

## THE TUSKEGEE AIRMEN: THE MEN WHO CHANGED A NATION<sup>1</sup>

MAJOR KAREN S. WHITE, USAF<sup>2</sup>

“In combat a man is respected if he has ‘guts’ no matter where he is from, what his religious beliefs are, or the color of his skin.”<sup>3</sup> That respect, however, doesn’t always transcend the battlefield. Such was the experience of the African-American aircrews of World War II, known as the Tuskegee Airmen. Charles Francis chronicles the Tuskegee Airmen’s struggle for acceptance, their performance during combat, and their eventual integration into the Air Force. The stories of the Tuskegee Airmen and their contributions are intriguing and important to understanding the struggle for integration of the armed forces.

*The Tuskegee Airmen* is a chronological accounting of the “experiment”<sup>4</sup> of African-American squadrons before, during, and after World War II. The book is designed to tell the stories of the African-American airmen who fought and died in World War II, as well as those who fought a battle on the home front to “achieve for black Americans the same rights, privileges, treatments, and opportunities enjoyed by white Americans.”<sup>5</sup>

*The Tuskegee Airmen* is a tribute to the men of the 99th Fighter Squadron, the 332nd Fighter Group, and the 477th Bombardment and Composite Groups, and for that purpose the author and editor included the accomplishments and contributions of as many Tuskegans as possible

---

1. CHARLES E. FRANCIS, *THE TUSKEGEE AIRMEN: THE MEN WHO CHANGED A NATION* (Adolph Caso ed., 4th ed. 1997).

2. Judge Advocate General’s Corps, U.S. Air Force. Presently assigned as Professor, Contract and Fiscal Law, The Judge Advocate General School, U.S. Army, Charlottesville, Virginia. LL.M., 2000, The Judge Advocate General School, U.S. Army; J.D., 1995, University of Arizona Rogers College of Law; B.S.B.P.A., 1986, University of Arizona.

3. FRANCIS, *supra* note 1, at 185.

4. *Time* carried an article about the Tuskegee Airmen wherein the authors labeled the African-American squadrons as an “experiment” that was allegedly considered a failure by many of the senior leaders of the Army Air Corps. The War Department subsequently denied the assertions in the article. *Id.* at 88.

5. The author explains in the Preface that many previous attempts to tell the story have been based on biased reports from the period and his book attempts to tell the story as completely, accurately and objectively as possible. *Id.* at 19.

throughout the book.<sup>6</sup> The level of detail in the book results in sometimes-difficult reading, as the details of the pilots' names and hometowns often overshadow the results of the mission. This does not diminish the importance of the details, however, if the purpose in reading the book is to account for the contribution of the individuals, and not to track the results of the battles.

Mr. Francis uses another effective method of paying tribute to individual Tuskegans by including photographs of many of the airmen. The photos add a personal touch to the stories and put a face with some of the names and details recounted in the narrative. The pictures give the effect of looking through someone's photo album, fleshing out the stories told in the narrative, and sometimes adding pieces that aren't specifically covered in the factual accounting. For example, there are many pictures of proud family members admiring the smartly uniformed soldier. The pictures vividly display the families' pride in a way words can not portray.

Throughout the book, Mr. Francis presents the facts without commentary, letting the reader draw her own conclusions from the events and facts presented. Although this method is appropriate to an historical rendering of the topic, it is frustrating to a reader who wants to know *why* Mr. Francis believed the Tuskegee Airmen changed a nation. Given the time frame when the book was originally written,<sup>7</sup> Mr. Francis's choice was probably well made. His approach avoids criticism of bias, which would have diminished the credibility of the story he was trying to tell. For a reader today, however, the facts are fairly undisputed, and the real issue is whether the reader believes the Tuskegee Airmen forced or effected a change, or whether other forces were equally or more responsible for the change. This book does not support any particular theory; it is simply a presentation of the facts.

Even though the book may be short on commentary, Mr. Francis does present the facts of an interesting story. The book begins with a description of the struggle facing the early advocates for acceptance for African-Americans in the Air Service. Mr. Francis details the persistence of Walter White, Secretary of the National Association for the Advancement of Colored People; Robert Moton, President of Tuskegee Institute; and later Sen-

---

6. The editor, Adolph Caso, explains that in the 4th edition he has attempted to tell as complete a story as possible with the inclusion of as many Tuskegans as possible. *Id.* at 19.

7. The book was originally published in 1955.

ator Schwartz and Congressman Dirksen, in opening the Air Corps to African-Americans. He also highlights the futility that many young African-Americans felt when they attempted to enlist in the Air Corps, only to be told that they were welcome to enlist, but there were no training or operational slots available for them. He recounts the circular arguments of the War Department, claiming non-interest of African-Americans, used to justify the non-existence of African-American programs.

After describing the struggle to open the door for African-Americans to begin aviation training, Mr. Francis describes the meager beginnings of the training at Tuskegee Army Air Field. He describes the lack of facilities and the lack of a completed airfield, leading to difficult conditions for the first group of cadets. In one passage he describes the particular challenges faced:

When the first class completed primary training and arrived at the Advanced Flying Field, it found the field incomplete. Only one runway was sufficiently ready for flying. The ground school was located in a temporary wooden structure, which housed the offices and classrooms. One of the unusual things about the building interior was that there were no partitions separating the classes from the offices. The babble of voices was accompanied by the clicking of typewriters. Concentration was most difficult for the cadets. The six cadets were divided into three classes. One could almost take lecture notes from the different classes at the same time.<sup>8</sup>

Despite these conditions, training continued as did progress on the airfield. The description of this time period is somewhat disjointed, but probably accurately reflects the actual occurrence of the project.

Mr. Francis also introduces the men who formulated and implemented the transformation of Tuskegee Army Air Field. Most notable of these individuals was Colonel (COL) Noel F. Parrish, a southern-born and educated man who would become one of the only commanders to publicly commend the Tuskegee Airmen during the turmoil surrounding integration after World War II.

---

8. *Id.* at 56.

The book next moves to the Tuskegee Airmen's preparations to go overseas. Mr. Francis describes the additional ground and flying training and the frustration felt by many of the airmen at what appeared to be stalling tactics to make things difficult for them. He quotes one of the airmen's comments about the experience:

They made us fly all Christmas Day and New Years Day. You know, even in combat they wind down for Christmas. It is an unwritten agreement by the enemy and the Allies that they would respect the Lord's birthday. We knew it and we were angry. We said the sneaky bastards just wanted to give us a hard way to go.<sup>9</sup>

Mr. Francis does not specifically mention whether the additional training gave the Tuskegee Airmen an advantage as they headed into combat. There is no comparison to the white pilots' training programs to allow the reader to know whether the African-American pilots were actually given different training than the other pilots and what effect that had on their effectiveness in combat. The quoted complaint is valid if, in fact, other units had different training schedules, or if the training was unnecessary. It is also possible, however, that the additional training given to the Tuskegee Airmen resulted in better preparation for their eventual combat missions, thereby leading to increased success.

The description of the debarkation of the 99th Fighter Squadron gives the reader a vivid picture of the anticipation, then confusion, then sadness, as the men left their country on the way to their first overseas posting. The narrative moves easily through the journey to Fez, and effectively uses several recollections to describe the satisfaction that the Airmen felt upon their arrival. Colonel Benjamin O. Davis, Jr., commander of the 99th, recalled, "[t]he town of Fez was found to be one of the most delightful spots that any of us had ever visited."<sup>10</sup> Notable to COL Davis was the "unusual"<sup>11</sup> ability of the men to visit the town without any "unpleasant incident[s]."<sup>12</sup> Surely, this was one of the first times that many of the men

---

9. *Id.* at 61 (quoting Spann Watson).

10. *Id.* at 65.

11. *Id.*

12. *Id.*

had been able to freely frequent a town's establishments without any restrictions.

Another significant incident, subtly mentioned, is a visit from some white P-39 pilots who had traveled with the Tuskegee Airmen. Colonel Davis describes the event as an indication that "a considerable bond existed among those who fly regardless of color or race."<sup>13</sup> Mr. Francis does not expand on this quotation, but in fact it is very significant to his proposition that the Tuskegee Airmen changed a nation. The fact that the bond that existed between airmen didn't necessarily extend beyond the battlefield became an important part of the discussion regarding integration of the Air Force. In fact, there were some who denied the bond existed at all.<sup>14</sup>

The descriptions of the missions flown by the Tuskegee Airmen and the various changes in operating location and alignment cover several chapters. These chapters are full of details of the individual accomplishments of the members of the 99th Fighter Squadron. As part of the chronicle of the Tuskegee Airmen, these details are important, but for the general reader the descriptions are too detailed. The most interesting parts of these chapters are the personal reminiscences of the Airmen. The words of the men themselves give great insight into how they felt about their contributions and the overall situation. It is easy to visualize the speaker excitedly recounting the battle to his squadron mates or in the barbershop several years later.

Things were not always as nice as they were at Fez for the members of the 99th Fighter Squadron. The squadron was attached to the 33rd Fighter Group, commanded by COL William Momyer. Colonel Momyer did not want the 99th attached to his group and was openly critical of the skill of the 99th's pilots. The 99th pilots found themselves in a situation where they were assigned missions where they encountered no enemy pilots, and then were criticized by their commander for failing to gain victories. As a result of COL Momyer's criticism, others began to question the pilot's courage and willingness to fight. Adding to these suspicions

---

13. *Id.* at 66.

