



Ethical Lapses and the Military Profession: Three Problems and a Solution

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Abstract

In a recent issue of this journal, we published an article titled “Fault Lines of the American Military Profession”. Donald S. Travis subsequently wrote a *Dipustatio Sine Fine* rejoinder that raised a number of criticisms of our piece and suggested several ways forward. For our part, we detect three serious problems in Travis’s analysis and offer a single syncretic response. Our solution builds on the insights of Travis’s critique while avoiding the pitfalls of his specific line of reasoning. We conclude by urging others to continue to debate and research these very consequential and timely issues.

Keywords

military profession, civil–military relations, expertise, military ethic, domestic politics

Recently in this journal, we published an article titled “Fault Lines of the American Military Profession” (Crosbie & Kleykamp, 2017). Donald S. Travis subsequently wrote a *Dipustatio Sine Fine* rejoinder that raises a number of criticisms of our piece and suggested several ways forward. In what follows, we respond to his critiques while offering critiques of our own which cast doubt on his proposed alternative. Ultimately, however, we extend our thanks to Travis for advancing the debate, and

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we take inspiration from this intervention to alter slightly the course forward that we proposed in the conclusion of our earlier piece.

More concretely, in what follows, we first addresses the specific critiques raised in Travis's article. These include his suggestion that we failed to prove why the research matters; his insinuation that we pontificate excessively when we should find ways to speak directly to the "common man"; and his belief that we treat all evidence of ethical lapses as equal.

We then outline three serious problems in Travis's analysis. The *first problem* revolves around his conceptualization of the relationship between civil–military relations and the military profession. Travis views military professions research as a subordinate field nesting entirely within the civil–military relations field. By contrast, we view the two fields as partly overlapping fields while leaving open the possibility that civil–military relations research may benefit from being subordinated under the military professions umbrella.

The *second problem* concerns his methodological intervention. Travis rightly observes that we would do well to adopt a more interdisciplinary perspective in our future data collection, but we believe he errs in his use of impressionistic, anecdotal case studies that obscure as much as they reveal.

The *third problem* in Travis's analysis is somewhat more troubling. By embracing the rhetoric of the military profession's self-understanding and by infusing this with Huntington's uncritical view of the profession, Travis does a disservice to the complex moral and ethical calculations that confront today's military professionals.

In response to these three problems (conceptual, methodological, and normative), we propose a single, syncretic solution. Neo-Janowitzian in our methods and normative assumptions, we believe our approach will help guide future researchers toward the real fault lines of the military profession, both those we outlined in our original article and others as yet unknown. We conclude by urging researchers to continue to debate and study these very consequential and timely issues.

Brahmins on the battlefield? In motivating our original article, we observed a wide range of ethical lapses and scandals that have plagued each of the U.S. armed services over the past decade or so. In motivating his reply to our article, Travis asks, in effect, why our research is relevant and dedicates the first part of his article to explaining why *he* thinks it is relevant.

Setting aside Travis's own answer (which has to do with his interest in civil–military relations), we do in fact answer the "why" question in our original piece. First, on p. 4, we ask the following:

Why, then, should we care about what the flurry of ethical lapses that have been reported in the press? From a theoretical perspective, what is significant here is the entwining of occupational domains, in this case ethics and expertise. . . . The sociology of professions provides the conceptual framework to understand why ethical lapses can and should be viewed as potential indicators of broader problems in the legitimacy of

expertise and the capacity of a profession to maintain a corporate identity. (Crosbie & Kleykamp, 2017, p. 4)

And then on the next page, we elaborate:

the theory of professions posits an interlock between expertise, responsibility, and corporateness, which together modulate the ecological conflicts that envelop occupational groups. Each of these fundamental components of a profession is at once a bedrock of stability and a potential fault line posing a considerable risk to the group. This is why the present argument begins with the discussion of ethical lapses, the most publicly visible of the three fault lines that concern us here. . . . Ethical lapses are inevitable, but the very public observation of what appears to be a high rate of ethical lapses in the American military should be taken as a good indicator of a problem in the professionalism of the services. (Crosbie & Kleykamp, 2017, p. 5)

We sympathize with readers who may have found our answer unsatisfying. What we are arguing, in simpler terms, is that the tempo of news reporting on ethical lapses in each of the uniformed services is important *to scholars of professions* because we are uniquely attuned to the relationship between ethics (in other terms, the sense of responsibility to one's client), expertise (in other terms, the collective knowledge base one draws upon to serve one's client), and identity (in other terms, the corporate personhood that allows individual professionals to act collectively). The failure of one of these strongly predicts failures across the board.

