, 16%, and 16% in the subsequent polls.


\(^{110}\) Zegart (1996), pp. 36-37.
The contractual and screening mechanisms associated with a non-intrusive monitoring regime were likewise a prominent part of Cold War civil-military relations, but the empirical record does not rule out the possibility that they were insufficiently reliable to substitute for direct intrusive monitoring. Military sociologists have documented that the United States military over the course of the Cold War shifted from what is called the institutional model to an occupational model of military service.\(^{111}\) The institutional model is the traditional paradigm of military service, where effort is valued on normative grounds and members are motivated by intangible incentives like honor and duty to country. The occupational model resembles employment in the civilian marketplace, where prestige is based on levels of compensation and members are motivated by tangible incentives like pay and benefits. The shift to an occupational orientation predated the abandonment of the draft, but the move to an All-Volunteer force inevitably accelerated the trend. The shift would at first appear to indicate that contractual mechanisms became more effective over the Cold War as a means of non-intrusive civilian monitoring. But, as I argue below, the increasingly prominent role of contract incentives may have done more to raise the profile of punishment than to substitute for intrusive monitoring systems. Moreover, the shift, which most military sociologists decry as destructive of military effectiveness, may have worked to undermine the other leg of the non-intrusive monitoring chair: traditional professionalism. The institutional model is, more or less, the Huntington ideal of military professionalism. Occupational impulses, whether in the form of increased emphasis on pay or an elevation of the individual over the group, erode the institutional identification that Huntington claims is an integral part of military professionalism’s ethic of subordination. Thus, the increased emphasis on certain forms of non-intrusive monitoring may have had the perverse effect of undermining the effectiveness of other mechanisms in regulating the shirking phenomenon.

There is no question that rivalry between the four military services during the Cold War served the monitoring function expected by the general agency model. What is less clear is whether it was sufficiently capable to be a substitute for, rather than a complement to, other more intrusive forms of monitoring. There is at least some reason to believe that interservice rivalry became a less reliable monitoring system as the Cold War ran on. Korb observes that during the early days of the Cold War splits among the services on important issues were fairly common. By the 1960s and 1970s, however, the JCS had worked out a system of log-rolling that reduced the number of “split-decisions” among the Chiefs.\(^{112}\) Indeed, by the mid-1980s there was widespread dissatisfaction with the functioning of the JCS and in particular the quality of advice that the service-dominated system provided.\(^{113}\) This dissatisfaction led to the Goldwater-Nichols reforms which had the effect of greatly strengthening the operation of the Joint Staff at the expense of the individual services. Thus, while interservice rivalry did not necessarily abate (or increase) over the Cold War, it nevertheless fell increasingly in disrepute. In other words, the perceived usefulness of interservice rivalry declined over the course of the Cold War. This decline may indeed have influenced the reliability of this relatively non-intrusive monitoring mechanism, as indicated by the agency model.

The foregoing underscores that non-intrusive monitoring mechanisms have special costs in the civil-military context that may not be present in other applications of principal-agency. Fire-alarms do not merely “sound off” when they detect shirking; they are regularly reporting on the behavior of the military. In non-security arenas, this extra information at worst raises the noise level of the policy process. On security issues, however, there is a competitive dynamic at work. Civilians establish the military, after all, on the assumption that there are at least some external actors that might seek to exploit the state. The desire for accurate reporting on military behavior is thus tempered by concern that this information

---

\(^{111}\) Moskos (1977); Segal (1986); and Moskos and Wood (1988).


\(^{113}\) Barrett (1983) 82-85.
could enable an enemy who in turn could do more damage than is caused by a shirking military. Interservice rivalry may provide extra levers for civilian control of military behavior, but it also produces other pathologies like unreliable military advice that otherwise undermine the civilian position. To be sure, direct monitoring has its own costs, but at least in civil-military contexts indirect monitoring may not be significantly less costly. Since the chief advantage of non-intrusive monitoring is its lower costs, the special costs that arise in a military setting may have been enough to reduce the overall reliability of non-intrusive monitoring as suggested by the agency model.

On balance, the historical record is not dispositive on whether non-intrusive monitoring mechanisms were relatively unreliable during the Cold War. However, the agency model itself is not determinative on the question. It is possible, for instance, that civilian intrusive monitoring was dictated entirely by a relatively low cost of monitoring despite a high "true" value for the reliability of fire alarms. It is also possible that civilian monitoring would have been even more intrusive but for the presence of a fairly robust non-intrusive monitoring system. Given the ambiguity of the available evidence, it is probable that different dynamics were at work for different issue areas and different time periods. Future research could be directed at unpacking this relationship with more detailed analysis.

More consistent support can be found for the final set of equilibria conditions identified by the agency model, the ones concerning expectations about the punishment meted out for military shirking. Specifically, the model suggests three things about expectations of punishment during the Cold War: (1) that the military had a relatively high expectation that shirking would be punished if detected, (2) the military expected such punishment to be relatively severe, but (3) the ability to detect shirking varied significantly across monitoring regimes. I already discussed the third condition above, but the first two conditions deserve closer scrutiny. While there is no direct evidence of the values of these parameters -- survey polls did not, for instance, ask questions about expectations of punishment -- there is confirmation from the empirical record for these hypotheses.

The agency model suggests, for instance, that the Truman-MacArthur controversy played a larger role in shaping Cold War civil-military relations than Huntington's traditional narrative allows. Despite the examples of Lincoln and Truman and others, punishment plays a curiously muted function in traditional theory of American civil-military relations. Military disobedience does not feature prominently in Soldier and the State; civilian punishment of the military figures even less so. Surprisingly, given the proximity of the event, Huntington touches only lightly on the Truman-MacArthur controversy. In a brief section discussing the possible conflict between military obedience and political wisdom, Huntington compares MacArthur with the generals who resisted Hitler during the 1930s, chastising both sets: "Both the German officers who joined the resistance to Hitler and General MacArthur forgot that it is not the function of military officers to decide questions of war and peace." Huntington analyzes in great detail the etymology and evolution of MacArthur's attitudes toward the abolition of war, noting with disapproval that by 1956 MacArthur had articulated a liberal position that even Henry Wallace could endorse. Huntington appears to argue that it was the liberal roots of MacArthur's attitudes to war that laid the justification for his insubordination; MacArthur viewed war as "the utter bankruptcy of politics" leading him to conclude that "full control, 'politically, economically, militarily' must be in the hands of the military commanders and the nation must

---

114 Huntington references MacArthur eighteen times, not an untoward count given General MacArthur's significance and the scope of Soldier and the State. But only half of those references are to his dismissal, which is arguably one of the pivotal events in U.S. civil-military history. See index (Huntington, 1957, p. 526).

115 Huntington (1957), p. 77.
concentrate its complete trust in the military leadership.\textsuperscript{116} Huntington scrutinizes rather less closely Truman’s decision to relieve MacArthur, and does not discuss the impact this decision likely had on American civil-military relations.\textsuperscript{117}

\textsuperscript{116} Huntington (1957), pp. 367-373, quotation to p. 372.