14. *See* General Ira Eaker's quote, *infra* note 23.

was an article that ran in *Time*, alleging the Army was considering disbanding the 99th. These events combined to put the pilots under great strain.

Major (MAJ) George Roberts, commander of the 99th after COL Davis, is quoted as commenting, “[i]t was remarkable that the men kept their morale, being under such a strain because of the civilian attitude.”<sup>15</sup> Unfortunately, there is no discussion of what kept these men going. This omission leaves the picture of the dedication and the motivation of the 99th pilots unfinished. Likewise, the leadership styles of COL Davis and MAJ Roberts are not discussed. This is also a significant omission because COL Davis and MAJ Roberts were both important members of the Tuskegee Airmen, and arguably, had a major impact on the morale and motivation of the rest of the 99th pilots. Mr. Francis notes in the book’s references that he conducted a personal interview with COL Davis<sup>16</sup> in preparation for the book. Insight into COL Davis’s leadership style, theories, and practices would be a valuable tool for other leaders who find themselves in situations where they face declining morale and seemingly impossible odds.

Whatever kept the men of the 99th motivated, they were ultimately successful engaging enemy pilots and performing close air support for bombing missions. The 99th made successful contributions throughout the remainder of the European campaigns, resulting in medals for many of the pilots.<sup>17</sup>

Meanwhile, there were problems facing another African-American combat unit, the 477th Bombardment Group. The difficulties were related to racial problems existing at home. Although the 477th was never sent to combat duty in the Pacific, it played a significant role in a most significant battle, the battle against the segregation policies of the armed forces.

The men who sacrificed for their country returned to a country where they weren’t allowed to frequent the officer’s club. Mr. Francis quotes Lieutenant Colonel (LTC) Willie Ashley, who eloquently summarized the situation:

When we returned to the States with our chests full of ribbons,  
we were very proud of what we had done for our country and we

---

15. FRANCIS, *supra* note 1, at 89.

16. *Id.* at 393 n.2 (at the time of the interview he was General Davis).

17. *Id.* at 399-401 (listing the names of pilots awarded the Distinguished Flying Cross).

hoped others would be equally proud of us. But when we went into an officers club, we were marched through the kitchen, out the back door and told not to return. We were deeply hurt. We learned that we had helped to free everybody but ourselves.<sup>18</sup>

In his discussion of the difficulties faced by the 477th Bombardment Group, Mr. Francis recalls the history of the African-American pilot training program. Much of the information is repetitive of the materials presented earlier in the book, leading to confusion for the reader; however, the author specifically discusses the 477th in relation to the initial qualifications of the African-American bombardier candidates and the belief that many of the candidates were not as qualified as white candidates. Although much of the book does not compare white and black units, this section makes such a comparison, but without supporting some of the foundational materials. The fact that stanine scores required for acceptance into the training program were lowered for African-American candidates became a significant argument against integration; however, Mr. Francis does not explore the educational backgrounds of the different candidates, the tests that resulted in these scores, or the overall performance of the African-American candidates. This kind of information is important to allow the reader to form an opinion as to the relevance of the lowering of the stanine scores and to evaluate whether the arguments against integration were based on legitimate complaints or rhetoric.

The discussion of the incident at Freeman Field supports the book title's assertion that the Tuskegee Airmen changed a nation. This section describes the bold actions taken by several officers assigned to the 477th Bombardment Group to challenge the official practices of refusing to allow the African-American officers to use the same recreation facilities as the white officers. The refusal of these officers to follow an order to leave the white officer's club led to their arrest and, ultimately, high-level inquiries into the propriety of "separate but equal" facilities.<sup>19</sup> The confrontation also led to public pressure on the War Department to settle the issue of whether to allow a policy of officially separating the races. Arguably, this incident brought to the forefront the inequity in the Army Air Corps' treat-

---

18. *Id.* at 204.

19. After a report by the Inspector General, the McCloy Committee at the War Department decided that existing regulations did not permit the practice of having separate recreational facilities. *Id.* at 245.

ment of African-American service members and led to President Truman's decision to fully integrate the armed forces.

Mr. Francis does a good job of laying out the facts surrounding the situation. In this case, the lack of personal commentary is very effective because the facts speak for themselves. For example, Mr. Francis details General Frank O. Hunter's response to the confrontation at the Selfridge Field officers' club. General Hunter was the Commanding General, First Air Force, and he wholeheartedly supported the segregated facilities. General Hunter's stance was clear: "there will be no race problems here, for I will not tolerate any mixing of the races and anyone who protests will be classed as an agitator, sought out, and dealt with accordingly."<sup>20</sup> Mr. Francis did not need to add anything; General Hunter's comments succinctly summarized the atmosphere at that time.

In the chapter titled "Integrating the Air Forces,"<sup>21</sup> Mr. Francis details the turmoil that ensued following the end of the war in the Pacific. The Air Corps was faced with the issue of what to do with the African-American troops. Mr. Francis straightforwardly presents the various arguments that were championed by many of the senior members of the Air Corps regarding the future utilization of African-American air and ground crews. Once again, there is no need for commentary during the recounting of the arguments, for they themselves speak volumes about the attitudes prevalent at the time. For example, Army General Daniel Noce is quoted expressing a widely held belief:

For the present and foreseeable future, social intermingling of Negroes and whites is not feasible. It is forbidden by law in some parts of the country and not practiced by the great majority of the people in the remainder of the country . . . It would be a mistake for the Army to attempt to lead the nation in such a reform as social intermingling of the races.<sup>22</sup>

This chapter also documents the courageous and farsighted beliefs of COL Parrish, commander of Tuskegee Army Air Field. Colonel Parrish was a significant and positive influence on the eventual decision to integrate the Air Force. Colonel Parrish was one of the only white men to publicly give credit to the bravery and dedication of the airmen.<sup>23</sup> His

---

20. *Id.* at 235.

21. *Id.* ch. 21.

22. *Id.* at 262-63.

contribution to the debate was significant and, arguably, as important to the decision to integrate as the individual airmen's flying achievements or willingness to take a stand against unfair policies. The reader is left to decide which weighed more heavily in the final decision.

The Tuskegee Airmen did not endeavor to forever change the nation; rather, they wanted to "learn to fly as Army Air Corps pilots, fight for our country and survive."<sup>24</sup> They did that, and more. Even with its shortcomings, *The Tuskegee Airmen* is an important story, which deserves to be told.

---

23. Unlike most other commanders evaluating the performance of the black unit, COL Parrish wrote:

Either the Constitution and the laws must be changed or we must make some adjustment rather than defensive bewildered evasions, at least where the officers are concerned. Negro officers should be assigned according to qualifications, or dismissed. They cannot forever be isolated so that they will always be non-existent at meal time or at night. . . . The more rapidly officers in the Air Corps learn to accept these practical matters, as many of us have learned already, the better the position of everyone concerned. The answer is wider distribution, rather than greater concentration of Negro units, officers and trainees.

*Id.* at 259. Among the commanders who openly criticized the African-American pilots and supported continued integration was General Ira Eaker. Even though COL Davis and the pilots of the 99th had flown to carry out General Eaker's close support missions, General Eaker "refused to accept black pilots on an equal basis, contending that blacks and whites 'do not do their best work when so integrated.'" *Id.* at 261.

24. *Id.* at 290 (quoting LTC Edward C. Gleed).

TIDES OF WAR<sup>1</sup>REVIEWED BY MAJOR ALEX G. PETERSON<sup>2</sup>

*When the shadows began to lengthen, the Spartan Corps of Peers moved out for home. . . . They were eight thousand, all in scarlet, spears at the slope . . . . A sound broke from Alcibiades. When I turned, his brow stood flushed; tears pooled in the well of his eyes. . . . He was moved, as we all, by this splendor of the enemy's discipline and will. "Magnificent-looking bastards, aren't they?"*<sup>3</sup>

A biographical fiction of Alcibiades, an Athenian general in the Peloponnesian War, Steven Pressfield's *Tides of War* expands on Thucydides' historical documentary of the cataclysmic conflict between the two Greek city-states of Athens and Sparta. To Pressfield's credit, the book describes the Peloponnesian War in a way that is easier and more entertaining to read than Thucydides' original masterpiece.

*Tides of War* is accurate enough to give the novice military reader a basic understanding of the Peloponnesian War. It relates the conflict from the perspective of both an Athenian general and an infantryman. While charting the historic war, the book explores the political and sociological machinations surrounding the event and the role of one of its central figures, Alcibiades. Using this format, it speculates about the nature of the characters central to the conflict. In addition, the book explores the grinding nature of ancient Greek warfare. It uses the foot soldier's view to describe the harrowing battles, victory lost, survival enjoyed, decadence of camp life, and impact of political decisions on soldiers' lives. Besides these descriptions, the book compares and contrasts two fundamentally different cultural paradigms, Athens and Sparta. Finally, it provides interesting illustrations of charismatic leadership in a variety of settings. With

---

1. STEVEN PRESSFIELD, *TIDES OF WAR, A NOVEL OF ALCIBIADES AND THE PELOPONNESIAN WAR* (2000).

2. United States Marine Corps. Written while assigned as a student, 49th Judge Advocate Officer's Graduate Course, The Judge Advocate General's School, United States Army, Charlottesville, Virginia.