Let us take an example from outside the military. Weaver, Beam, Brownlee, Voakes, and Wilhoit's (2006) concern is with the journalistic profession in America. They noted that several journalists with respected news organization were subject to high-profile firings in the wake of plagiarism scandals, including, for example, Jayson Blair fired from *The New York Times* in 2003. Mr. Blair's ethical lapses were not taken by Weaver et al. (2006) as evidence of total professional collapse but nor were they dismissed as the deviant behavior of a single bad apple. Rather, these cases together prompted them to research the broader health of journalism as a profession, since they recognized that failures in ethics may reflect failures in expertise (perhaps, e.g., Blair and others like him had not been trained in how to gather news properly) or collective identity (perhaps Blair and others like him felt little connection to the role of journalist and instead are motivated solely by self-interest). For these same reasons, given the high tempo of *public observations* of military deviance, we thought it was worth investigating the health of the profession more broadly. Note too that we are silent on the question of whether the *actual incidence* of ethical lapses has increased in the military and concern ourselves only with the public observation of lapses.

Returning to Travis's critiques, we observe a point of profound divergence between what he would like us to do and what we see ourselves as doing. For Travis, and perhaps for other readers, there is something unsatisfying in occupying such a distant perspective on the profession. Admittedly, our academic distance from our

subject aligns us more closely with a “Brahmin’s pontificating” than the lifeworld of the “‘common man’, with his and her ‘common’ values, who defend the American state” (Travis, 2017, pp. 2–3). To this charge, we stand justly accused. The original article is unquestionably written with an academic audience in mind.

Let us make a concession. We agree with Travis that understanding the American military profession is too important a job to leave to academics alone (although we also believe that there is an important role to be played by purely academic discussion). Enriching military self-understanding and contributing to a broader public debate over the nature of the military as a part of American society is to our minds an eminently worthwhile activity. If then we accept Travis’s invitation to bring our discussion into more productive dialogue with the practitioner community, should we follow his lead? In the next section, we explore three reasons why Travis’s article fails to meet his own goal of providing a sufficient approach to the study of military ethical lapses.

The nesting dolls problem. The primary theoretical contribution of Travis’s article is to challenge our theoretical framework, which attempts to synthesize insights from Huntington (1957) and Janowitz (1960) with more recent developments in the sociology of professions (e.g., Abbott, 1988, 2005) and expertise (e.g. Collins & Evans, 2007; Eyal, 2013). By contrast, Travis’s suggestion is to subordinate our study of military professionalism to align more closely with the questions at the heart of civil–military relations research. This field, too, is rooted in Huntington (1957), but Travis encourages us to follow a different genealogy, in effect sidestepping Janowitz (1960) and arriving instead at Feaver (1996) and his focus on the “civil–military relations problematique.”

Since we do in fact cite Feaver and other civil–military relations scholars (e.g., Brooks, 2005; Cohen, 2002; Coletta & Feaver, 2006; Feaver, 2005; Gelpi & Feaver, 2002; Herspring, 2005; Nielsen, 2005; Owens, 2006; Peri, 2006; Schiff, 2009; Snider & Watkins, 2002; Urben, 2010) throughout the original article, it is important to specify the difference in what Travis wants us to do and what we in fact do. Thinking in metaphorical terms, we understand that Travis views the fields of civil–military relations and of military professions research as nesting dolls, with the latter fitting fully within the former (Model 1 in Figure 1). By studying the military as a profession, in his terms, we gain insights first and foremost into the health and vitality of American civil–military relations. By contrast, we approach these fields as separate intellectual projects that nevertheless share some overlap (Model 2). And contrary to Travis, we hypothesize that perhaps civil–military relations concepts should be subordinate to military professions research rather than the other way around (Model 3).

We follow Janowitz (1960) in seeking to understand the military in its own terms, as a dynamic profession with greater or lesser degrees of autonomy from other elements of state and society and with differential capacities to chart its own course and affect its environment. Our goal is to contribute to a new wave of research that helps us answer questions as to why some militaries have more or less autonomy or self-direction or efficacy than others, and under what conditions military

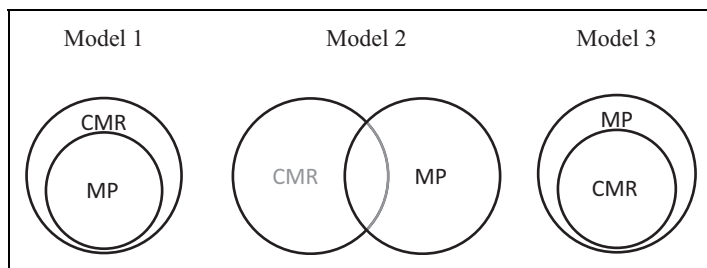


Figure 1. Comparison of three ways of modeling the relationship between civil-military relations (CMR) and military professions (MP) research.

professionals behave more ethically, produce more effective expertise, and act collectively to improved organizational and societal ends. Our original article was intended to get the ball rolling, but by no means do we feel that we as a research community have resolved these fundamental questions.