\textsuperscript{117} Huntington (1957), pp. 383, 385, 386, 390.
In writings separate from his theory of civil-military relations, however, Huntington does evaluate the MacArthur controversy and his observations there differ in important ways from the view implied by Soldier and the State.\textsuperscript{118} For instance, Huntington notes that MacArthur's actions were shaped by a lower expectation that he would be punished because Truman was so politically weak:

The President's appreciation of his political weakness was one reason he had not relieved MacArthur in August or December 1950. The longer he delayed, however, the more precarious his position became....Truman reluctantly took what seemed to be his last chance to get rid of MacArthur. In the light of these circumstances, the amazing thing is that Truman was able to act at all.\textsuperscript{119}

Huntington concludes that Truman was finally able to act despite his weakness because of the presence of military leaders within the Truman Administration, causing Huntington to give a surprising endorsement of subjective control: "In the American system...top-ranking officers such as Marshall, Bradley, and Eisenhower could become thoroughly involved in politics without threatening civilian control. Indeed, just the reverse was true: their very participation helped in the assertion of civilian control."\textsuperscript{120} Finally, Huntington observes that the firing of MacArthur served to cement future military subordination: "Many of MacArthur's subordinate commanders shared his strategic views. Yet they stayed on at their posts, not because it was impossible for the Truman Administration to dismiss them but because it was unnecessary to do so. If MacArthur could be fired, anyone else could also."\textsuperscript{121} This explanation of the MacArthur crisis is hard to square with Huntington's theory of civil-military relations but fits the agency model rather well.

Indeed, this is precisely the way the agency model would interpret the MacArthur incident: Truman's dramatic firing of General MacArthur proved crucial in shaping military expectations of punishment throughout the Cold War. Truman's action is especially noteworthy because public opinion overwhelmingly backed the general over the President and because MacArthur was also strongly supported by the opposition party, the Republicans, who were increasingly pressing Truman on a large number of issues from Congress.\textsuperscript{122} Arguably, these factors gave General MacArthur ample reason to expect that President Truman would not punish him. General MacArthur makes no direct mention in his memoirs of his expectations regarding the likely response of President Truman to his actions in Korea, except to claim that he was never insubordinate and so never considered his actions worthy of punishment. But it is suggestive that a recurring theme in his discussion of Korea is the indecisiveness and vacillation of the civilian leadership at that time. Perhaps MacArthur's low estimation of President Truman's resolve vis-a-vis the Chinese translated into an equally low estimation of Truman's resolve.

\textsuperscript{118} Brzezinski and Huntington (1964), pp. 331-365.

\textsuperscript{119} Brzezinski and Huntington (1964), p. 363.

\textsuperscript{120} Brzezinski and Huntington (1964), pp. 364.

\textsuperscript{121} Brzezinski and Huntington (1964), pp. 360-361.

\textsuperscript{122} Clotfelter (1973), p. 124.
vis-a-vis MacArthur.\textsuperscript{123}

\textsuperscript{123} MacArthur (1964), pp. 327-392.
In any case, President Truman's decision to relieve General MacArthur was dramatic and, I would argue, became the dominant metaphor for Cold War civil-military relations. MacArthur's disagreement with Truman, and vice-versa, was a quarrel over the proper way to use force in the nuclear age -- whether all or nothing, as the dominant military viewpoint held, or whether with politically set limits, as civilian strategists argued. The military's frustration with the civilian-directed limitations on the use of force in Korea gave rise to a "Never Again Club" of military strategists determined not to repeat the error of fighting under self-imposed limitations. This debate framed deliberations over virtually every subsequent military operation, whether Dienbienphu in 1954, Laos in 1960, or Vietnam throughout. The argument resurfaced in the debate between Secretary of State Shultz and Secretary of Defense Weinberger over Lebanon and Central American policy in the Reagan Administration and the military position became enshrined in the so-called Weinberger-Powell doctrine that emerged the apparent rhetorical victor by the Cold War's end. If the Truman-MacArthur debate cast such a long shadow over the use of force policy, it is equally plausible that the original resolution of that debate -- the reassertion of civilian supremacy and, depending on one's point of view, the reassertion of the civilian's right to be wrong -- likewise cast a long shadow over Cold War experience. The willingness of one of the most unpopular presidents to fire one of the most popular generals thus established a high floor on the military's expectation that shirking would be punished if detected, an expectation that the agency model suggests played an important role in shaping civil-military interactions for the next several decades.

There is still a further reason why the military expectation of punishment if shirking was detected might have been relatively high, at least for the first twenty-five plus years of the Cold War: congressional deference to the executive branch. The principal-agent framework draws attention to how unified agents can exploit divided principals, playing one boss off the other in an effort to avoid punishment. Traditional theory of American civil-military relations emphasizes precisely this problem, which Huntington has called the "structural constant" laid out in the Constitution. The Framers desire to prevent abuses of power by an overstrong civilian executive led them deliberately to share authority for military affairs between the executive and legislative branches. The checks and balances within the civilian government created openings for an opportunistic military to resist civilian control and, in the words of Huntington, "a perpetual invitation, if not an irresistible force, drawing military leaders into political conflicts." Avant's principal-agent analysis of American civil-military relations relies on precisely this divided principal problem to argue that American civilian leaders had a greater difficulty in enforcing military compliance during the Vietnam War than did civilian leaders in the British parliamentary (unified principal) system in the Boer War. To be sure, there are numerous examples of congressional-executive struggles over defense policy throughout the Cold War period. The struggle occurred both at the macro-level of grand strategy, e.g., debates over Eisenhower's New Look strategy, Vietnam, and arms control, and at the micro-level of individual defense procurement programs and petty funding issues. On the other hand, in comparison with the pre- and post-Cold-War periods, and in comparison with domestic policy issues during the Cold War itself, congressional-executive relations on national security matters were characterized by something approximating a bipartisan consensus comprising both civilian branches for much of the Cold War. As one survey of the Congressional role in defense policy observed, "from the early 1950s until the mid-1970s, the list of who mattered in the realm of foreign and defense policy stopped with the president and the national security bureaucracy." Vietnam shattered this consensus, and the conventional wisdom traces the "resurgence" of Congress and the decline of the imperial president to the Vietnam catalyst. In terms of the agency model, however, the bipartisan consensus, so long as it lasted, served to unify the civilian principal vis-a-vis the military agent. In other words, Huntington's structural "constant" was to some extent made a variable by the willingness of Congress to defer to executive prerogatives.

---

124 This dialectic is traced in some detail in Gacek (1994).
125 Huntington (1957), pp. 163-192.
126 Huntington (1957), p. 177.
127 Avant (1994).
128 Ripley and Lindsay (1993), p. 4. As Kolodziej (1966) documents, Congress had very little ability to prevail against the executive for much of the Cold War period.
129 Sundquist (1981); Ripley and Lindsay (1993); Lindsay (1994b).
in military affairs. The partial unification of civilian leadership would affect the agency model outcome through the
parameter of the military expectation of punishment, reducing the willingness of one civilian principal to shield a shirking
military agent from discipline at the hands of another civilian principal and so increasing the likelihood that shirking would
be punished if detected.

