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# The Military Covenant and British Civil–Military Relations: Letting the Genie out of the Bottle

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## Abstract

This article reviews debates surrounding the Military Covenant and explores its salience for contemporary British civil–military relations. It explores why the concept of the Military Covenant was created, the nature of subsequent debates, and finally it reflects on the wider implications of this research. Locating the Covenant in debates concerned with the changing nature of the military profession, this article argues that the Covenant was created in 2000 as a response to a challenge to the Army’s right to be different and thus its jurisdiction. However, tensions caused by new missions in Iraq and Afghanistan subsequently transformed the Covenant’s use and meaning. Senior commanders extended the use of the Covenant to establish the boundaries of their expertise and legitimacy, whilst external actors with a variety of competing interests used the Covenant to contest “authoritative discretion” of the military within a clearly delineated professional space.

## Keywords

military profession, Military Covenant, civil–military relations “gap”, professional stress

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## Creating the Military Covenant

This article addresses the issue of the contractual relationship between armed forces personnel and their host societies. It does so by analyzing the British Military Covenant, a piece of Army doctrine published in 2000. This sheds light not only on the historical and social context in which relationships develop but also the way in which military professionals attempt to police the boundaries of their expertise, jurisdiction and legitimacy, and the challenge of redefining a professional space in the context of new military missions.

The United Kingdom has no history of a single codified document establishing the mutual obligations between members of the armed forces, government, and society. In 1593, Elizabeth I enacted a statute that provided some support for disabled veterans, but this fell well short of a comprehensive commitment to those willing to lay down their lives on behalf of the state. Likewise, whilst British armed forces are governed by an Armed Forces Act that regulates standing military forces through a system of military law, it does not establish a duty of care on behalf of the Ministry of Defence (MoD). Nor does the Act establish the liability and obligations of service in the armed forces.<sup>1</sup> That in a single document the Army chose to attempt this is a striking break with the past.

In 2000, with very little fanfare and some three years after the Military Covenant had initially been drafted, the Army eventually published *British Army, Soldiering: The Military Covenant*. The election of the Labour government in 1997 had caused some consternation in senior military circles largely because of a Labour commitment to a Human Rights Act that enshrined the European Convention on Human Rights, to be bound by the International Criminal Court, to remove the British opt out from a key part of European Union social policy and more generally, anxiety about Labour's socially progressive policies. All these steps carried with them far-reaching challenges to the Army's jurisdiction and its ability to determine for itself its culture and values. The Military Covenant was thus an antidote to the threat of civilianization of the Army.

The Covenant comprised three components: expectations about the relationship between soldiers and Army, between the armed forces themselves and the government, and between Army and society. The Military Covenant is a formal doctrine of the British Army that sets out mutual obligations and in a key paragraph it states;

“Soldiers will be called upon to make personal sacrifices—including the ultimate sacrifice—in the service of the Nation. In putting the needs of the nation and the Army before their own, they forgo some of the rights enjoyed by those outside the Armed Forces. In return, British soldiers must always be able to expect fair treatment, to be valued and respected as individuals, and that they (and their families) will be sustained and rewarded by commensurate terms and conditions of service. In the same way, the unique nature of military land operations means that the Army differs from all other institutions, and must be sustained and provided for accordingly by the nation. This

mutual obligation forms the Military Covenant between the nation, the Army and each individual soldier; an unbreakable common bond of identity, loyalty and responsibility which has sustained the Army and its soldiers throughout its history.”<sup>2</sup>

Five characteristics of the Military Covenant have shaped subsequent debates. First, the general framing of the relationship and expectations between the Army and its soldiers draws on Christian values and ideas and is written in a style with quasi-religious overtones. More specifically, Stephen Deakin argues the idea of the Covenant is used “in a Christian sense of a binding commitment that cannot be broken between officers and soldiers and the Army and the Nation.”<sup>3</sup> This binding and the unlimited nature of the liability is in marked contrast to a contractual relationship justiciable in law. Second, the expectations set out in the Military Covenant are highly idealized and normative notions of armed forces and society relations. Helen McCartney has argued that in relation to the historical record of British armed forces and society relations of the last two centuries “it has never enjoyed a strong bond of understanding with the public . . . [and] the British armed forces have never had those deep ties with their society.”<sup>4</sup> The Military Covenant thus sets out a vision of the relationship the Army would like to have with the society it comes from.