All that being said, one thing we are not trying to do and which we in fact consider unwise is to take a normative stance in relation to the military profession. In our ongoing research, we leave open the question of whether the U.S. military is operating at high or low degrees of professionalism and whether this is a good or bad thing for it and other elements of state and society. Such questions require rich data to answer, and we argue throughout that new and better data are needed. Our value neutral stance is in potential opposition to Huntington's (1957, p. 465) unabashedly normative embrace of the military's managers of violence who he thinks embody the best of American society and serve as a virtual "monastery" for the "modern man."

The most Huntingtonian of all claims concerns the proper relationship between a democratic state's military and its political system. Here, Travis contends that we misunderstand or at least misrepresent Huntington's position. We disagree. Let us clarify our position. Our claim is not that Huntington believed that the U.S. military was apolitical but rather that it should be. We refer particularly to the following passage from *The Soldier and the State* (1957, p. 464):

a political officer corps, rent with faction, subordinated to ulterior ends, lacking prestige but sensitive to the appeals of popularity, would endanger the security of the state. A strong, integrated, highly professional officer corps, immune to politics and respected for its military character, would be a steadying balance wheel in the conduct of policy.

Here is the crux of our argument: Huntington conflated politics and partisanship. He believed that military leaders must be "immune to politics" if they are to be truly professional.

In place of Huntington, we turn to Janowitz. Janowitz (1960), we contend, empirically demonstrated throughout *The Professional Soldier*, but particularly in

Chapters 14–19, that the officer corps at the time was not “immune to politics,” even though it was more or less immune to partisan capture. In other words, it was more or less nonpartisan (he explores that question in Chapter 12), but far from being apolitical, it was deeply involved in the political life of the state.

In our ongoing research, we ask whether today’s military leadership is more like Huntington in 1957 *wanted it to be* (i.e., nonpartisan and apolitical) or more like Janowitz in 1960 *observed it to be* (i.e., nonpartisan but very much political). We strongly suspect that far from acting as “a steadying balance wheel” simply through its high-minded separation from the political system, the U.S. military has steadied its own fortunes through quite elaborate and time-consuming political investments.

What might a “political military” look like exactly? Imagine if you will a vast American bureaucracy, perhaps even the biggest employer in the world, which has developed sophisticated doctrine and practices to actively shape its relations with Congress through Legislative Liaison capacities; with the American public through Public Information, Community Relations, and Public Relations capacities; with foreign publics with Inform and Influence and propaganda capacities; and so on. We are hardly stretching credulity. The American military today leads the world in each of these arenas, and so we suspect it may well be a canny and sophisticated political actor. But this remains supposition. We need data to reveal the degree to which these capacities do or do not leak into the deepest levels of organizational culture and strategy that are so difficult (yet so important) to observe.

The methods problem. The second problem we detect in Travis’s proposed approach to our topic concerns his methodological intervention. Travis rightly observes that we would do well to adopt a more interdisciplinary perspective in our future data collection. In its place, he offers a series of three impressionistic case studies: first, focusing on American perspectives on Vietnam in 1964; the second, focusing on leadership in the War on Terror from 2001 to 2006; and the third, unexpectedly, focusing on chastity in Ancient Rome.

In the original article, we did make note of our own preferred methodological approach when we observed that we are “embarking upon a comprehensive effort to replicate the research design of Janowitz’s (1960) *The Professional Soldier*” (Crosbie & Kleykamp, 2017, p. 16). Keen-eyed readers would have noted that a replication effort of this sort would require us to gather data on the biographical features of Flag and General Officers, conduct a survey of mid-career officers, and interview both mid-career and senior officers. Indeed, we are pursuing precisely this approach, thanks to generous funding from the Army Research Institute.

That being said, we are methodological pragmatists. Frankly, we admire the sociological imagination and historical sensitivity driving Travis’s case studies and applaud the use of case studies in understanding tensions in today’s military profession. What our methods offer us which we think has particular value is direct comparability with previous studies, and it is precisely here where we find fault with Travis’s more anecdotal approach.

In skimming military history to look for different types of ethical lapses, Travis succeeds in reminding us that there is nothing new under the sun. For example, some of the same personality quirks that beset Appius Claudius seem to bedevil Gen. David Petraeus. While this is informative of human nature, it does not further our particular goal of understanding the fault lines of the American military profession, since there is a very poor logic of comparison connecting the two cases. Sociological rigor is wanting, and in its place, we find unwanted opinions coloring the historical analyses. This in turn leads to a third limitation of Travis's argument which we hope to help correct.