This effect was strengthened by the persistence of interservice rivalry within the military establishment. Just as
a divided principal weakens the civilian branch vis-a-vis the military, so a divided agent weakens the military vis-a-vis the
civilian. Until the Goldwater-Nichols reforms of 1986, the individual services held the upper hand over the Joint Staff and
the military remained divided on many issues. The Goldwater-Nichols reforms greatly strengthened the Joint Staff and
especially the Chairman of the Joint Chiefs of Staff at the expense of service prerogatives.\footnote{The rationale behind such a move is explored using the principal-agent framework in Weiner (1997).} The agency perspective would
therefore expect significant changes in the relative civil-military strength and a concomitant change in the military
expectation of punishment.\footnote{This is precisely the fear of contemporaneous critics of the reforms. See Previdi (1988).} For most of the Cold War, however, the combination of a relatively unified civilian principal
and a relatively divided military agent would produce a correspondingly high expectation that shirking would be punished,
if detected.

Finally, when punishments did enter the formal procedures of the courts-martial system, the military accused could
be fairly certain he would be convicted. The conviction rates remained high throughout the Cold War, down from a WWII
high of 99\% to a still-impressive 92\% in 1984. Since the absolute number of courts-martial declined dramatically over the
same period (from 1426 in 1947 to 63 in 1984), these high rates probably reflect a selection effect, as commanders only
pursued courts-martial in the cases where they were fairly certain that the conviction would hold.\footnote{Hicks (1991), p. 65-68. Jacobs (1978), p. 397.} The decline in the rate of courts-martial rates was correlated with the rate at which convictions were appealed to the Court of Military Appeals
although not with the rate at which convictions were overturned. Thus, even though the convictions often stuck, commanders
appeared to be less willing to risk the chance that their judgement would be second-guessed by higher authorities and opted
instead for the more certain, though less harsh, non-judicial punishment at their disposal.\footnote{Hicks (1994), p. 126.}

There was, in fact, important changes in the modality of the punishments which in the agency model would reflect
a change in the "p" value, the disutility associated with the punishment received. Janowitz traces how professional military
authority moved from a reliance on coercion to a reliance on persuasion, reflecting (and in some cases prefiguring) a similar
transformation within civilian organizations, especially firms. The reasons offered for the transformation are varied --
whether it is a growing expectation of comfort as standards of living improve or whether it is the requirement imposed by advances in military technology that give the advantage to the combat force that can best exploit initiatives.\textsuperscript{134} The trend was accelerated by the reforms of the Doolittle Board, itself convened to correct the perceived abuses of coercion during World War II, and then codified in the UCMJ.\textsuperscript{135}

\textsuperscript{134} Janowitz (1971), p. 40. In the days of powder and shot, combat effectiveness was largely a function of the discipline of close order formations. As the range and lethality of munitions increased, combat outcomes increasingly turned on the ability of armies to coordinate the operations of a complex array of small units to exploit temporary advantages.

While there have been notable exceptions, the trend has continued and is reflected in the reduction in the number of formal courts-martial, the reduction in the severity of punishments handed out for military infractions, and the growing reliance on positive incentives rather than punishments to maintain unit cohesion. Whereas in the past, deviant behavior might be punished with incarceration or even capital punishment, increasingly over the Cold War the military has simply relied on "expulsion from what had become a lucrative and sought-after occupation" to punish soldiers that shirk; as noted earlier, this trend has shown up in a dramatic drop in the per capita frequency of courts-martial and a corresponding increase in administrative non-judicial punishment. The data show that from a high of 1948, the number of courts-martial per 10,000 soldiers per year steadily dropped, even during the Vietnam War and during the malaise of the 1970s. The drop predated the switch to the All-Volunteer Force and simply reflected a growing reluctance on the part of commanding officers to opt for a formal punishment process that increasingly incorporated civilian norms about due process and the rights of the accused. The shift was precipitated in part by the gradual extension of civil rights protection into the courts-martial system which made courts-martial far more uncertain from the point of view of a commander seeking to discipline subordinates. Thus, the certainty of punishment remained high even if the severity of the punishment declined somewhat. 

The data on courts-martial appear to contradict the agency expectation that the pain of the punishment expected remained severe. A possible resolution to this puzzle can be found in the concurrent rise in occupational-related rewards and incentives. The replacement of the draft with the All-Volunteer Force compelled the military to compete for recruits in the marketplace. As a natural consequence, military pay and benefits increased. Arguably, as compensation and other benefits increased, the value for individual officers of staying in the military also increased. By definition, if the benefits of staying in the military increased, the sanction of being denied those benefits also increased. In this way, the threat of being thrown out of the military -- and in most cases of military shirking, forced departure from the service is the dominant form of punishment -- may have been a sufficiently severe replacement for the more traditional physical forms of punishment. The point here is not that potential shirkers would equate losing retirement benefits with the harsh punishments meted out under the old courts-martial system. Rather, the point is that as military professionalism shifted to a more occupational pattern, where men and women joined the military for the sake of a career, the threat of a career-ending may have proved sufficiently severe to meet the expectations of the agency model. And, of course, the court-martial did not disappear altogether but remained a possible ultimate sanction for egregious shirking.

---

136 For instance, the Womble Committee investigating military performance during the Korean War criticized the Doolittle reforms and recommended a restoration of commanders prerogatives in punishing military infractions. Janowitz (1971), p. 50.

137 Janowitz (1971); Radine (1977); Jacobs (1978); Hicks (1991); Hicks (1994).

138 Hicks (1994).

139 Hicks (1991), pp. 4-5, and 26.

140 For instance, Hicks (1991, p. 71) finds that pay for enlisted soldiers, which hovered somewhere near 70% of comparable civilian pay in the mid-1960s, had climbed to rough equality with comparable civilian pay by the mid-1980s.
Evidence from Divergent Cases

Given an overall Cold War assessment of civilian monitoring and military working, therefore, the empirical record does support the hypothesis that crucial parameters in the civil-military relationship held the values predicted by the agency model. This conclusion is contingent, acknowledging the broad-gauged nature of the assessments. However, our confidence in the model's utility is further bolstered by looking at cases where the civil-military relationship deviated from the general trend. The agency model predicts that when the outcome deviated from the general working/monitoring pattern in particular instances, there should be analogous changes in the associated conditions. For example, the agency model would expect that instances of shirking would be associated with one of several factors: (1) a particularly large gap between what civilians have asked the military to do and what the military wants to do \((w1-s1, \text{ and } w2-s2)\); or (2) unusually low values for the expectation of punishment; or (3) the absence of intrusive monitoring which would itself be associated with particularly high costs of monitoring in that instance.