3. PRESSFIELD, *supra* note 1, at 100-01.

dramatic writing and a flair for details, Pressfield's biographical fiction is an entertaining novel for military readers.

To describe the conflict, Pressfield uses a unique manner of storytelling, a Russian nesting doll approach to the narrators. Although confusing, the flexibility of this approach helps drive the story. The ultimate narrator is an anonymous Athenian citizen whose grandfather, Jason, has recently passed away. Before his death, Jason recounts this story to his unidentified grandson. A friend of Socrates, Jason was visiting the scholar in prison. One day, Jason is called to the cell of another death row inmate, Polemides. Polemides alleges he has been falsely convicted of a crime and requests that Jason, as a prominent Athenian citizen, speak for him. Jason agrees to listen to Polemides' story.

Polemides alleges the real reason for his unjust conviction is political vengeance for his role as the assassin of the famous Athenian general Alcibiades. Polemides narrates most of the tale, except for those events where he was not present. In those cases, Jason objectively interjects, filling in the holes. Jason's interjections provide segues and background that help tie together the disparate tales of Polemides. While this is a confusing way to write a book, it mostly works. The publisher eases this jumping narrator technique by printing Polemides' story in plain text and Jason's in italicized text. Although jarring, the book successfully describes the entire conflict and its central figures in this way.

In describing the conflict, Jason initially provides the social context and general time frame for the story.<sup>4</sup> He outlines the conflicting power struggles, the long night debates of policy, the unending politicization of war, and the changing support of the democratic politic. With the social context of the conflict described, the reader better understands the importance of the roles of various characters, the alliances among city-states, and ultimately the outcome of the war.

The story begins with the start of the Peloponnesian War in 431 B.C. and follows its twenty-seven year history. The book draws heavily from early Greek scholars, in particular Thucydides.<sup>5</sup> Historically, Athens had built her empire on naval power. The Aegean Sea and nearby Mediterranean waters were under her control. Fearful of Athens' continued and unchecked growth, Sparta and her allies, the Peloponnesian League,

---

4. *Id.* at 39-40.

5. *Id.* at 427.

sought to restrain her growth. The Spartans relied on land armies. Throughout the war, alliances were easily made and broken. City-states changed sides depending on which armies stood outside their gates. Sparta controlled the land, but Athens controlled the seas. With the support of Persian gold and the Persian navy, the Spartans finally forced the surrender of Athens in 404 B.C.<sup>6</sup>

The book also describes Alcibiades and his role in the Athenian citizenship-driven democracy. The shifting policies and political rivalries constantly influenced the war effort. The book suggests how this led to the eventual demise of Athens and the central character, Alcibiades. Moving into fiction, the book theorizes on the direct impact of Alcibiades on Athenian history. Fictionally, Alcibiades becomes the central figure in all the momentous events of this version of the Peloponnesian War.

With Alcibiades occupying the central role, the book describes events and debates the propriety of the courses of action taken in the war. It provides a satisfactory description of both the larger historical event and the blow-by-blow realism of ancient Greek combat by relying on historical sources such as Thucydides, Aristophanes, and modern scholarship.<sup>7</sup> The book does not alter these facts, but rather illuminates them with enlightened speculation. Suggesting the speeches, dialogues, and relationships surrounding the conflict, the book fills in the details with its central character, Alcibiades. By extrapolating insights into his character, the book creates a fictionalized biography of this enigmatic Athenian general. Like Shakespeare's Caesar, the person is known, but the details and individual passions and dramas can only be reconstructed fictionally.

Using a diverse cast of characters, *Tides of War* revolves around Alcibiades' accomplishments and failures, and it explores what drove him to act as he did. For example, in writing letters to politically powerful Athenians in support of his cause, Alcibiades describes the importance of his vision of the political course of Athens.<sup>8</sup> Alcibiades' vision is a self-created goddess called Necessity.<sup>9</sup> His arguments and speeches in support of this vision may remind readers of the "Manifest Destiny" that once guided U.S. foreign policy. Whether debating the Sicilian expedition<sup>10</sup> or

---

6. *Id.*

7. *Id.*

8. *Id.* at 294-95.

9. *Id.* at 32.

10. *Id.* at 116-20.

the war in Persia,<sup>11</sup> this vision of Necessity leads Alcibiades to become the pivotal figure in every major event of the war.

Pressfield's portrayal, however, likely gives too much credit for the conflict to one man. A historically documented figure, Alcibiades was a kinsman of Pericles and student of Socrates. Described as a handsome and brilliant man, he envisioned a world dominated by Athenian democracy. As a commanding general, he was never beaten; as a politician, however, he could never consolidate his rule. Historically, Alcibiades was an important figure and most other documentaries of the conflict portray him as such. In Thucydides' work, Alcibiades is the most often mentioned commander.<sup>12</sup> It is debatable, however, whether he is the pivotal figure around which Athens' success or failure in the war rested. What drove Alcibiades is ultimately irresolvable and lost in time. This book's speculation, however, makes a convincing argument of what might have driven him.

In addition to describing the Peloponnesian War and exploring the character of Alcibiades, Pressfield describes ancient Greek warfare through Polemides. A fictional Athenian marine captain, Polemides is called to war at the beginning of the conflict. He accompanies Alcibiades in a variety of roles, including fellow campaigner, confidant, bodyguard, and finally as his assassin. Pressfield weaves the biography, describing the significant events, speeches, and scenes. Using colorful language, he also brings alive the closed masses and desperate nature of Greek phalanx fighting: the grinding and relentlessness of a heavy infantry assault with nine-foot spears, interlocking shields, and packed formations of men.

The enemy was massed in uncountable numbers. Our ranks closed; the armies crashed together. A melee ensued that could be given the name of battle by its scale only. No one could swing a sword; such was the press of bodies. The nine-foot spear was useless. One dropped it where he stood, fighting instead with the shield as a weapon, struggling simply to take your man's feet out or stick him Spartan-style with the short thrust and draw. Any part of the body that bore armor became a weapon. One fought with his knees, driving them into his man's testicles, with elbows fired at the throat and temple, and heels against those fallen on the earth. In the melee, a man seized the rim of the enemy's

---

11. *Id.* at 269-70.

12. THUCYDIDES, HISTORY OF THE PELOPONNESIAN WAR (Penguin Books ed. 1972) (431 B.C.), available at <http://classics.mit.edu/Thucydides/pelopwar.html>.

shield and pulled it down with all his weight. You clawed at a man's eyes, spit in his face if you could summon spit, and bit at him with your teeth.<sup>13</sup>

Through Polemides, Pressfield provides a "soldier in the trenches" view of the ancient Greek way of war. Many readers will find this aspect of the story most gripping.

Offering a description of historical characters, as well as providing a case study of this momentous event and ancient Greek warfare, the book also contrasts the dichotomy of two different cultural paradigms and politics. Athens and Sparta not only were opposing city-states, but also subscribed to opposing views of human character. This dichotomy, mirrored as recently as our own Cold War, is played out in the storyline. Perhaps as a consequence of using an assassin as a narrator, the book refreshingly does not take a side in the debate. Rather, this is left to the readers to decide.

Representing Athens is, of course, Alcibiades. Athens, the progenitor of modern democracy, is exemplified by its form of government, and also by the nature of the people who chose that government. As an Athenian politician describes them, the Athenians: "dream of what will be and disdain what is. You define yourselves not as who you are, but as who you may become, and hasten over oceans to this shore you can never reach."<sup>14</sup> Readers may find a resonance to our modern vision of the American dream, where every man has a right to become all they can.

Similarly, the book describes the philosophical underpinnings of Sparta society. Its warrior ethos and utilitarian lifestyle is best described by the very adjective that its name has come to symbolize—spartan. The Spartan general Lysander conveys this view to his men:

Our race does not presume to dictate to God, but seeks to discover His will and adhere to it. Our ideal man is pious, modest, self-effacing; our ideal polity harmonious, uniform, communal. Those qualities most pleasing to heaven, we believe, are courage to endure and contempt for death. This renders our race peerless in land battle, for in infantry warfare to hold one's ground is all.

---

13. PRESSFIELD, *supra* note 1, at 177.

14. *Id.* at 127.

We are not individualist because to us such self-attention constitutes pride.<sup>15</sup>

The historical accuracy of these two cultural portraits is ample. Providing settings and scenes which favor one form over the other, the book counterpoises these two views in debates and battles. Although Sparta eventually wins the war, the reader is left to decide which course is better, individual freedom or community harmony.

Finally, *Tides of War* provides glimpses of charismatic leadership in the unique setting of Ancient Greece. Throughout, the book portrays leadership affecting the outcome of battles, debates, and political decisions. Examples include endurance and calmness in battle, such as Polemides at the battle of Syracuse,<sup>16</sup> or Lysander during the battle of Ephesus.<sup>17</sup> Other examples of leadership include the description of Alcibiades' preparation of the Greek fleet for upcoming sea battles<sup>18</sup> and his role in pursuing the war in Persia.<sup>19</sup> These examples effectively portray the leadership traits of the book's characters, and Alcibiades in particular.