Third, the Covenant addressed a concern that as a result of changes in society, recruits no longer understood the moral standards and expectations of service in the Army. As a senior commander noted “in past generations it was assumed that young men and women coming into the Armed Forces would have absorbed an understanding of the core values and standards of behaviour required by the military from their family or from within their wider community. Such a presumption today cannot be made.”<sup>5</sup> Indeed with only 7 percent of all seventeen- to twenty-four-year-olds having a family member with any military experience at all—the Army felt it was operating in a society that had little understanding of the role of the armed forces its culture and values.<sup>6</sup> As a consequence, it was felt necessary to make the Army’s values and standards explicit.

Fourth, the purpose of the Military Covenant was to create a concept to defend the right of the Army to be different from the society from which it came. The fear of senior Army commanders stemmed from what they saw “ . . . as the perils in going slavishly down the route of political correctness for its own sake.” In particular, they were concerned that civilians who knew or cared little about the Army would fail to recognize the need for the armed forces to have distinct military codes and laws, supplemented by norms and values to ensure combat effectiveness. As the Chief of the Defence Staff (CDS), General Guthrie commented in 2001, “One way or another the raft of employment legislation we face today is in danger of breeding a generation averse to taking risks, to making courageous decisions or to operating without the benefit of reams of rules and regulations from my perspective we must ensure that nothing, I repeat nothing, damages the combat effectiveness of the British Armed Forces.”<sup>7</sup> Protected by officially sanctioned military doctrine Army leaders felt they would be better able to resist the threat of civilianization. The Military Covenant was

therefore a rebuttal to the claim made by Christopher Dandeker and others that the armed forces had to prove that they have a “need to be different” on a case-by-case basis.<sup>8</sup>

Finally, whilst all three services share common principles including supremacy of collective over individual rights; the right to have a separate legal system of military discipline; a hierarchical structure based on rank and an obligation to obey orders; and a chain of command, the perception in the Army was that it was and must remain different from the other services.<sup>9</sup> It was therefore no accident that the Military Covenant was an Army rather than tri-service doctrine. In part, it was a challenge to different attitudes found amongst senior military chiefs in the Royal Air Force and the Royal Navy. The Military Covenant was conceived of and served as the capstone of a family of publications produced at the Army’s doctrine Upavon Headquarters which included *Standards and Discipline* (1993), *The Right to be Different* (1997), and *Values and Standards* (2000). The Military Covenant explicitly celebrated the unique context within which the Army operates, its particular social norms, and the centrality of social and unit cohesion.<sup>10</sup> It was rather pointedly entitled “*British Army, Soldiering: The Military Covenant*.” The Army’s Covenant should be seen within the context of wider developments within the armed forces: first, the commitment to jointery—a tri-service approach to the management of issues which for many in the Army involved a dilution of their single service ethos; and second, a shift of power from the force providers (the three services) to the employers (the MoD and the Permanent Joint HQ) which left the service chiefs with professional responsibility for their services, but no real authority to effect change on key issues.<sup>11</sup>

The origins of the concept are borne out of a specific historical and political context. It is a normative instrument of knowledge that has as its intent the reproduction of a very specific view of the social world.<sup>12</sup> In motivation and intent the Military Covenant was conservative insofar as it wanted to protect and preserve the Army from external change, delegitimising alternative external conceptions of the conduct of service life. It was also a mechanism to signpost and then police internal behaviors. It was progressive insofar as senior commanders sought implicitly to claim exclusive martial authority through cultural and symbolic capital whilst implicitly emphasizing the absence of credentials of others. Above all, it was how a small leadership group of commanders wanted to see themselves and how everyone else should see the Army.

The concept of the Military Covenant was based on an assumption that the Army and more particularly the senior military leadership of it owned the concept and was in a position to control its subsequent development and application. Indeed from 2000 to 2006, the Military Covenant was little mentioned in almost any public debate. It was used within the MoD and Whitehall to justify the Army’s need to be different notably on issues concerning sexual orientation, disability and the equal treatment of women, and debates over the applicability of health and safety legislation and internal debates concerned with values and standards.<sup>13</sup> However, by the

second part of the decade, a number of developments transformed the concept most notably its meaning, impact, and its salience. A bit like letting a genie out of a bottle, once out the concept Military Covenant was very difficult to control.