Arguably the first condition helps explain the instances of shirking identified in the review of Cold War uses of force. As shown in Table 2 above, military shirking on the decision whether to use force during the Cold War was correlated with the unanimity of the military actors. Military shirking was less likely when there were sharp divisions between the services and if at least some key military actors agreed with civilians but was more likely if the military presented a unified position to the President. The unanimity of opinion can represent the intensity of the military preference, capturing the idea that what civilians are contemplating in that instance was sharply at odds with the military preference.

Alternatively, these same data can be interpreted as reflecting the second condition, a change in the expectation of punishment. When military advisors present a unified viewpoint on a decision to use force, their bureaucratic position is considerably stronger than when the services are sharply divided on the appropriate course to take. In these cases, civilian leaders would find it harder to overrule military counsel and the military could expect that some shirking would go unpunished, thus adjusting downward the "g" parameter as the model's second condition would predict.

These explanations do not appear to hold for the decision how to use force; according to Table 3, unanimity here was far less consequential. However, the coding problems at this level limit the confidence we can place in any inferences about the irrelevance of unanimity in decisions over how to use force. For instance, the ability of the military to control option formation on the one hand, and to take back at the operational level what they have conceded at the policy level, suggests that a unanimous military may have found more opportunities to shirk than were detected in the available historical record.

The relatively few instances of shirking on the decision how to use force do suggest one pattern that is consistent with the agency model. Each of these decisions -- the 38th parallel in Korea, the Yalu in Korea, the Mayaguez retaliation, the Lebanon withdrawal, and the Grenada invasion -- were made against the backdrop of an evident failure in the previous civilian-directed policy. Truman bowed to MacArthur only after defeat in Korea seemed imminent and after the Inchon success appeared to confirm his superior understanding of the war. President Ford's decision to defer to the military and not authorize greater retaliation against Cambodia for seizing the Mayaguez came after the utter failure of U.S. policy in Southeast Asia. President Reagan deferred to the military in withdrawing pell-mell from Lebanon after a suicide bomber claimed 241 Marine deaths, thus proving the bankruptcy of the existing policy. The Grenada decision, which came only a day after the Beirut bombing was doubtless affected by the same considerations. In other words, shirking came on the heels of apparently decisive evidence that the policy costs of civilian meddling were exorbitant, at least in those cases. When the policy costs of monitoring are higher, or perceived to be, civilians have a greater incentive not to monitor intrusively and the military have a greater opportunity to have their preferences prevail. The other cases where military operations ended in a disaster -- the Bay of Pigs, the Iranian hostage rescue attempt, and of course, the various operations that comprise the Vietnam War -- may be exceptions that underscore the rule. The first two were failures after the fact, and so the military did not have an opportunity to parley the policy costs of monitoring into political advantage over decisionmaking. They were also very short, small-scale operations, in each case the first time force was used in that particular administration; as such they received closer scrutiny by civilian leaders than might otherwise be the case. The Vietnam cases cannot be explained
away so easily and I address them below.

Finally, the hypothesis that shirking should be associated with the absence of intrusive monitoring which would itself be associated with particularly high costs of monitoring in that instance finds support in Sestak’s finding from the history of the Seventh Fleet. Shirking by the Fleet was facilitated by its geographical remoteness from Washington, which was only belatedly overcome by advances in communications technology. Sestak also argues that shirking was greater when the theater commander was from the same service as the military officer. In terms of the agency model, this would translate into a reduction in the reliability of the fire alarm monitoring mechanism, a function interservice rivalry otherwise fulfills. The agency model also would imply that there is more military shirking to be discovered in areas where civilian monitoring was less intrusive. Empirical scholarship on nuclear operations in the late 1980s uncovered hitherto unnoticed cases in which de facto military practice diverged from declaratory doctrine, thus forcing a revision in the dominant view about how well-integrated military behavior was with grand strategy. In a similar fashion, the agency perspective would expect that future empirical research will uncover shirking in those areas where civilian monitoring was lax and where non-intrusive monitoring mechanisms were likely to be ineffective.

A Case in Point: the Vietnam War

The Vietnam War is a defining experience in modern U.S. civil-military relations and so it is instructive to single that traumatic period out for special attention to see how the expectations of the agency model hold. It is of particular interest for evaluating the agency model’s interpretation of the Cold War as a whole because the Vietnam War is a case of military working even in the presence of a sharp disagreements between civilians and the military. Given scope constraints and the immense literature that the Vietnam War spawned, the analysis presented here is necessarily abridged. The evidence does, however, support the agency model findings for the Cold War as a whole.

The agency perspective begins with the premise that civilians have the right to be wrong. Civilian principals have the right to ask military agents to do something that ultimately proves costly, foolhardy, and even disastrous. Military agents have an obligation to advise honestly about the consequences of proposed courses of action but in the final analysis they must obey even dumb orders. This is a crucial premise and it flows directly from the principles of democratic theory under which the elected representatives of the people have the right and duty to rule. Therefore, the agency perspective does not concern itself principally with evaluations of whether the United States should or should not have intervened in Vietnam, an important but separate question that has occupied the bulk of Vietnam scholarship and polemics. Instead, the agency perspective is concerned first and foremost with whether and why military agents acted as directed by civilian principals. Secondarily, the agency perspective is concerned with how patterns of civil-military relations affected the course of the war.

The literature on Vietnam is as divided as any in the security studies field reflecting the deep and emotional divisions that the war produced within American society as a whole. Nevertheless, a consensus has emerged on several points of interest to civil-military relations. First, it is generally conceded that the military did not press the war on reluctant civilian leaders but rather the reverse happened. At the most basic level of generality, then, the Vietnam War can be coded as an

instance in which the military obeyed an order to fight.

an otherwise fairly orthodox leftist interpretation of the war, concedes this point.
It is also generally conceded that civilians monitored intrusively by micromanaging operations, although as I argue below there is a dispute over the costs of that monitoring. Examples of intrusive monitoring abound, the most famous being Johnson’s boast of personally selecting bombing targets. General Westmoreland complained of civilian efforts to tailor the force packages sent to Vietnam in order to send nuanced signals to the North Vietnamese without regard to the military mission the new reinforcements were meant to meet. It is also generally conceded that the intrusive monitoring of the war relaxed somewhat under the Nixon administration.

As to whether the military shirked beyond the initial decision to get involved in Vietnam, opinions vary. The claim by several analysts that the Army refused to develop a counterinsurgency doctrine integrated with the grand strategy articulated by President Kennedy is tantamount to a claim that the military shirked in Vietnam. Buzzanco also accuses the military of shirking, but in a devious way. He claims that the military consistently made proposals it knew the White House would reject in the hopes that civilians would reject the proposals and thus enable the military to claim that their hands had been tied. Buzzanco argues that the military’s primary concern was not to win the war in Vietnam, nor even to deliver an outcome that civilians could accept as a success, but rather simply “to avoid blame for failure in Vietnam.” Buzzanco does not present a “smoking gun” in the form of evidence that the military deliberately asked for things they knew they would not receive, but he does argue persuasively that the military must have been aware that their requests would continue to be rejected.