For example, Pressfield uses the Spartan general Endius to suggest that Alcibiades leads not out of a sense of leadership, but rather for the political power that comes from assuming the leadership role. This contrasts sharply with Alcibiades' own view of leadership as "[o]ne who acts not for himself, but for his city."<sup>20</sup> These leadership examples and discussions help propel the story and, generally, they will be familiar to most military readers. Although the unique settings provide a fresh perspective to an illusive topic, still the novel should not be confused with a leadership guidebook. Exploring leadership techniques is merely a collateral effect of the primary purpose of telling the story of one of Athens' generals. The charismatic leadership of Alcibiades and others, like the vivid descriptions of the battles, are simply refreshing by-products of the story.

To its credit, *Tides of War* covers an expansive historical period, the Peloponnesian War, which lasted almost thirty years. As readers of Thucydides' saga know, it was not always a dramatic and stirring event. In addition, many of the historic details are missing, and the personalities of the

---

15. *Id.* at 333.

16. *Id.* at 175-76.

17. *Id.* at 339.

18. *Id.* at 258.

19. *Id.* at 253-55.

20. *Id.* at 31-32.

principal players in the conflict are sketchy. Pressfield's historical fiction helps to fill this void. The book follows Alcibiades through the entire course of the war from the early battles at Potidaea in Macedonia, to the fall and surrender of Athens, to his death in Persia. Rather than providing a Thucydidean historical chronology, however, Pressfield attempts to provide additional depth through insight gained from the characters that played key roles in the conflict.

The book lives up to both obligations of historical fiction: first, the story should be as accurate as possible; second, it should fill the gaps of history with reasonable speculation. *Tides of War* takes a real character as complex and as contradictory as Alcibiades, and by extrapolation provides satisfying insight into the man that historians have sparsely described. In doing so, the book provides an accurate picture of a pivotal historical event. It uses facts, people, battles and history to set the stage. It then explores the event from a broad-sweeping view, where battles are parts of a larger socio-political struggle for control. Finally, it moves to an up-close, trenches view of the savagery of ancient Greek combat. The book relies on sources such as Thucydides, Aristophanes, and other ancient Greek writers. It also relies on modern scholarship, to include local Greek sources, to shed light on the conflict and its characters.

Starting with facts, Pressfield then postulates to fiction. Switching between real and imaginary characters, events, circumstances, and dialogue, he seeks to present a more complete picture of an enigmatic man and a pivotal war whose details and nuances are lost to time. *Tides of War* creates a dramatic fictional biography of a central character in this historic conflict. Additionally, the story provides a contrasting view of two stark philosophies, with Athenian democracy counterpoised against Spartan utilitarianism, in a battle over who would drive the destiny of Greece and the Aegean Sea basin. Finally, the book offers glimpses of military leadership, both in battle and in the corridors of politics.

The starting point for any serious study of the Peloponnesian War is Thucydides' historical documentary. Even Pressfield acknowledges this. *Tides of War*, however, provides some color and life to Thucydides' work. Entertaining and refreshing, this book is for the military reader that needs a break from the serious study of military history, or possibly for the military reader that is on temporary duty and needs something to pass the time in the airport lounge instead of reading yet another airline magazine.

GIDEON'S SPIES<sup>1</sup>REVIEWED BY MAJOR EVAN M. STONE<sup>2</sup>

*And I will give unto thee, and to thy seed after thee . . . all the land of Canaan for an everlasting possession.*<sup>3</sup>

The world community and the media singularly harangue the state of Israel over her right to exist and her land claim, despite Israel's biblical title to both. They uniquely apply a "double standard" to everything Israel does or fails to do as compared to other nation states. Gordan Thomas joins the double-standard bandwagon in his book, *Gideon's Spies: The Secret History of the Mossad*. Thomas endeavors to reveal the "secret" history of the Mossad—the Israeli foreign intelligence service—but fails. Instead, he reveals his distaste for Israel and for Jews.

Thomas bashes Israel and Jews from start to finish under the pretext of criticizing the Mossad. His revisionist history misleads the reader into unwarranted sympathy for Arabs and unjustified contempt for Jews. For example, Thomas regurgitates sensational events such as the death of Princess Diana and the Rabin assassination, fixing blame on the Mossad for both. In his thinly disguised criticism of the Mossad, Thomas demonstrates his bias against Israel and revives centuries-old anti-Semitic canards.<sup>4</sup> Thomas begrudgingly acknowledges unquestionable Mossad accomplishments, such as the capture of Adolf Eichmann and intelligence support to the Entebbe hostage rescue, but in his re-telling of events, Thomas smears the Mossad, Israel, and the Jewish people.

The author's version of the Arab-Israeli conflict in the Middle-East contains startling omissions. Thomas cites a 1929 stone and glass throwing attack by Arabs on a group of Jews praying at the "Wailing Wall" as the beginning of the conflict.<sup>5</sup> He also claims that the Jewish leaders organized the embryo of what would become the Mossad some twenty-two years later in response to this incident.<sup>6</sup> Moreover, in minimizing the

---

1. GORDAN THOMAS, *GIDEON'S SPIES: THE SECRET HISTORY OF THE MOSSAD* (1999).

2. Judge Advocate General's Corps, U.S. Army. Written while assigned as a student in the 49th Judge Advocate Officer Graduate Course, The Judge Advocate General's School, U.S. Army, Charlottesville, Virginia.

3. *Bereshit* 17:8 (commonly translated as *Genesis* 17:8).

attack, the author emphasizes the lack of Jewish deaths and further suggests the attack was justified:

To Arabs who lived there and could trace their ancestry back to the Prophet, this was an outrage. Land that they had farmed for many centuries would be threatened, perhaps even taken from them by the Zionists and their British protectors, who had arrived at the end of the Great War to place Palestine under a Mandate.<sup>7</sup>

---

4. See generally JOSEPH TELUSHKIN & DENNIS PRAGER, *WHY THE JEWS? THE REASON FOR ANTISEMITISM* (1983). Note that these and other authors prefer the term “antisemitism,” owing to the origins of the hyphenated “anti-Semitism.”

The term anti-Semitism was coined in 1879 by Wilhelm Marr, an anti-Jewish spokesman in Germany, as a euphemistic substitute for *judenhass*, Jew-hatred. The term is a misnomer, of course, since it has nothing to do with Semites. Therefore, in order to avoid any confusion we have adopted the approach of the distinguished historian James Parkes, who has suggested that antisemitism be written as one word.

*Id.* at 199 n.1. [Editor’s Note: The *Military Law Review* uses the term “anti-Semitic” in following the modern convention of an overwhelming majority of law reviews. See, e.g., Avi Weitzman, *A Tale of Two Cities: Yitzhak Rabin’s Assassination, Free Speech, and Israel’s Religious-Secular KulturKampf*, 15 EMORY INT’L L. REV. 1 (2001).]

5. THOMAS, *supra* note 1, at 33. See generally RABBI JOSEPH TELUSHKIN, *JEWISH LITERACY: THE MOST IMPORTANT THINGS TO KNOW ABOUT THE JEWISH RELIGION, ITS PEOPLE, AND ITS HISTORY* 312-13 (1991) (noting that the term “Wailing Wall” is considered by some to be an undignified mockery of the sounds of Jews praying at the destroyed remains of their most holy site).

6. THOMAS, *supra* note 1, at 34-35.

7. THOMAS, *supra* note 1, at 34. See generally A HISTORICAL ATLAS OF THE JEWISH PEOPLE FROM THE TIME OF THE PATRIARCHS TO THE PRESENT 74 (Eli Barnavi ed., 1992) (explaining that “Prophet” refers to Mohammed, founder of Islam, who lived circa 614 Common Era (C.E.)).

This implies that the Jews were invaders in 1929, but omits any reference to *their* 3,500-year history in the land.<sup>8</sup>

Thomas also omits acts of violence by Arabs during the same period, including one of the most brutal slaughters of Jews in the Twentieth Century. Also in 1929, the Mufti Haj Amin El-Husseini, then leader of the Arabs living in the British-controlled Mandate for Palestine, ordered riots against Jews to protest the British support for a Jewish homeland in the Mandate.<sup>9</sup> These riots included the Hebron Massacre, where sixty-seven Jews were murdered, and sixty were wounded.<sup>10</sup> During this incident, rioters:

cut the heads off infants and hand[ed] them to their mothers before killing them too. They chopped off limbs and gouge[d] eyes. . . . A young woman [was] raped by fifteen rioters in the presence of her parents, who [were] then killed; a teenage girl [was] stripped naked and disemboweled. Arabs slash[ed] a boy's] flesh, cut after cut, for a quarter of an hour, shouting: "Does it hurt, Jew?!"<sup>11</sup>

---

8. The 3,500 year history of Jews in *Eretz Israel* (Land of Israel) includes: Biblical Period (17th-6th Centuries Before Common Era (B.C.E.)); Persian and Hellenistic Rule (536-142 B.C.E.); Roman Rule (63 B.C.E.-313 C.E.); Byzantine Rule (331-636 C.E.); Arab Rule (636-1099 C.E.); Crusader Rule (1099-1291 C.E.); Mamluk Rule (1291-1516 C.E.); Ottoman Rule (1517-1917 C.E.); and British Rule (1918-1948 C.E.). This history culminated with the third sovereign period known as the modern State of Israel. See Israel Ministry of Foreign Affairs, *Facts About Israel*, at <http://www.israel-mfa.gov.il/mfa/go.asp?MFAH00080> (last visited Sept. 7, 2001).