## Letting the Genie out of the Bottle

As a direct result of unpopular wars in Iraq and Afghanistan, two concerns emerged in the public debates in 2006. First, as a result of improved combat medical care greater numbers of casualties were surviving horrific battlefield injuries, many of whom were subsequently discharged as a result of these injuries. As the number of soldiers flown back to the United Kingdom after being injured passed 600, the scale of the problem raised profound questions about the provision of medical care for injured service personnel and the nature of the government's duty of care for service personnel with long term, often chronic health problems that lasted way beyond discharge from the services.<sup>14</sup> Second, the growing number of in-theatre casualties raised questions about inadequate equipment and ineffective and incompetent MoD procurement practices. Concerns were raised about the availability of body armor and vehicles capable of protecting against improvised explosive devices and the sense of a reckless approach to the safety of service personnel.<sup>15</sup> The impression given was of a government willing to deploy military force but without the necessary public funding to support the mission, and of a MoD "cavalier with their lives and their safety."<sup>16</sup>

It was in this febrile atmosphere of spring 2006 that the Military Covenant first began to be used against both the government and the MoD in a partisan and highly politicized way. For journalists, it created a media hook for a series of stories about the human cost of the conflicts. In May 2006, in a Channel 4 Dispatches program, Andrew Gilligan highlighted the impact of Iraq on the armed forces and was the first explicitly to draw on the Military Covenant as a commitment that the government were failing to honor. A BBC program "When our Boys come home" subsequently raised similar issues about how the government was treating military veterans who had witnessed and been party to traumatic events in the service of their country.<sup>17</sup> In the autumn of 2006, influential defense journalists spanning the political spectrum began linking their analysis of the conduct of the wars in Iraq and Afghanistan to the concept of Military Covenant.

In the context of fighting an unpopular war in Iraq and a second war in Afghanistan this marked the point at which senior Army chiefs lost exclusive control of the use of the Covenant. In the five years since 2006, the Military Covenant has provided an important social, political, and quasi-legal reference point in shaping almost every debate about civil-military relations in the United Kingdom. In September 2007, the Royal British Legion (RBL) launched a public campaign to "Honour the Covenant," two national news papers ran "Save the Covenant" campaigns, and third a "Help for Heroes" campaign. This undoubtedly sold newspapers, but it also led Christianne Tipping to warn the public that it needed "to be alert to

being manipulated by the more sensationalist elements of the media machine ... whose strident and intrusive approach lasts only until the next big story appears.”<sup>18</sup>

For the main opposition Conservative Party, the Covenant was a concept that legitimized them attacking the government for its conduct of the war whilst sidestepping the fact that they had voted for and continued to support the wars in Iraq and Afghanistan. For other political parties, it provided a new means with which to challenge the conduct and legitimacy of these wars. For example, in 2007, the Liberal Democrats published a report entitled “*Our Nation’s Duty*” and in 2008, the Conservatives published “*Restoring the Covenant*” quickly followed by two government reports, one on the “*National Recognition of our Armed Forces*” and the other a White Paper “*The Nation’s Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans*.”<sup>19</sup> Indeed, such has been the partisan nature of the debate around the Covenant that Vice-Admiral Jeremy Blackham Retd noted the need for the parliamentary opposition to keep in the forefront of their minds the effect they have on those putting their lives at risk “when playing the political game.”<sup>20</sup>

## Government and Armed Forces Relations

Since 2006, the Covenant has been central to debates between senior Army chiefs and the government, between the armed forces and society from which it stems, and it has been a key reference point in shaping the interaction between individual service personnel, the chain of command, and the duty of care of the MoD as an employer. Two aspects of the debate about the relationship between the government and the armed forces have been shaped by the discourse of the Military Covenant.