The normativity problem. We leave the most significant problem to the end. Throughout Travis's critical piece, we detect a strongly normative commitment to celebrating the norms and practices of American military professionals and sharply distinguishing these good soldiers from the bad ones at the center of the scandals which we discuss at the beginning of our article. In a world full of selfish individualists, the military offers to Travis (as it did to Huntington) some of the spiritual succor of a monastery. For example, he notes, "Military organizations are exceptional because they are composed of human beings with extraordinary ethical and moral standards" (Travis, 2017, citing Snider, 2017, pp. 8–11).

We do not quarrel with the notion that the American military has many highly ethical and moral agents. Nor do we believe that the incidence of ethical lapses which we observe should be taken as evidence that there's something rotten in the hearts and minds of American military professionals. The conclusion we draw from the evidence at hand (and the conclusion we hope our readers draw) is that there may be something out of joint in the way the elements of the military align. This should hardly be surprising, given the extraordinary rate at which the technology, strategy, tactics, geopolitics, and domestic politics that shape warfare have all evolved in the past several decades. In other words, problems in the profession do not mean moral failings of the individuals but rather organizational problems that should be acknowledged openly and addressed without shame.

To this end, Travis's analytical focus on the "few bad apples" theory of organizational deviance invites precisely the sort of dysfunctional response that has scarred the military in its responses to major scandals such as Abu Ghraib (Crosbie, 2015) and sexual assault (Crosbie & Sass, 2016). Scholars researching the American military must be particularly on guard against Pollyannaish notions that the military's declaratory responses to ethical lapses are sincere or that military justice inevitably prevails. In fact, it is our duty as civilian researchers to hold this unprecedentedly powerful and closed organization to account and to ask discomfiting questions about whether the military is too powerful, too closed, and too self-interested. And this in turn brings us to our proposed solution.

The way forward? Thus far, we have countered Travis's critiques (that our concepts were confused and confusing and that we failed to distinguish between types of

ethical lapses) and raised three critiques of our own (that Travis's proposed solution is theoretically flawed, methodologically suspect, and normatively misguided). Let us turn finally to what we consider to be the strengths of Travis's article, namely, his effort to systematically analyze ethical lapses while paying particular attention to "how they impact institutional and cultural behaviors," a task that he further specifies "must be grounded in real world or practical terms" (Travis, 2017, p. 3).

To this end, Travis introduces a typology of five categories of ethical lapses and invites his readers to reflect on why each type of lapse arises and how each category affects the profession. The five categories that Travis offers are violence, sexual deviance, official corruption, nonviolent [*sic*], and incompetence. While these are an acceptable starting point for heuristic reflection, we propose that future research move in a slightly different direction. Rather than assuming a number of a priori categories, we suggest researchers follow a grounded theory approach and allow the data to reveal their own patterns. Researchers with access to the military justice system's records (if any such researchers exist) may use precisely this strategy to illuminate the fault lines of the profession in much richer detail that we accomplish in our article.

Thinking more broadly, if we remain unconvinced by Travis's suggestion to focus on the civil–military problematique and if we evince skepticism of his methods and normative commitments, how should we proceed? For the reasons stated earlier, we stand by our commitment to follow Janowitz rather than Huntington in foregrounding the political character of the military. Where Huntington fretted over an unprofessional military attempting a coup or failing to defend the state against foreign aggressors, Janowitz (1960, p. 440) worried about the danger of "unanticipated militarism." As we reflect on a country that today has an executive packed with retired (and even Active Duty) generals and admirals alongside other troubling markers of a "new American militarism" (Bacevich, 2013), is there any doubt that Janowitz was indeed closer to the mark?

Accordingly, we advise our colleagues to turn to the groundbreaking work of Morris Janowitz and the standards of rigor and of value neutrality that informed his work. A neo-Janowitzean approach of this sort would follow Travis's lead in seeking a true accounting of the costs of military deviance, but it would likewise inquire into the capacities the military has gained to chart its own course through the political waters in which it is immersed. Most importantly, this approach demands new and better data, a movement away from anecdote and toward systematic comparison.

Unfortunately, the very phenomenon at the heart of our analysis, namely, the rise in an extraordinarily empowered Department of Defense with ever-increasing insulation from civilian oversight and from political accountability, would seem to indicate that civilians are less and less capable of holding the military to account. Our position is clear. We are in favor of cooperation between civilians and military professionals, and for this reason we are actively gathering new data to help researchers both inside and outside the military to assess the strengths and weaknesses of this critically important American institution. And so, we turn to the military professionals and to their appetite for honest and fearless self-reflection.

Authors' Note

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