9. TELUSHKIN & PRAGER, *supra* note 4, at 123. This "British support" for the Jewish homeland was never intended to come at the expense of indigenous Arabs. Letter from Lord Arthur James Balfour, British Foreign Minister, to Lord Rothschild (Nov. 2, 1917), reprinted in WALTER LAQUEUR & BARRY RUBIN, *THE ISRAEL-ARAB READER: A DOCUMENTARY HISTORY OF THE MIDDLE EAST CONFLICT* 17 (4th ed. 1984). "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people . . . it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine." *Id.* The League of Nations voted to give Britain the Mandate for Palestine on July 24, 1922, and the preamble of the British Mandate included similar language calling for preservation of Arab communities. *Id.* at 37. Further, Jewish-British relations were not always friendly on the ground. See TELUSHKIN, *supra* note 5, at 277-79 (explaining that British-Jewish relations in the British Mandate included the mutual hangings and floggings of personnel, the assassination of Lord Moyne in Egypt, and the bombing of the King David hotel killing ninety-six Britons).

10. TELUSHKIN, *supra* note 5, at 286.

11. GERSON NADIVY, *Hebron Baby*, NEFESH MAGAZINE, 5761-2000, at 23.

In failing even to mention such gruesome acts, the author misleadingly portrays the Arabs as sympathetic victims of Jewish aggression.<sup>12</sup>

Thomas's selective presentation of history paints a stilted picture of the Middle-East conflict. By omitting the historical Jewish presence in the land, he implies that the Jews are illegitimate invaders. By omitting the Hebron Massacre, and instead citing a relatively harmless stone-throwing incident of the very same year, he misleads readers unfamiliar with Middle-East history. In misrepresenting the historical antecedents, Thomas conveys to an unsuspecting reader that the Jewish quest for a homeland is without precedent, and the Israeli need for an aggressive intelligence service is an overreaction.

Thomas's assertions regarding the Mossad's responsibility for Princess Diana's death reads more like a story belonging in a British tabloid than a historical work found on a bookshelf. Thomas argues the Mossad caused the deaths of Diana, Princess of Wales, and her lover, Dodi Al Fayed. The Mossad allegedly recruited Henri Paul, the security chief for the Hotel Ritz in Paris. According to Thomas, the Mossad used blackmail to coerce Paul into passing on information about Arab elites frequenting the hotel; Mohamed Al Fayed, Dodi's father, owned the hotel. Thomas ultimately asserts that the Mossad's blackmail pressure caused Henri Paul's excessive alcohol and drug use the night he wrecked the hotel's Mercedes-Benz limousine, resulting in the deaths of Paul, the Princess, and Dodi Fayed.<sup>13</sup>

Thomas's sources for the Princess Diana connection are suspect, as he relies on two former intelligence officers with checkered pasts. The first is Ari Ben-Menashe, a former Mossad agent. *Newsweek*, the *Jerusalem Post*, and *ABC News* have all challenged Ben-Menashe's credibility.<sup>14</sup> The second officer is Richard Tomlinson, formerly of British Intelligence,

---

12. Some authors suggest the 1929 Hebron Massacre reflects historical Arab animosity toward Jews and Christians in their midst. See TELUSHKIN & PRAGER, *supra* note 4, at 116 (explaining that under Muslim law, the Pact of Umar permits tolerance of Jews and Christians only if they publicly show their subservience to Muslims at all times). The authors analogize the law to "the behavior once expected of Blacks in the American South." *Id.*

13. See THOMAS, *supra* note 1, ch. 1.

14. Yated Ne'man & D.D. Levitin, *Seymour Hersh Has Record of False Claims, Bad Journalism* (Jan. 22, 1999) (discussing how the *Jerusalem Post*, *Newsweek*, and *ABC News* all referred to Ben-Menashe as a notorious and chronic liar), at <http://www.jonathanpollard.org> (Justice for Jonathan Pollard Web site).

whose book about British spy craft led to his conviction for revealing state secrets.<sup>15</sup> In addition to these questionable sources, Thomas relies most heavily on Mohamed Al Fayed himself. Al Fayed contends the British Crown wanted to kill his son and the Princess before they were married.<sup>16</sup> Al Fayed further claims the United States, Britain, and the Mossad all conspired to that end.<sup>17</sup>

Author credibility is a crucial factor in evaluating the value of any book about a secret intelligence organization. Thomas's historical revisionism and sensationalism cast doubt upon his authenticity from the beginning. *Gideon's Spies: The Secret History of the Mossad* lacks even a single footnote to support the book's premise, and Thomas refuses to name some of his sources for the book. Even Thomas apparently recognized this weakness, because he spends an inordinate amount of time in the middle of the book attempting to bolster his credibility by detailing his credentials. He claims twenty-five years of writing in the intelligence field, family connections to the intelligence community, and access to former directors of the CIA and Mossad as proof of his credibility. Thomas even notes at the end of his book that "I came to the subject of the Mossad with no baggage."<sup>18</sup> Since the book lacks corroborating authority, his assertions ultimately turn on his own believability. His credibility, however, wanes with every turn of the page.

Thomas surpasses all credulity after suggesting the Mossad murdered former Israeli Prime Minister Yitzhak Rabin. Thomas adopts a thesis proposed by Barry Chamish, whom Thomas calls "a dedicated Israeli investigative reporter."<sup>19</sup> Chamish claims that Rabin had planned a fake assassination as a publicity stunt, but was double-crossed by the Mossad. According to Chamish, Rabin's own bodyguard shot the Prime Minister twice during the ride to the hospital.<sup>20</sup> Thomas refers tangentially to a Chamish Web site, which allegedly contains the proof. There are indeed

---

15. Steve Gold, *Ex-Spy Triggers Internet Battle of Wits With British Govt.*, NEWSBYTES (May 14, 1999), at <http://www.inet-one.com/cypherpunks/dir.1999.05.10-1999.05.16/msg00247.html> (describing how Tomlinson was fired by British Intelligence, prosecuted for revealing state secrets in his book, and served one year in prison).

16. THOMAS, *supra* note 1, at 13.

17. *Id.*; see also David Ho, *U.S. to Be Sued in Diana Case*, ASSOCIATED PRESS (Aug. 31, 2000) (reporting that Mohamed Al Fayed filed suit in federal court seeking to gain access to U.S. intelligence information about the deaths of Princess Diana and his son).

18. THOMAS, *supra* note 1, at 361.

19. *Id.* at 138.

20. *Id.*

several conspiracy and UFO websites featuring Chamish and his articles, but none offer proof for the Rabin assassination theory.<sup>21</sup>

In addition to such unsupported theories, Thomas weaves disturbing anti-Jewish rhetoric into his anecdotal storytelling. In one blatant example, he compares Israel to Nazi Germany with regard to the Palestinian *intifada* in the Israeli-administered territories. Thomas describes the Israeli-Palestinian relationship as “reminiscent of the resistance in the last days of the German occupation of France in World War II.”<sup>22</sup> In other words, Israel—like Nazi Germany—occupies and oppresses another people in their own country.<sup>23</sup> Thomas argues: “Zionist Israel ha[s] little wish to accommodate itself with Arabs: Everything about [Arab] religion and culture was seen by Zionists as inferior to their own beliefs and history . . . [T]hey could not accept that . . . both races would live together.”<sup>24</sup> Thomas further accuses Israel, like Nazi Germany, of preparing for genocide, and goes so far as to claim that Israel plans to attack Arabs using special

---

21. See, e.g., Great Dreams, *UFO Wave in Israel*, at <http://www.greatdreams.com/chamish.htm> (last visited Sept. 7, 2001) (describing Barry Chamish as the “leading UFO researcher in Israel”); Barry Chamish Archives, *Why Rabin Was Murdered*, at <http://members.tripod.com/~VaAm/Jun2498.html> (last visited Sept. 7, 2001) (allegedly written by Chamish and refusing to divulge who killed Rabin).

22. THOMAS, *supra* note 1, at 207.

23. Some commentators have argued that this notion is also regularly reinforced in American media. See WILLIAM NICHOLLS, *CHRISTIAN ANTISEMITISM: A HISTORY OF HATE*, 397-98 (1993). Nicholls explains that even the words commonly used by the media to characterize the territories are loaded with anti-Israeli propaganda.

The perception of the viewer is automatically biased by terms such as “the West Bank”—Jordan’s name for the territories in Western Palestine it seized in 1948, previously known as Judea and Samaria; “the occupied territories seized by Israel in 1967”—for the disputed territories that came under Israeli administration as a result of victory in a defensive war, when Jordan attacked Israel in 1967; “Arab East Jerusalem” for an indeterminate area, including the Old City, which has had a Jewish majority for over a century, together with almost wholly Jewish suburbs developed since 1967 . . . .

*Id.* See also Committee for Accuracy in Middle-East Reporting in America, *CAMERA Media Report*, at <http://world.std.com/~camera> (last visited Sept. 7, 2001) (cataloging anti-Israel reporting from such news agencies as CNN, NPR, ABC, NBC, CBS, PBS, and others).