The first is the issue of adequacy of defense funding whilst fighting two wars. In the autumn of 2006, the new Chief of the General Staff (CGS), General Sir Richard Dannatt (2006–2009) highlighted overstretch of the Army operating in excess of government-approved Defence Planning Assumptions and questioned whether it was able to cope. “We are running hot .... Can we cope ... I say ‘just’,” but he noted a prolonged deployment in Iraq could “break” the army.<sup>21</sup> In his first newspaper interview, Dannatt talked explicitly about the Military Covenant using it to argue that the government had an obligation to provide for those willing to put their lives at risk for the state. “I said to the Defence Secretary (Des Browne) the Army won’t let the nation down, but I don’t want the nation to let the Army down .... 29 percent of government spending is on social security. Five per cent is on defence. Others can take a view on whether the proportion is right.”<sup>22</sup> As the Economist noted, Dannatt’s challenge was fundamental because he “had suggested the government risked breaking the ‘covenant’ between the nation and armed forces.”<sup>23</sup>

Dannatt’s critique continued throughout his tenure as CGS, arguing in November 2007 that the “military covenant is clearly out of kilter,” in 2008 that troops were

not appropriately paid for the sacrifices they made, and in January 2009, he publicly demanded more resources to reduce an “unacceptable strain on soldiers.”<sup>24</sup> Responding to this, in January 2007, the Prime Minister used a speech on HMS Albion to acknowledge the Covenant for the first time and publicly declare that “the covenant between Armed Forces, Government and people has to be renewed. For our part, in Government, it will mean increased expenditure on equipment, personnel and the conditions of our Armed Forces; not in the short run but for the long term.”<sup>25</sup> The linkage of defense expenditure to the Military Covenant was underscored by the launch in September 2008 of a pressure group the UK National Defence Association. As the *Independent* on Sunday noted, “Formed to campaign for higher defence spending, the association is part of a growing movement demanding that the armed forces be given the resources they need to do the job we ask of them. It is a movement in which this newspaper is proud to claim a leading role. That is why we devote so much space, on this Sunday above all others, to the question of renewing the Military Covenant.”<sup>26</sup>

Second, the Military Covenant has been used as a tool to legitimize other senior Army commanders breaking ranks with the MoD to force a public debate on the armed forces that politicians appeared unwilling to have. As the BBC noted, after General Dannatt’s comments on taking up his appointment, “it seemed that something of a taboo had been broken.”<sup>27</sup> The Covenant became the central instrument through which senior Army chiefs have publicly chosen to articulate their expectations on the Government in relation to terms and conditions of service, notably the quality of housing, pay, and health care provision. For example in January 2007, the Adjutant General told BBC News that “our duty now is to fight our corner in defence to get for our families what they deserve . . . it’s a key issue in what we call the military covenant—giving our soldiers and their families what they deserve in return for what they do for us.”<sup>28</sup> Indeed for journalists such as Matthew Parris and Charles Moore and constitutional experts such as Vernon Bogdanor, it has encouraged behavior that is the unacceptable face of professionally assertive military.<sup>29</sup> For others like Michael Portillo, “that the two most senior officers in the chain of command have broken with the restraints of a service culture . . . suggests an unprecedented level of exasperation . . . the . . . public show of unhappiness means something has gone very wrong.”<sup>30</sup> For General Sir Michael Rose Retd, politicization has been a lasting legacy of this period.<sup>31</sup>

## Armed Forces and Society Relations

Three aspects of the debate about the relationship between armed forces and society have been shaped by the discourse of the Military Covenant. First, the Covenant has been used to urge the public to support the armed forces even if they do not support the missions in Iraq and Afghanistan. The CDS and government ministers have used a number of public interventions to argue for the importance of the Army feeling valued and supported by the public.<sup>32</sup> General Dannatt was the most vocal noting



“that soldiers returning from Iraq and Afghanistan have been dismayed at the ‘indifferent’ attitude toward them by the public.”<sup>33</sup> In large part this was a restatement of the Army’s original conceptualization of the Military Covenant focused on the obligations on society to value and respect the armed forces—even if they did not support the wars in Iraq and Afghanistan.

Second, in an echo of one of the original ideas that underpinned the concept, senior commanders promoted the idea of the Covenant as a contract between armed forces and society in which soldiers would be valued and respected for the work they did on behalf of the nation.<sup>34</sup> For McCartney, the Military Covenant creates an unrealistic benchmark for armed forces and society relations. There is a gap between what service personnel want and what the public might be willing to give.<sup>35</sup> In part this can be explained by the fact that the Covenant set out an argument rather than a dialogue and there was certainly no agreement. Over the last five years, service personnel are increasingly being given respect and deference, but they have not been valued or understood. In January 2010, Bill Rammell, the Minister for the Armed Forces argued that “deep respect is not the same as understanding” and he commented that he remained concerned about “a growing disconnect in the public debate” which needed to be bridged or we would witness diminishing support for the armed forces in combat and undermine the government.<sup>36</sup>