In a war as long and as divisive as Vietnam, of course, one can find instances where senior military engaged in behavior that would constitute shirking. Perhaps the most famous of these would be the military’s testimony before Senator Stennis’ committee in 1967. For the first time, the military chiefs gave open testimony in support of an expanded bombing policy that had been rejected by President Johnson. Certainly the Johnson administration viewed the military testimony with great alarm and devoted extraordinary energy in an effort to rebut the testimony while papering over the civil-military disagreement. In response, the military chiefs contemplated resigning en masse. But the chiefs did not resign and, on the contrary, publicly denied they had considered doing so. While the incident ended without a significant change in the course or conduct of the war, it did increase military influence within the Johnson administration from that point on. Another controversial example is General Lavelle’s alleged decision to relax the rules of engagement in order to bomb previously off-limits targets in North Vietnam in late 1971. Contemporaneous news accounts allege that Lavelle, who was responsible for all Air Force combat flights in Southeast Asia, authorized the bombing, which continued over a three month period and were reported to superior headquarters as “protective reaction” strikes. The bombing apparently sabotaged Kissinger’s secret negotiations with North Vietnam. Lavelle was relieved of his command and forced to retire below rank, but he avoided a court-martial and a congressional investigation largely exonerated him. There remains a dispute as to whether Lavelle

144 Palmer (1978); Summers (1982); Rosen (1982); Petraeus (1987); Davidson (1987); Herring (1994); Buzzanco (1996); Pape (1996); Record (1996/97); Cerami (1996/97); McMaster (1997).

145 Westmoreland (1976), pp. 119-125, 161.

146 Record (1996/97).

147 Krepinevich (1986); Komer (1986); and Avant (1992).


150 Herring (1994, pp. 30-36) also gives a similar interpretation of military dominance during this phase of the Vietnam War, although he explicitly rejects the claim that the military deliberately deceived Johnson.


operated under his own authority or whether he had the tacit approval of more senior ranking military officers.\textsuperscript{153}

\textsuperscript{153} Betts (1991), pp. 49-50, and 262-263, fn. 30. Uncertainty over the complicity of superior officers continues, with some suggesting that senior Air Force officers condoned the shirking and others alleging that they "sold" him out to civilian authorities. See Summers (1997), and Ryan (1997).
Gelb and Betts note that the military may also have deliberately falsified battlefield reports in order to present a more optimistic version of their tactical virtuosity. A still more curious example is the so-called "JCS spy ring" inside the White House in the first Nixon administration. Out of frustration at being cut out of the loop of National Security Advisor Henry Kissinger's back-channel peace negotiations, the JCS allegedly instructed one of the enlisted Navy message clerks at the White House to steal and copy documents from Kissinger and send them to Admiral Moorer, then Chairman of the Joint Chiefs of Staff. When Nixon and Kissinger learned of this obvious insubordination, they did not publicly rebuke the military for fear that it would damage the military's reputation; they, however, did use the information to make the military "more compliant" in other areas, notably support for the SALT I treaty.

On the other hand, the conventional wisdom among the post-Vietnam military is that senior officers did not shirk enough particularly in the early days of the war. The military did not resolutely resist pressure from the Kennedy and Johnson administrations to intervene. Janowitz likewise suggests that the appropriate military response in the early days of the Vietnam war would have been to resign in protest; he accuses the military of being "overprofessionalized" -- more prepared to follow orders than to exercise independent professional skill and judgment. According to this view, the goals pursued by Presidents Kennedy and Johnson were fundamentally flawed -- according to the most extreme military critics, grounded


155 I was cued to this episode in Buzzanco (1996), pp. 354-355. It is described in greater detail in Colodny and Gettlin (1991), pp. 3-68; Zumwalt (1976), pp. 369-376; Kissinger (1982), pp. 806-809; Hersh (1983), pp. 465-479; and Isaacson (1992), pp. 380-386. Colodny and Gettlin see the spy ring as part of a larger effort by military officers, with Al Haig at the helm, to control an unruly President. Zumwalt insists that the clerk acted on his own initiative. Intriguingly, Isaacson (1992, p. 385-386) maintains that Nixon downplayed the incident because Nixon claimed that "it had been traditional that the JCS spied on the White House. They wanted to know what was going on." I have no further evidence that the JCS regularly spied on the White House in this fashion.


157 Janowitz (1974), p. 495. He does not, however go on to discuss how such an action would square with his theory of civilian control.
only in arrogance and duplicity.\footnote{McMaster (1997) is unstinting in his criticism of the alleged mendacity of civilian leaders. However, the "dereliction of duty" to which his book title alludes was the failure of the military to work hard enough to subvert civilian policies.} The Chiefs were foolishly and unjustifiably loyal to President Johnson in carrying out his orders and forgot their higher oath of allegiance to the Constitution which, according to this view, obligated the Chiefs to seek to work with Congress in order to thwart the administration's policies.\footnote{The most recent and emphatic exponent of this view is McMaster (1997), especially pp. 323-334.} Even Buzancco, who otherwise sees a fairly high level of military defiance in the war, draws attention to a prominent example of military subordination: the JCS decision not to carried out their August 1967 plan to resign in protest of Johnson's handling of the Vietnam war.\footnote{Had they done so, Buzancco asserts, it "might have become the gravest crisis in civil-military relations in modern U.S. history." Buzancco (1996), p. 300.}

Viewed in context, I am persuaded by the view that the military did not shirk as much as one might have expected given the extraordinary demands raised by the Vietnam War. I am not persuaded, however, by the normative conclusion of the conventional wisdom: that the military should have shirked more out of duty to a higher calling to defend the country from foolish civilian leaders. Such a view is reminiscent of MacArthur's discredited arguments presented during the Korean War controversy and has no place in a mature democracy. Nevertheless, it is striking that Vietnam-era military leaders did not disobey or subvert civilian leaders as much as some modern analysts wish they had. In terms of the agency model, civilians monitored intrusively and the military apparently worked during the Vietnam War. Why and to what result?
The first explanation of military obedience suggested by the agency model is the presence of intrusive monitoring itself. Intrusive monitoring increases the likelihood that military shirking will be caught (raises the probability term "b"). Moreover, it is not insignificant that the traditional fire alarms of American civilian control, the media, enjoyed greater influence in the Vietnam War than in previous wars (thus raising probability term "a"). The military were aware that shirking faced a greater chance of being detected than historically was the case. Note that the most prominent example of military shirking, General Lavelle’s unauthorized bombing of North Vietnam, came after the Nixon administration relaxed some of the restrictive monitoring system established by Johnson and McNamara to oversee air operations.161