24. THOMAS, *supra* note 1, at 324.

biological weapons that will discriminate and target only the Arab genetic makeup.<sup>25</sup>

Thomas's comparison to Nazi Germany is not only obscene; it is misplaced. He again fails to address history on several levels. He fails to mention that Mufti Haj Amin El-Husseini, de facto Arab leader in the British-controlled Mandate of Palestine, collaborated with the Nazis during World War II.<sup>26</sup> Moreover, after the war, a majority of Arabs living in the British-controlled Mandate rejected the 1947 United Nations Partition Plan, which would have created two sovereign states—one Jewish and one Arab—in the Mandate.<sup>27</sup> Within twenty-four hours of the end of the British Mandate, the mechanized armies of five Arab nations attacked the newly created Israeli state.<sup>28</sup> Thus, Thomas's historical revisionism—equating Israel with the tactics and aggression of Nazi Germany—cannot withstand scrutiny.

Thomas also betrays his misunderstanding of the Hebrew Bible, which further detracts from a book supposedly about the intelligence service of the Jewish State. He titles the book *Gideon's Spies* and explains, "Gideon was the Old Testament hero who saved Israel against superior enemy forces because he had better intelligence."<sup>29</sup> Thomas apparently analogizes ancient Israel to modern Israel, vastly outnumbered, but victorious; however, the book's title is misplaced, because a plain reading of the

---

25. *Id.*

26. "[Mufti Haj Amin El-Husseini] met Hitler, Ribbentrop and other Nazi leaders on various occasions [as late as November 28, 1941] and attempted to coordinate Nazi and Arab policies in the Middle East." XIII DOCUMENTS ON GERMAN FOREIGN POLICY, 1918-1945, SERIES D 881 (1964) (referring to Record of the Conversation Between the Fuhrer and the Grand Mufti of Jerusalem on November 28, 1941, in the Presence of Reich Foreign Minister and Minister Grobba in Berlin), reprinted in LAQUEUR & RUBIN, *supra* note 9, at 79-84. See also PALESTINE RESEARCH CENTRE, BASIC POLITICAL DOCUMENTS OF THE ARMED PALESTINE RESISTANCE MOVEMENT 137-41 (1969) (noting that Articles 8-11 and 19-23 of the Palestinian Liberation Organization Charter call for an armed commando struggle against Zionism with a goal of "total elimination of Israel," a concept with overtones from Nazi Germany, as the only solution).

27. G.A. Res. 181, U.N. GAOR, 2d Sess., Supp. No. 11 (1947).

28. LAWRENCE KELEMEN, PERMISSION TO BELIEVE: FOUR RATIONAL APPROACHES TO GOD'S EXISTENCE 78 (3d ed. 1991) (citing PAUL JOHNSON, A HISTORY OF THE JEWS 526-27 (1987) (explaining how, the day after Israel's declaration of independence, the ragged band of Holocaust survivors who populated the new country—numbering fewer than 45,000—defended and beat the combined military forces of Egypt, Syria, Iraq, Lebanon and Transjordan)).

29. Thomas, *supra* note 1, at 75. See generally TELUSHKIN, *supra* note 5, at 23 ("[T]he Old Testament . . . is a Christian usage refer[ring] to the Hebrew Bible.").

Gideon account in the Hebrew Bible reveals that his victory came not from superior intelligence, but from his trust in God.<sup>30</sup>

Thomas further reveals his misunderstanding in his “vengeance” exegesis of the Jewish legal concept “eye for an eye.” Jews interpret “eye for an eye” as a prohibition on revenge, not a call for revenge.<sup>31</sup> Thomas implies this concept supports the proposition that Jews have been and remain a vengeful people. For example, Thomas argues that such biblical, “eye for an eye” retribution was evident when the Mossad killed practically every Black September terrorist responsible for the 1972 Munich Olympics massacre of eleven Israeli athletes.<sup>32</sup> These killings may have indeed been acts of revenge subject to legitimate legal criticism, but Thomas’s biblical linkage unfairly mischaracterizes an entire people and their holy book.

Thomas devotes two entire chapters to Vatican-Israel relations in which he slights Israel, Jews, and the Mossad. Despite legitimate grievances between Jews and the Vatican,<sup>33</sup> Thomas, using his revisionist history approach, attributes the bad relations to a failure of Israel to “restage the trial of Christ . . . revers[ing] the original verdict.”<sup>34</sup> Further, he contrasts Israel’s so-called “biblical revenge policy,” with Pope John Paul II, “whose entire Pontificate [is] rooted in the power of forgiveness.”<sup>35</sup> Iron-

---

30. See *Shoftim* 7:1-8 (commonly translated as *Judges* 7:1-8). The story at issue involves Gideon’s initial confrontation with the Midianites. Gideon actually arrived at the pre-battle with very large numbers but was twice told to reduce his numbers lest the people think their victory would come from their own hands and not from divine intervention. *Id.*

31. See TELUSHKIN, *supra* note 5, at 500-01. Rabbi Telushkin explains that an “eye for an eye” was in response to various other legal codes of the biblical period that permitted revenge against the innocent, and uncontrolled vengeance. Rather, an “eye for an eye” is a call for proportion—not two eyes for an eye, or a life for an eye. Telushkin relies on *Bava Kamma 84a*, a Talmudic passage wherein the rabbinic authorities interpreted the biblical passage as requiring monetary compensation equivalent to the value of the injury. *Id.*

32. THOMAS, *supra* note 1, at 123. “[The terrorist’s] execution would be an act of pure vengeance, the biblical “eye for an eye” principle Israelis liked to believe justified such killings.” *Id.*

33. See, e.g., TELUSHKIN & PRAGER, *supra* note 4, at 105 (summarizing about 1,000 years of Church Law, which the authors argue disenfranchised Jews and had parallels in Nazi-era laws against Jews such as book burning, badge wearing, and prohibiting civil service); NICHOLLS, *supra* note 22, at 229, 261, 351 (discussing Church involvement in the Crusades and Spanish Inquisition, its forced conversions of Jews, and its alleged silence during the Holocaust); *Pius IX and John XXIII: The Ultimate Odd Couple*, RESPONSE: SIMON WIESENTHAL CENTER, SNIDER SOCIAL ACTION INSTITUTE, WORLD REPORT 10 (2000) (arguing that the Catholic Church still demonstrates callous disregard for Jews).

34. THOMAS, *supra* note 1, at 232.

ically, Thomas ultimately credits the Mossad with strengthening Vatican-Israel ties by providing Pope John Paul II with information about who ordered his attempted assassination, but not without first resurrecting the “Christ-killer” canard.

Thomas continues his anti-Jewish assault by subtly asserting that every Jew is a potential traitor to his country. He tells the reader how the Mossad has a special recruitment tactic where it makes ethnic and religious appeals to Jews in every country to spy for Israel.<sup>36</sup> These helpers, or *sayanim*, appear throughout the book in various Mossad operations and always seem to be disloyal to their own countries in the process. As if to prove his dual-loyalty charge, Thomas writes a very slanted version of the Jonathan Pollard spy case in which he ultimately implies that every Jew, in every country, is a potential betrayer—a modern “Judas Iscariot.”<sup>37</sup>

Thomas resurrects the world “Jewish conspiracy” myth by continually referring to the “powerful Jewish lobby” and to the “Jewish media.” He claims that the Mossad manipulates world media through its *sayanim*, who spin stories favorable to Israel.<sup>38</sup> In one example, Thomas blames the Mossad for the lengthy and misguided investigations surrounding the crash of TWA Flight 800 and the Atlanta Olympic Park bombing. He contends the Mossad, through the Jewish media, misdirected investigators by planting stories of Arab involvement.<sup>39</sup> He quotes FBI Chief Investigator, James K. Kallstrom, as commenting: “If there were any way to nail those bastards in Tel Aviv for time wasting, I sure would like to see it happen. We had to check every item they slipped into the media.”<sup>40</sup> According to

---

35. *Id.*

36. *Id.* at 68.

37. *Id.* at 233. At the same time, Thomas describes an instance where CIA director William Casey genuflected to the Pope, although Thomas fails to raise similar dual loyalty concerns in regards to Mr. Casey. *Id.*

38. *But see* A.P. photo, *NEW YORK TIMES*, Sept. 29, 2000, at A5 (depicting an Israeli soldier standing over a bloody man, captioned: “An Israeli policeman and a Palestinian on the Temple Mount.”). In reality, the bloody man was Tuvia Grossman, a Jewish student from Chicago, who had just been pulled from a taxicab in Jerusalem by a mob of Palestinian Arabs and was then beaten and stabbed. The soldier, contrary to the image conveyed by the photo’s caption, was attempting to render first aid. E-mail from Aaron Grossman, M.D. (Tuvia Grossman’s father) to the *New York Times* (Sept. 30, 2000) (on file with author).