Third, over the last twelve years, almost every aspect of the military justice system has also come under intense scrutiny from issues such as the independence from the chain of command, to the standard of proof used, and the quality of military investigations. In this context, the Covenant been used in a high-profile way by Army commanders as a reference point justifying the need for a distinctive British armed forces military criminal justice system supported by higher values and standards from those found in civilian life.<sup>37</sup> The argument has been advanced that a military justice system is essential to maintain the Armed Services’ ethos and discipline, in circumstances where military offences have no equivalent in general law.<sup>38</sup> In addition, as General Dannatt remarked “The peculiar conditions and atmosphere of military operations underlines why it is imperative that potential offences on operations are tried within a military criminal judicial system according to the burden of civil, military, and international law—itsself a more rigorous criteria than in civilian life.”<sup>39</sup> However, as reports have emerged of prisoner abuse in Afghanistan and Iraq, senior commanders have drawn strength from the Military Covenant as a benchmark for the values, standards, and conduct of those in combat, and it has been used to challenge those who fall below the standards expected in the Army. It has thus served as a mechanism to claim the moral high ground whilst also maintaining the need for a separate legal system.<sup>40</sup> The use of the Covenant in this way remains controversial and for some is something of a distraction in upholding the UK’s legal responsibilities, which as a matter of law is determined by the European Convention on Human Rights and English common law.<sup>41</sup>

## Debates about the Armed Forces and Service Personnel

In the relationship between commanders and those who serve, the Covenant has provided a key reference point of standards against which all service personnel and their families can hold Army commanders responsible in terms of the military's duty of care. Military families have been prominent in using the Military Covenant to promote and protect the rights of service personnel and to challenge the authority of the MoD to be judge and jury of the Covenant. Typical of the countless occasions this has occurred is the comment of a family member of a serviceman killed in Iraq "Adhere to the military covenant, adhere to the promises you make to your armed services every day. MoD, I put this out to you, the world is watching, the families are watching."<sup>42</sup> Perhaps most prominent challenge has been that of the RBL's 2008 "Honour the Covenant" Campaign which they argued applied to all three services and not just the Army. Initially, the Legion focused their campaign on the financial support and health monitoring given to personnel on active service and accommodation for their families while visiting them, the level of access veterans had to healthcare, removing the backlog of inquests into soldiers' deaths and the level of advice, support, and representation given to bereaved families.<sup>43</sup> Subsequently, the RBL campaign has focused on compensation for those injured in the service of their country.

One response to the public focus on the duty of care that commanders have for those in their charge has been for the Army to revise the doctrine. Patrick Mileham has noted a certain inevitability to this, since the idea of "unconditional liability" was never matched by any clear sense of the obligations that the Army itself had toward its soldiers.<sup>44</sup> Helen McCartney notes that Army Doctrine Publication (ADP) Land Operations was amended to highlight "the nature of service is inherently unequal: soldiers may have to put in more than they receive."<sup>45</sup> In parallel, government ministers have publicly sought to delineate the boundaries of the Covenant by emphasizing the inherently dangerous nature of service in the armed forces, of combat in Iraq and Afghanistan, and that the government's duty of care cannot eradicate absolutely all risks to life. For example, Bill Rammell commented "the public needs to accept that the battlefield is a uniquely dangerous and uncertain environment ... there is no one answer and even the layering of protective measures and kit cannot in all circumstances provide guarantees."<sup>46</sup>

Though never a legal document and indeed never intended to be one, the courts have played an absolutely central role in using the Military Covenant as a reference point for judicial rulings.<sup>47</sup> Three areas highlight this. First, in a class action against the Home Office estimated to affect 36,000 veterans, in 2008, the High Court ruled that denying Gurkhas who had served before 1997, the automatic right to live in Britain was not only discriminatory but breached the Military Covenant.<sup>48</sup> In his ruling the judge said "Rewarding long and distinguished service by the grant of residence in this country for whom the service was performed would be a vindication and an enhancement of this covenant."<sup>49</sup> This moved the interpretation of the Covenant a

long way from that intended by the authors of "*British Army: Soldiering*" and extended its application to all veterans and retrospectively to a period well before the Covenant had become official Army Doctrine.