Intriguingly, there is direct evidence supporting yet another factor suggested by the agency model: the probability that shirking would be punished if caught. In particular, the Vietnam case appears to underscore the importance of the MacArthur example, which the agency interpretation of the Cold War as a whole also emphasized. McMaster cites the Truman-MacArthur experience as salient in warning the Chiefs about "overstepping the bounds of civilian control." President Johnson obliquely warned senior military officers of the same by invoking the MacArthur image in an exchange between President Johnson and General Westmoreland in February 1966: "General, I have a lot riding on you....I hope you don't pull a MacArthur on me." Herring lays special weight on Johnson’s "rigid standards of loyalty" and to his "terror of a military revolt" which led him to do "everything in his power to avert it."164

Another factor suggested by the agency model and by other treatments of the Vietnam War concerns the ability of civilian principals to narrow the gap between the military payoff for working (w) and the military payoff for shirking (s). While civilian and military preferences on Vietnam per se widely diverged, civilian principals may have been able to narrow the overall gap by offering the military other desiderata. Interservice rivalry and the preoccupation of senior military with advancing their own service interests gave civilian principals the opportunity to offer service "sidepayments” in the form of an expansion in the size of the Marine Corps or control over particularly desirable billets that inflated the value of working. The gap was also narrowed by the ability of civilian leaders to promote senior military officers who concurred

163 Westmoreland (1976), p. 159.
164 Herring’s chapter on civil-military relations during the Vietnam War is entitled "No More MacArthur’s." Herring (1994), pp. 25-62, see especially p. 48-49.
with the civilian viewpoint, or at least did not disagree so strongly.\textsuperscript{166}

\textsuperscript{166} Herring (1994), p. 29; McMaster (1997), p. 331. This conclusion directly contradicts Avant’s interpretation of agency problems in the Vietnam War. In her account, the military successfully resisted integration with civilian grand strategy (shirked) precisely because divisions between the executive and congressional components of the civilian principal prevented Presidents Kennedy and Johnson from advancing their favored candidates. Avant (1994), p. 50.
The agency interpretation of the Vietnam war also raises questions about the costs of intrusive monitoring in the Vietnam war. The conventional wisdom is that intrusive monitoring proved very costly. For instance, Rosen says that a failure to delegate, which flowed from the civilian failure to trust the military for fear of another MacArthur episode, was directly responsible for the military's failure to innovate tactically and thereby come up with a way to win the war in Vietnam. Indeed, even at the time, the general public thought so. In a 1967 Harris poll, 65% agreed and only 10% disagreed with the statement, "In Vietnam, the military has been handicapped by civilians who won't let them go all out." Moreover, 52% agreed that "In wartime, civilian government leaders should let the military take over running the war." Also, it is suggestive that at least one North Vietnamese military official cited the civilian-imposed restraints on bombing as critical in vitiating the airpower advantage the United States enjoyed throughout the conflict.

On the other hand, civilian micromanagement may not have been as costly as popularly thought or at least may not have been as detrimental as the military's own decision to pursue an attrition strategy prior to Tet. A recent review of the literature concludes that while civilians did impose "significant, and in some cases tactically absurd, restrictions on the use of force...What remains disputable is whether those restrictions thwarted a decisive military victory." Even the classic

---


169 This may be an enduring feature of American public opinion for similar poll results can be found from World War II. Clotfelter (1973), pp. 124-126. Elite opinion, however, was more mixed. The Foreign Policy Leadership Project polling data show that the military far more than civilian elite respondents consistently supported the statement that a very or moderately important factor explaining the U.S. failure in Vietnam was the fact that "the use of American air power was restricted," although the gap narrowed over the years that the question was asked. In 1976, 80.9% of military respondents agreed compared with 47% of civilian respondents; in 1980, the gap was a bit narrower with 81% military and 54% civilian, and by 1984 narrower still, with 70% military and 46% civilian.


advocate of the military conventional wisdom concedes that "Our problem was not so much political interference as it was a lack of a coherent military strategy...."\(^{172}\) Moreover, the most famous example of intrusive monitoring -- restrictions on bombing targets -- was simply not as costly in policy effectiveness as the conventional wisdom believes.\(^{173}\)

\(^{172}\) Summers (1982), p. 143. In a similar vein, Cohen (1984, pp. 344-346) argues that micromanagement in the form of restraints on the use of force are inevitable in small wars and military resistance to it is unrealistic and counterproductive.

\(^{173}\) Pape dismisses the charge as a "myth." Pape (1996), p. 186.
From the point of view of civil-military relations, Vietnam's most enduring legacy was the "lessons" the military learned from the experience. While criticism of the military in Vietnam by the military abounds, virtually all of such criticism takes the form of chastising the military for not resisting civilian mismanagement more vigorously or for "abdicating" to civilian leaders too much responsibility for determining strategy and tactics in the war. In other words, the dominant military lesson from Vietnam is that there was too much civilian control during the war, not too little. Even the military insistence on the need for public support before embarking on a risky operation, or the need for clear goals (exit criteria in modern parlance), are in fact veiled criticisms of the way civilians ran the war. The military "learned" that civilians cannot "stick it out" over the long haul in future commitments, that civilian interference produces disasters and ties the hands, and that civilians do not understand force.174 The point is not whether the criticisms of civilian leadership is invalid nor whether civilian leaders would be well-advised to follow the prescriptions that flow from such criticisms. Rather, it is striking the extent to which the Vietnam experience "taught" the military to doubt the wisdom of submitting to civilian control.

In sum, the agency model is sympathetic to the interpretations of Vietnam that lay blame for the war not so much on intrusive monitoring (micromanagement) or military shirking as on a flawed strategic goal. The goal civilians pursued, the substance of "working," was preservation of South Vietnam without conquering North Vietnam -- in other words, an avoidance of defeat rather than a quest for victory. This was quite clearly what civilian leaders wanted and they refused to pay for anything more. Such a goal was inappropriate and perhaps unachievable given three strategic realities: an enemy that was implacably bent on total conquest of the South; an enemy allied with the Soviet Union which was willing to resupply the North until victory was achieved; and an ally that was hopelessly corrupt and so unable to mount a sustained defense (as, say, had South Korea). But it was the policy the civilians asked for and, by and large, it was the policy the military delivered.175 As far as civil-military relations go, civilians have a right to be wrong. This time they were.

CONCLUSION

Huntington's theory made two empirical predictions and one policy prescription. The analysis presented here supports the logic of Huntington's argument but not its validity.

The first prediction was that an increase in external threat would lead to an increase in intrusive monitoring, ceteris paribus. This hypothesis is supported deductively by the agency model, provided that the costs of monitoring are also perceived to be low. When external threat increases, the conditions associated with civilian intrusive monitoring become easier to sustain while the conditions associated with civilian nonintrusive monitoring become harder to sustain. His second prediction was that an increase in intrusive monitoring would lead to suboptimal military performance, ergo the United States would lose the Cold War unless it took steps to counteract the natural civil-military process. The agency model incorporates the idea that intrusive monitoring incurs costs (represented by C1 in the model), including costs that might degrade military capability; deductively, the agency model does not rule out the causal relationships described in the hypothesis, although the model is silent on how strong or significant the relationships are. Huntington's normative prescription was that the United States should change its civilian ideological orientation to match the military's conservative outlook so that civilians could avoid monitoring intrusively and thereby win the Cold War. In terms of the agency model, this would be represented by moving W closer to S. If that were to happen, the model would expect less intrusive monitoring (as Huntington desires) because as the gap between W and S gets small, the conditions associated with civilian intrusive monitoring become harder to sustain while the conditions associated with civilian nonintrusive monitoring become easier to sustain.