39. THOMAS, *supra* note 1, at 70-72.

40. *Id.* at 70.

one reviewer, however, Kallstrom vehemently denies making that comment.<sup>41</sup>

According to Thomas, the world Jewish conspiracy includes the United States, and he implies that the Mossad controls the U.S. presidency. He asserts that the Mossad orchestrated the Monica Lewinsky affair and had telephone sex tapes as blackmail against President Clinton.<sup>42</sup> Thomas claims the FBI was powerless to stop the blackmail or to find an alleged Israeli mole high in the Clinton White House because of “the power of the Jewish lobby in Washington and the reluctance of successive administrations to confront it.”<sup>43</sup> Unfortunately, Thomas is a century too late. In the late 19th Century, the Russian secret police manufactured their own world Jewish conspiracy theory in a fraudulent document entitled, *Protocols of the Elders of Zion*.<sup>44</sup>

Thomas acknowledges some of the more famous Mossad operations, but usually offers a negative fact or inference as if to prove his “secret history” thesis. For example, when the Mossad successfully obtained a Soviet MiG-21 from a defecting Iraqi pilot in 1966, Thomas is quick to point out that the Iraqi middleman “had Jewish roots.”<sup>45</sup> When the Mossad successfully captured Adolf Eichman in 1960 for his crimes of genocide, Thomas highlights the operational bumbling of the agents. “Operation Thunderbolt,” the Entebbe hostage rescue, was arguably the most daring strike against international terrorism the world has ever seen.<sup>46</sup> Yet Tho-

---

41. Daniel Pipes, *Beyond the Pale*, COMMENTARY MAGAZINE (June 1999) (book review of *Gideon's Spies*) (“The only problem [with the Kallstrom quotation] is that Kallstrom, with whom I have spoken, characterizes this story as ‘total nonsense’ and categorically denies ever having said any such thing. In fact, he told me, the Israeli’s were ‘extremely helpful’ in the investigation.”).

42. THOMAS, *supra* note 1, 108-12.

43. *Id.* at 106.

44. TELUSHKIN, *supra* note 5, at 469-70 (“The most famous antisemitic document in history, *The Protocols of the Elders of Zion*, is a forgery. First circulated by Russian secret police during the late 1800s, it purports to reveal the minutes of a secret meeting of world Jewish leaders conspiring to take over the world.”). See generally JOSEPH W. BENDERSKY, THE “JEWISH THREAT”: ANTI-SEMITIC POLITICS OF THE U.S. ARMY ch. 2 (2000) (asserting that U.S. Army Military Intelligence maintained the legitimacy of the *Protocols* document during the early part of the Twentieth Century).

45. THOMAS, *supra* note 1, at 52. But see DAN RAVIV & YOSHI MELMAN, EVERY SPY A PRINCE: A COMPLETE HISTORY OF ISRAEL’S INTELLIGENCE COMMUNITY (1990) 141-42 (describing how an Israeli Mossad agent posing as an American tourist in Baghdad enticed Munir Redfa to Paris and then to Israel where he agreed to fly the MiG-21 out of Iraq in exchange for money and protection of his family).

46. See WILLIAM STEVENSON, 90 MINUTES AT ENTEBBE (1976).

mas mistakenly refers to the rescue as “Operation Thunderball” and presents it as mere military adventurism staged for headlines.<sup>47</sup>

Naturally, one expects to find a dearth of books written on a secret intelligence organization like the Mossad. Therefore, an unsuspecting reader might jump to purchase *Gideon's Spies*, especially after reading Thomas's credentials on the cover. Unfortunately, Thomas used his connections and access to present a slanted anti-Israel thesis in tabloid style that lacks authority to back up his arguments. He misstates history, his sources, and the facts in a failed attempt to tell the secret history of the Mossad. According to Thomas's unproven conclusion, the underlying “secret” is that the Mossad actually controls the world.

Under the guise of simply criticizing Israel, *Gideon's Spies* tells its story by sowing the seeds of anti-Semitism into the soil of the Holy Land. Dr. Martin Luther King's comments over thirty years ago are relevant in summarizing Thomas's disingenuous approach: “When people criticize Zionists, they mean Jews. You're talking anti-Semitism.”<sup>48</sup>

---

47. THOMAS, *supra* note 1, at 149-50. *But see Operation Johathan: The Rescue at Entebbe*, MIL. REV., July 1982, at 2 (describing the detailed planning, preparations and training within the decision-making process in an interview with the deputy commander of the operation).

48. SEYMOUR M. LIPSET, *The Socialism of Fools—The Left, the Jews and Israel*, ENCOUNTER, Dec. 1969, at 24 (quoting Dr. Martin Luther King).

**ARMY RELATIONS WITH CONGRESS:  
THICK ARMOR, DULL SWORD, SLOW HORSE<sup>1</sup>**

REVIEWED BY MAJOR J. BURK VOIGT<sup>2</sup>

*Thus began the inevitable politicization of the military. With so much responsibility for virtually everything government was expected to do, the military increasingly demanded a larger role in policymaking. But in a democracy policymaking is a task best left to those accountable to the electorate. Nonetheless, well-intentioned military officers, accustomed to the ordered, hierarchical structure of military society, became impatient with the delays and inefficiencies inherent in the democratic process. Consequently, they increasingly sought to avoid it.<sup>3</sup>*

I. The Coup

When Lieutenant Colonel Charles Dunlap penned these words of a fictional prisoner in the year 2012, he was concerned about the seeds that could potentially grow into America's first military coup: increased use of military forces for inherently civil purposes; consolidation of the different services into a single armed force; and isolation of the military from the rest of American society.<sup>4</sup> Dunlap might well have added the direct participation of military leaders in the political process to his list. Stephen Scroggs, in his book, *Army Relations With Congress: Thick Armor, Dull Sword, Slow Horse*, urges such participation by the Army, an Army where the military leadership should circumvent its executive branch, civilian chain of command to privately lobby members of Congress.

---

1. STEPHEN K. SCROGGS, *ARMY RELATIONS WITH CONGRESS: THICK ARMOR, DULL SWORD, SLOW HORSE* (2000).

2. Judge Advocate General's Corps, U.S. Army. Written while assigned as a student, 49th Judge Advocate Officer Graduate Course, The Judge Advocate General's School, U.S. Army, Charlottesville, Virginia.

3. Charles J. Dunlap, Jr., *The Origins of the American Military Coup of 2012*, *PARAMETERS*, Winter 1992-93, at 8.

4. *Id.* at 1.

## II. The Scenario

In 1994, the U.S. Marine Corps initiated a successful campaign in the halls of Congress for legislation to force the U.S. Army to transfer eighty-four M1A1 tanks to the Marine Corps without reimbursement. The Marine Corps had previously sought the transfer of these tanks within the executive branch and had been turned down by the Administration, the Secretary of Defense and the Joint Chiefs of Staff.<sup>5</sup> Stephen Scroggs,<sup>6</sup> who worked hard as a congressional staff officer to defeat this raid by a sister service, feels that the Army lost this battle, and loses other resource battles daily, because of a cultural trait peculiar to the Army.<sup>7</sup> This cultural trait discourages organizational self-promotion and the concomitant lobbying of Congress for needed resources.<sup>8</sup> He attempts to support this conclusion with a myriad of interviews,<sup>9</sup> all seeming to suggest that the solution to the Army's resource problems is to emulate the other services by having senior Army officers privately lobby members of Congress and their staffs.<sup>10</sup>

## III. The Culture

Scroggs establishes his definition of "culture" as "patterned values, beliefs, or attitudes shared and passed to new members of [an] organization or group."<sup>11</sup> This culture becomes an organizational trait that limits the choices a group will consider in dealing with future problems or events.

---

5. SCROGGS, *supra* note 1, at 176.

6. Stephen Scroggs retired from the U.S. Army in 1996. His last duty assignment was as a congressional staff officer, an "LL", for the Secretary of the Army Legislative Liaison. He served in this position from 1992 to 1996 in the rank of lieutenant colonel. *Id.* at 267.

7. *Id.* at 112.

8. *Id.* at 111.

9. Scroggs provides numerous quotes from these interviews; however, he rarely identifies the actual interviewee making key comments. This denies the reader the ability to evaluate the weight Scroggs has given to a comment in support of Scroggs' advocated position. In addition to numerous congressional staff members and military legislative assistants, Scroggs catalogs his interviewees as including: among the military—twenty-four Army general officers (thirteen four-star, eight three-star, two two-star, and one one-star generals); five chiefs of staff of the Army going back to 1976; several regional commander in chiefs; former chiefs of Legislative Liaison; Corps commanders; one Marine three-star general officer; and among the civilian leadership—one Secretary of the Army; one Under Secretary of the Army; and one Deputy Assistant Secretary of the Army. *Id.* at 162.

10. *Id.* at 216-19.

11. *Id.* at 112.

Scroggs believes that the Army operates under one particular attitude or trait—the rejection of organizational self-promotion. He stresses that this cultural trait becomes a major liability for the Army when it competes for resources with the other services that thrive on self-promotion.

Organizationally, the Army teaches and breathes coordination—teamwork. The Army's very size, complexity, and broad scope of missions dictates this. Teamwork is the antithesis of self-promotion. A new second lieutenant platoon leader begins his military career learning that he cannot move forward or backward, to his right or to his left, without coordination for necessary support, transportation, and food. He also quickly discovers that failure to coordinate can subject him to friendly as well as hostile fire.<sup>12</sup> This lesson is reinforced at a larger scale by the Army's dependence on the Air Force and the Navy for transportation to the battlefield.<sup>13</sup>

Conversely, the other services' cultures encourage self-promotion.<sup>14</sup> A naval officer focuses on his ship, a self-contained weapons system. As the captain of his ship, he is expected to be independent in his decisions and actions. This is equally true for an Air Force pilot. Moreover, the very existence of the Navy and the Air Force depends on major, self-contained, and expensive weapons systems. This requires these services to justify and sell their programs on Capitol Hill continually.<sup>15</sup>

While similar to the Army in its dependence on others for support and its independence from major weapon systems, the Marine Corps suffers from its own unique cultural trait. Scroggs quotes a description of this trait given by an unidentified senior flag officer, obviously not a Marine.