Second, over the last four years the coroners' courts—who review the causes of deaths of service personnel overseas—have played a sustained role in raising the prominence of the Military Covenant as a benchmark for the obligations of the armed forces to their service personnel. Two coroners, Andrew Walker, Assistant Deputy Coroner in Oxfordshire and the Wilshire and Swindon coroner, David Masters have both used narrative verdicts (rule 42 of the 1984 Coroners' Rules) to highlight the duty of care of the armed forces. In February 2008, at the inquest on Captain James Philippon, Mr. Walker accused the MoD of betraying soldiers' trust by sending them to Afghanistan without equipment. "They [the soldiers] were defeated not by terrorists but the lack of basic equipment. To send soldiers into a combat zone without basic equipment is unforgivable, inexcusable and a breach of trust between the soldiers and those who govern them."<sup>50</sup> Equally vociferous in David Walker's verdict on the inquest into the deaths of ten servicemen killed in a Hercules air crash in Iraq in January 2005 he spoke of a "breach of trust" and "systematic failures."<sup>51</sup> When the MoD tried through the courts to restrict critical comments made by Coroners, it gave the impression of wanting to gag discordant voices and drew in the Equality and Human Rights Commission and Liberty against the MoD, with both either directly or indirectly citing the language of the Covenant.<sup>52</sup> In the face of this attack, it led to calls from Colonel Tim Collins and Martin Bell to make the Covenant a legal obligation.<sup>53</sup>

Third, there have been a number of independent investigations which have used the Military Covenant as a reference point for the duty of care. Following the conclusion of an independent inquiry into the loss of RAF Nimrod XV230 in October 2009, Charles Haddon-Cave QC said the Afghanistan crash occurred because of a "systemic breach" of the Military Covenant.<sup>54</sup> Haddon-Cave argued that in the past the Covenant had focussed on care for wounded service personnel but he extended it to include "... the whole panoply of measures which it is appropriate the Nation should provide and sustain for service personnel, including adequate training, suitable and properly maintained equipment, sufficient provisions in theatre and proper support and conditions for service personnel and their families at home."<sup>55</sup>

The transformation of the Military Covenant from an Army doctrine to a quasi-judicial concept "that does not have the force of law, but has been enshrined through convention, custom, and contemporary application," has in many ways led to it becoming even more influential precisely because of this.<sup>56</sup> The very absence of legal circumscription and its foundation as a moral contract has provided the Military Covenant with tremendous plasticity, reflecting the changing nature of the relationship between individual service personnel and the MoD and being interpreted in ways which were not envisaged during its inception. Indeed, in the last five years, the Military Covenant has been the key vehicle civilians have to hold the MoD to account in its duty of care to service personnel. As the RBL noted of its Honour the

Covenant campaign it “... had a strong public affairs focus, but also used a wide range of communication tools. Evocative advertisements were picked up by the media and MPs. Both of the main opposition parties then joined in, applying further pressure in both Houses of Parliament. The MoD and defence ministers were forced to acknowledge the existence of the Military Covenant.”<sup>57</sup>

### **Section Three: The Military Covenant and the Future of the British Military Profession**

The Covenant was launched in the more benign context of the backwaters of the pre-9/11 world. Two unpopular wars in Iraq and Afghanistan in the most challenging of military circumstances have transformed the context of the UK debate about what Helen McCartney terms “obligations and expectations.”<sup>58</sup> For some, the prominence of the Covenant has become something of a distraction from more profound issues. For example, former ACDS Vice-Admiral Jeremy Blackham Retd argues it has led to a “focus onto the rather softer, and dare I say it easier and even cheaper, issues of the care of wounded, the care of families, and the public attention and acclaim to be given to the Services and to returning units.”<sup>59</sup> It is no surprise then that the UK National Defence Association largely comprising retired senior commanders has tried to refocus the debate on hard thinking about the balance between defense commitments and expenditure.

Debates over the last decade have certainly left a lasting legacy concerning the problematic nature of the services’ conceptualization of the relationship between service personnel and between the services and government and society. For the Army, the Military Covenant was a means to protect the boundaries of their expertise and legitimacy. Their doctrinaire approach to the Covenant was misguided on at least two counts.