The empirical record, however, does not support the hypothesis that the United States followed Huntington's prescriptions. On the contrary, the crucial gap in civilian and military preferences identified by Huntington in 1957 endured


175 This, framed another way, is also the central thesis of Gelb and Betts (1979).
even as the United States itself prevailed in the Cold War contest.

The empirical record does support, however, the agency model interpretation of civil-military relations during the Cold War. According to this interpretation, the basic pattern of the Cold War was the equilibrium outcome of civilians monitoring intrusively and the military working. The agency model translates this observation into hypotheses about the likely values of parameters associated with this equilibrium, including relatively low costs of monitoring and relatively high expectations of punishment. The evidence presented here supports the assessment that monitoring costs were lower than traditional treatments of civil-military relations acknowledge. The evidence also suggests, contrary to traditional treatments, that expectations of punishment could have played an important role in shaping the military decision whether to work or shirk. The evidence further supports the hypothesis that deviations from the basic pattern were matched by significant changes in these same parameters. While this analysis has not been presented as a dispositive test of the agency model, it does increase our confidence in the ability of this framework to illuminate the civil-military relationship.
**TABLE 2: Working and Shirking on the Decision Whether to Use Force**

<table>
<thead>
<tr>
<th>Case</th>
<th>Conflict</th>
<th>Nature of Military Opposition</th>
<th>Working vs. shirking</th>
<th>Decision Described</th>
</tr>
</thead>
<tbody>
<tr>
<td>Berlin 1948</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>Airlift</td>
</tr>
<tr>
<td>Korea 1950</td>
<td>Yes</td>
<td>Theater commander more aggressive, JCS possibly less aggressive</td>
<td>Working</td>
<td>Korean War</td>
</tr>
<tr>
<td>Indochina 1954</td>
<td>Yes</td>
<td>Army, CNO, and Marines less aggressive</td>
<td>Shirking</td>
<td>No intervention despite initial civ</td>
</tr>
<tr>
<td>Taiwan Straits 1954</td>
<td>Yes</td>
<td>CNO more aggressive, Army less aggressive</td>
<td>Working</td>
<td>Naval presence authorized</td>
</tr>
<tr>
<td>Taiwan Straits 1958</td>
<td>Yes</td>
<td>CNO more aggressive</td>
<td>Working</td>
<td>Naval presence and Quemoy resupp</td>
</tr>
<tr>
<td>Berlin 1958</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>No action</td>
</tr>
<tr>
<td>Lebanon 1958</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>Marines land unopposed</td>
</tr>
<tr>
<td>Laos 1960</td>
<td>Yes</td>
<td>CNO and Air Force more aggressive</td>
<td>Working</td>
<td>No use of force</td>
</tr>
<tr>
<td>Laos 1961</td>
<td>Yes</td>
<td>CNO more aggressive, Chairman, Army and Marines less aggressive</td>
<td>Shirking</td>
<td>Pathet Lao is warned but no U.S.</td>
</tr>
<tr>
<td>Cuba 1961</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>Bay of Pigs invasion</td>
</tr>
<tr>
<td>Berlin 1961</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>Reinforcement of Berlin but no use</td>
</tr>
<tr>
<td>Vietnam 1961-63</td>
<td>Yes</td>
<td>Air Force more aggressive</td>
<td>Working</td>
<td>Increased military aid and advisors</td>
</tr>
<tr>
<td>Cuba 1962</td>
<td>Yes</td>
<td>Chiefs unanimously more aggressive</td>
<td>Working</td>
<td>Quarantine and no air strikes</td>
</tr>
<tr>
<td>Vietnam 1964 (Tonkin)</td>
<td>Yes</td>
<td>Chairman, CNO, Air Force, Marines, and CINCPAC (but not MACV) more aggressive</td>
<td>Working</td>
<td>Limited bombing in retaliation for T</td>
</tr>
<tr>
<td>Dominican Republic 1965</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>Invasion</td>
</tr>
<tr>
<td>Pueblo 1968</td>
<td>Yes</td>
<td>CNO and theater commander more aggressive</td>
<td>Working</td>
<td>Naval presence but no retaliation</td>
</tr>
<tr>
<td>EC-121, North Korea 1969</td>
<td>Yes</td>
<td>Army, Air Force, and theater commander less aggressive</td>
<td>Shirking</td>
<td>Naval presence but no retaliation preference for action</td>
</tr>
<tr>
<td>Jordan 1970</td>
<td>Yes</td>
<td>Chairman and Army less aggressive</td>
<td>Shirking</td>
<td>No use of force</td>
</tr>
<tr>
<td>Cambodia 1970</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>Invasion</td>
</tr>
<tr>
<td>Yom Kippur War 1973</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>US resupplies Israel and goes on nu</td>
</tr>
<tr>
<td>Mayaguez 1975</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>Rescue operation launched</td>
</tr>
<tr>
<td>Iran 1980</td>
<td>No</td>
<td></td>
<td>Working</td>
<td>Desert One rescue operation attempt</td>
</tr>
<tr>
<td>Nicaragua 1983</td>
<td>Yes</td>
<td>Chairman, Army, and theater commander less aggressive</td>
<td>Shirking</td>
<td>No invasion to topple Sandinistas</td>
</tr>
<tr>
<td>Lebanon 1982-83</td>
<td>Yes</td>
<td>Chiefs less aggressive</td>
<td>Working</td>
<td>U.S. troops join multi-national force</td>
</tr>
<tr>
<td>Location</td>
<td>Year</td>
<td>Chiefs less aggressive</td>
<td>Chairman and theater commander less aggressive</td>
<td>Shirking</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------</td>
<td>------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Grenada</td>
<td>1983</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Libya</td>
<td>1986</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Persian Gulf</td>
<td>1987</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panama</td>
<td>1988</td>
<td>Yes</td>
<td>Chairman and theater commander less aggressive</td>
<td>Shirking</td>
</tr>
<tr>
<td>Panama</td>
<td>1989</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Iraq</td>
<td>1990-91</td>
<td>Yes</td>
<td>Chairman and theater commander less aggressive</td>
<td></td>
</tr>
</tbody>
</table>
### TABLE 3: Working and Shirking on the Decision How to Use Force

<table>
<thead>
<tr>
<th>Case</th>
<th>Issue</th>
<th>Conflict</th>
<th>Nature of Military Opposition</th>
<th>Working vs. Shirking</th>
<th>Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Berlin 1948</td>
<td>How to supply Berlin</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>Airlift</td>
</tr>
<tr>
<td>Korea 1950</td>
<td>Incheon Landing</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>Incheon</td>
</tr>
<tr>
<td>Korea 1950</td>
<td>Crossing 38th parallel</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Shirking</td>
<td>UN ft</td>
</tr>
<tr>
<td>Korea 1950</td>
<td>Approach to the Yalu</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Shirking</td>
<td>UN ft</td>
</tr>
<tr>
<td>Korea 1950-51</td>
<td>Expanding war to China</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>War li reliev</td>
</tr>
<tr>
<td>Korea 1951-53</td>
<td>Limits on conflict</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>War li cease</td>
</tr>
<tr>
<td>Taiwan Straits 1954</td>
<td>How to deploy</td>
<td>Yes</td>
<td>CNO more aggressive, Army less aggressive</td>
<td>Working</td>
<td>Naval</td>
</tr>
<tr>
<td>Taiwan Straits 1958</td>
<td>How to deploy</td>
<td>Yes</td>
<td>CNO more aggressive</td>
<td>Working</td>
<td>Naval</td>
</tr>
<tr>
<td>Lebanon 1958</td>
<td>Extent of Occupation</td>
<td>Yes</td>
<td>JCS more aggressive</td>
<td>Working</td>
<td>Occup</td>
</tr>
<tr>
<td>Cuba 1961</td>
<td>Air and naval support to rebels</td>
<td>Yes</td>
<td>JCS more aggressive</td>
<td>Working</td>
<td>No su</td>
</tr>
<tr>
<td>Vietnam 1961-63</td>
<td>Counterinsurgency doctrine</td>
<td>Yes</td>
<td>Air Force more aggressive</td>
<td>Working</td>
<td>Count</td>
</tr>
<tr>
<td>Cuba 1962</td>
<td>Bombing vs. Quarantine</td>
<td>Yes</td>
<td>JCS more aggressive</td>
<td>Working</td>
<td>Quar</td>
</tr>
<tr>
<td>Vietnam 1964</td>
<td>Tonkin Retaliatiion</td>
<td>Yes</td>
<td>Chairman, CNO, Air Force, Marines, more aggressive</td>
<td>Working</td>
<td>Limits</td>
</tr>
<tr>
<td>Dominican 1965</td>
<td>Size of invasion</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>Limits</td>
</tr>
<tr>
<td>Vietnam 1965</td>
<td>Ground combat units to Vietnam</td>
<td>Yes</td>
<td>JCS and theater commander more aggressive</td>
<td>Working</td>
<td>Reser limite</td>
</tr>
<tr>
<td>Vietnam 1965</td>
<td>Bombing North Vietnam</td>
<td>Yes</td>
<td>JCS and theater commander more aggressive</td>
<td>Working</td>
<td>Limits</td>
</tr>
<tr>
<td>Vietnam 1966-67</td>
<td>Bombing and ground limits</td>
<td>Yes</td>
<td>JCS and theater commander more aggressive</td>
<td>Working</td>
<td>Limits</td>
</tr>
<tr>
<td>Tet 1968</td>
<td>Escalate or de-escalate</td>
<td>Yes</td>
<td>JCS and theater commander more aggressive</td>
<td>Working</td>
<td>Bom cont</td>
</tr>
<tr>
<td>Vietnam 1968-72</td>
<td>Vietnamization</td>
<td>Yes</td>
<td>JCS and theater commander more aggressive</td>
<td>Working</td>
<td>Vietn: negot</td>
</tr>
<tr>
<td>Cambodia 1970</td>
<td>Size of incursion, bombing</td>
<td>Yes</td>
<td>JCS and theater commander more aggressive</td>
<td>Working</td>
<td>Limits</td>
</tr>
<tr>
<td>Mayaguez 1975</td>
<td>B-52 retaliation</td>
<td>Yes</td>
<td>JCS less aggressive</td>
<td>Shirking</td>
<td>No re</td>
</tr>
<tr>
<td>Iran 1980</td>
<td>Rescue attempt</td>
<td>No</td>
<td>Working</td>
<td>Rescu</td>
<td></td>
</tr>
<tr>
<td>Lebanon 1982-83</td>
<td>Size and scope of presence</td>
<td>Yes</td>
<td>JCS more aggressive</td>
<td>Working</td>
<td>U.S. t</td>
</tr>
<tr>
<td>Location</td>
<td>Mission Type</td>
<td>Success</td>
<td>Leadership</td>
<td>Motivation</td>
<td>Action Type</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------</td>
<td>---------</td>
<td>------------</td>
<td>------------</td>
<td>-------------</td>
</tr>
<tr>
<td>Lebanon 1983</td>
<td>Retaliation</td>
<td>Yes</td>
<td>Chairman JCS and Marines less aggressive</td>
<td>Shirking</td>
<td>Minimization</td>
</tr>
<tr>
<td>Grenada 1983</td>
<td>Size of invasion</td>
<td>Yes</td>
<td>JCS more aggressive</td>
<td>Shirking</td>
<td>Overrule Cuba</td>
</tr>
<tr>
<td>Libya 1986</td>
<td>Bombing</td>
<td>No</td>
<td>Working</td>
<td>Single</td>
<td></td>
</tr>
<tr>
<td>Persian Gulf 1987</td>
<td>Reflagging Kuwaiti tankers</td>
<td>No</td>
<td>Working</td>
<td>Kuwait protection</td>
<td></td>
</tr>
<tr>
<td>Panama 1989</td>
<td>How to invade</td>
<td>No</td>
<td>Working</td>
<td>Overrule</td>
<td></td>
</tr>
<tr>
<td>Iraq 1990-91</td>
<td>Offensive option</td>
<td>Yes</td>
<td>Chairman JCS less aggressive</td>
<td>Working</td>
<td>Offend</td>
</tr>
<tr>
<td>Iraq 1990-91</td>
<td>Operational strategy</td>
<td>Yes</td>
<td>Theater commander more aggressive</td>
<td>Working</td>
<td>Civilian strategy</td>
</tr>
</tbody>
</table>
BIBLIOGRAPHY


67


Belkin, Aaron. 1997. ###.


68


Downs, George W., David M. Rocke and Peter N. Barsoom. 1996 "Is the good news about compliance good news about cooperation?" *International Organization* 50, No. 3 (Summer), pp. 379-406


Pittsburgh Press.


Rogers, Lindsay. 1940. "Civilian Control of Military Policy," *Foreign Affairs* 18, No. 2 (January 1940), pp. 280-291.


Russett, Bruce M. and Elizabeth C. Hanson. *Interest and Ideology: The Foreign Policy Beliefs of American Businessmen.* San Francisco: W. H. Freeman and Co..


Princeton University Press.


Spence, David B. No Date. "Administrative Law and Agency Policymaking: Rethinking the Positive Theory of Political Control."