First, senior commanders tried to establish a definitive settlement of civil–military relations on their own terms without an attempt to engage anyone outside the armed forces. It was inevitable that the Covenant would be controversial because of its disciplining role of policing internal behaviors and delegitimizing external actors in order to secure specific professional outcomes. The Military Covenant has also come to mean profoundly different things to different groups, whether it is individual service personnel, military charities, opposition parties, or different arms of the state such as the judiciary. Subsequent attempts to claim ownership of the Covenant have led to quite different understandings of the exact meaning and indeed the implications of the Covenant. As Richard Sennett has argued “Treating people with respect cannot occur simply by commanding it should happen. Mutual recognition has to be negotiated.”<sup>60</sup> By contrast, the Army’s approach was one of advocacy rather than a dialogue and it was inevitable that this would lead to an official doctrine but without a shared understanding of it. Second, for Christianne Tipping, it was a conceit to even try and codify that which is incapable of specification—the psychological contract will always be more important than the legal one.<sup>61</sup> Yet, a decade on it is the precise nature of the

psychological covenant which remains contested as a result of declining trust between senior officers and politicians.

## Implications for Future Research

The findings of this article raise important research questions about three issues: first, the future of the army profession. As Samuel Huber has argued the professional role of the armed forces is not “fixed” but “socially constructed and reconstructed by the choices and chances affecting particular generations.”<sup>62</sup> This article has shown how senior British Army commanders attempted to use the Military Covenant to redefine the expertise, jurisdiction, and legitimacy of the Army profession. However, few states have a codified Military Covenant and this article raises questions best answered in comparative context about how other armed forces have reacted where their expertise within a particular jurisdiction is contested and legitimacy questioned. James Burk has argued that where we see a lack of convergence of expertise, jurisdiction, and legitimacy, it subjects the military profession to strain.<sup>63</sup> In the British case, it was not so much a lack of alignment of these factors, but an unraveling of each component in the face of shifting societal values, the changing nature of conflict, and purpose of the armed forces. This raises issues about the relationship between Burk’s three components of military professionalism, the impact of the changing nature of conflict and the extent to which it is the role of armed forces which is the key determinant in shaping military professionalism.<sup>64</sup>

Second, the role of senior British Army commanders in creating and using the Military Covenant against the elected government brings into focus the issue of democratic civilian control of armed forces in the context of new missions. In particular, the British case raises issues about the dynamics of professional assertiveness and the politicization of the military profession that has parallels in the United States, not least in the light of the recent resignation of General Stanley McChrystal. There is no doubt we need a better understanding and explanations of the relative public roles and responsibilities of elected representatives and senior military personnel and the threshold between what Martin Cook refers to as “authoritative discretion, a . . . profession’s legitimate concern that it is being tasked beyond existing resources and professional competency” and insubordination.<sup>65</sup>

Third, this research raises broader questions about armed forces and society relations. Nearly a decade ago, Peter Feaver, Richard Kohn, and associates explored the emergence of a civil–military relations gap.<sup>66</sup> In the post-Cold War period, Lindsay Cohn has shown that the debate has focused on a “cultural gap” in which differences in the culture, norms, and values of the military and civilian worlds were a concern, and a “connectivity gap” in which there was diminishing contact and understanding between the armed forces and society.<sup>67</sup> The British case indicates there has always been a “gap” and the evidence of the research presented here resonates with much of the civil–military “gap” literature.<sup>68</sup> However, what is distinctive in the UK case is the salience of two new gaps. First, an “expectation–commitment gap”

characterized by the mismatch between the demands of missions in Iraq and Afghanistan and the resources UK Governments are willing to provide to armed forces in pursuit of these missions. This has raised profound issues about the nature of the relationship between the government and service personnel. Second, a “respect–value gap” has emerged characterized by citizens respecting but placing little value on the sacrifice of those placed in harm’s way in service of the state. The extent to which this fundamentally redefines our understanding of the civil–military relations gap requires further comparative research, but the evidence presented here indicates we may have moved beyond a post-Cold War period and into a new age that poses new questions concerning the normative architecture of contemporary civil–military relations.

Exactly a decade after the Military Covenant was published and in the context of two unpopular wars, the Covenant has brought into much sharper focus questions about the relationship between the armed forces and society. Over the last five years, the debate in the United Kingdom has ensured that a key issue is what commitments we should make to service personnel willing to serve their country. But encompassing this are three much bigger issues: what armed forces are for?; the extent and durability of public support for the use of force in international relations; and against the backdrop of recently announced deep cuts from which the British armed forces are not immune, what is the United Kingdom willing to spend on defense.

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### Notes

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