Now while Marine leaders have many parallels with Army leaders in combat, they are driven by their fear of institutional relevancy and going out of existence. You must remember they were initially formed to conduct the mission and serve the role of bodyguards to keep Navy Captains alive from their own crew. Their moral capacity to lead in a George Marshall sense of duty runs counter to their self-seeking and promoting frenzy that puts

---

12. *Id.* at 133.

13. *Id.* at 136.

14. Scroggs quotes an unidentified general officer's observation: "A Navy Captain or Air Force pilot will eat before their men eat. Self-promotion is expected. An Army officer in a leadership position eats last after all his men have eaten. Self-promotion is not expected or rewarded." *Id.* at 168 n.80.

15. *Id.* at 123-24.

Marine Corps interests before the nation's interests. Their loyalty to the Corps pervades their every action.<sup>16</sup>

So the Army alone recognizes no need for self-promotion, with its citizen-soldiers rather than the major weapon systems of the Air Force and Navy, and with its lack of the Marine's fear for losing institutional relevancy. Nevertheless, what is a virtue on the battlefield, Scroggs maintains, needs to change in the campaign for resources on Capitol Hill.<sup>17</sup>

#### IV. Liaising

To overcome the Army's inherent aversion to lobbying, Scroggs follows a subtle stratagem in his presentation. First, he creates a new term to make lobbying more palatable to the Army reader.<sup>18</sup> He calls it "liaising."<sup>19</sup> The focus of this "liaising" activity is the Army's Legislative Liaison Office (LLO) on Capitol Hill. Next, Scroggs attempts to differentiate between public lobbying as virtuous and private lobbying as disdainful.<sup>20</sup> He lumps laudable public relations activities of the Army, such as showcasing its training centers, with the problematic practice of senior Army officers paying informal visits to individual members of Congress to discuss Army needs off-line.<sup>21</sup> Finally, he tries to rationalize "liaising" by asserting that Congress's role in the command and leadership of the military is comparable to that of the executive branch.<sup>22</sup>

Each of the armed services has an LLO on Capitol Hill to serve as that service's primary interface with Congress. Benefits of this collocation are numerous. It gives Congress readily available, subject matter experts on military matters.<sup>23</sup> It also provides an additional conduit of communication between the executive branch and Congress for military-related concerns and interests.<sup>24</sup> And, most important, each service represents and supports executive branch defense programs and policies.<sup>25</sup>

The staff of the LLO represents the particular service secretary, who, in turn, represents the Secretary of Defense. All the different service sec-

---

16. *Id.* at 135.

17. *Id.* at 113.

18. "For the benefit of the military, and especially the Army audience, this representational lobbying activity will be referred to as 'liaising' and will be differentiated from similar activities of private lobbyists in the nation's capital." *Id.* at 1.

19. "Communicating directly to establish and maintain mutual understanding between an agency and Congress is liaising activity." *Id.* at 2.

retaries and the Secretary of Defense are civilian political appointees. This organizational structure represents our traditional civilian control of the military by officials who are politically accountable.<sup>26</sup>

A dedicated legislative liaison staff for each service obviates the need for the various individual military commands or components to establish their own connection with Capitol Hill. More important, it allows each

---

20. Webster's describes a "lobbyist" as "a person, acting for a special interest group, who tries to influence the introduction of or voting on legislation or the decisions of government administrators." WEBSTER'S NEW WORLD DICTIONARY (2d ed. 1972). This definition makes no distinction between a public and a private lobbyist, or between a public and a private special interest group. Scroggs feels there is a difference. Unlike private lobbying, he stresses that the public "liaising" he is advocating is not for personal gain.

[Senior Army officers would be] engaged as public servants whose goals are institutional enhancement, bettering the condition of the Armed Forces personnel in the field, and contributing to defense and the general welfare of the nation by enhancing the ability of Congress to make informed decisions pertinent to the conduct of their oversight and legislative responsibilities in defense matters. Open communication and mutual understanding of concerns require credible and trusted relationships that LL officers and senior service leaders "liaise" to establish and maintain.

SCROGGS, *supra* note 1, at 2-3.

The only public lobbying activities that Scroggs recognizes as prohibited involve grassroots campaigns directed at Congress that are supported by appropriated funds. *Id.* at 5-6. All other proactive interaction with Congress is mere "liaising." *Id.* at 2.

21. Scroggs suggests ways the Army could improve its general public relations with members of Congress and their staffs on Capitol Hill. For example, the Army might follow the lead of the other services by allowing congressional staff members the opportunities to visit military bases, drive tanks, and jump from airborne training towers. It could lower the average age of the military personnel working at the Army LLO so that they would better relate to the generally younger congressional staffers. The Army could host informal social events directed at these younger staffers. And, LLO duty should be made a mid-career assignment rather than a terminal assignment, as it evidently is today. All of these suggestions are valid public relations points to consider, and he weaves them throughout his book. However, they are not at the heart of his argument. The clear agenda that he advocates is for the Army LLO and senior military leadership to begin aggressively "liaising" Congress.

22. *Id.* at 42.

23. *Id.* at 35. Services also make points by assisting congressional members with constituents' requests for information and help on matters involving the service. *Id.* at 38.

24. *Id.* at 33.

25. *Id.* at 13.

26. *Id.*

service to speak with “one voice” and “one message” to members of Congress. At the same time, it gives Congress a single point of contact for service-related matters.<sup>27</sup> Unfortunately, this “one voice-one message” stops at the service level as each LLO competes with the other services’ LLOs in promoting its service’s needs ahead of, and often to the exclusion of, its sister services. In this frenzy for resources on Capitol Hill, Scroggs believes that the Army’s inability to promote itself with external audiences becomes a liability.<sup>28</sup>

#### V. The Army Message

Scroggs argues that the Army fails to sell its message on Capitol Hill. The message he proposes, however, is not a message the Army can or should sell: “why an Army and why this size?”<sup>29</sup> One former chief of staff of the Army pointed out to Scroggs that “why an Army” is self-evident.

There has always been an Army. The Army is a product of the people of this country. The Army wins the wars of our nation. We don’t have to justify the need or relevancy of an Army. America requires an Army. . . . There will always be an Army. Therefore Army officers don’t have to justify and are therefore less inclined to do so. The sense of the Army and American people being inextricably linked goes beyond statute, but is in the militia cause and its citizen-soldier (not sailor, airman or Marine) implications. The roots of America and the Army go back to [Army] General George Washington.<sup>30</sup>

The size of the Army is not as patently obvious. The Army’s size and structure are totally dependent on the policies and goals laid out by its civilian leadership. This is how it must be in a democracy.<sup>31</sup> The *raison d’être* of the military is “to fight or be ready to fight wars should the occasion arise.”<sup>32</sup> In the aftermath of the Cold War, however, the mission of the Army has expanded into areas never before known, for example, law enforcement, drug interdiction, peacekeeping, and disaster relief.<sup>33</sup> If unfettered by the hand of civilian leadership, what independent missions would the Army legitimately undertake? What missions would it refuse?

---

27. *Id.* at 35.

28. While Scroggs uses the term “external audiences,” his focus is on members of Congress and their staffs. *Id.* at xiv.

29. *Id.* at 96.

30. *Id.* at 123-24.

How large would it be? What American values would it commit young soldiers to die for? And, most important, against whom would it unsheathe its sword? The armed forces, and especially the Army, exist to defend the civilian government, not to supplant it.<sup>34</sup> The role of the military in policymaking is necessarily limited to providing the best military advice possible to the civilian leadership in furtherance of the civilian leadership's goals.<sup>35</sup>

#### VI. The Chain of Command

Military services are members of the executive branch and, as such, are answerable to the President. They work directly for the politically appointed service secretaries and indirectly for the politically appointed Secretary of Defense.<sup>36</sup> It is the responsibility of the politically accountable civilian officials to provide direction to the military services and to

---

31.

Clearly seen in the Articles of Confederation is a great fear of standing Armies. Standing Armies were to be maintained only during times of war. The creation of an active and militia Army in the Constitution, defense appropriations no longer than two years, and posse comitatus are all based on this early fear of active duty armies. The legacy and sensitivity of Army commanders to these fears and concerns started with Washington and were manifest in General Washington's refusal to assume leadership as King in the Newburg conspiracy. The Army's more overt subservience to civilian leadership, with the "can do" attitude being just one manifestation, impacts on the other services by setting a positive example.

*Id.* at 145 (quoting Interview with Honorable Jack Marsh, Secretary of the Army, 1980-88, in Washington, D.C. (Aug. 17, 1995)).

32. *Parker v. Levy*, 417 U.S. 733, 743 (1974).

33. It might be argued that the Army is, in fact, selling itself as it fights to maintain its post-Cold War size and budget.

34. "When the military is politically active, when it believes it is uniquely aware of certain dangers, when it discusses responding to domestic threats to cherished values, then it edges toward becoming an independent actor in domestic politics." Thomas E. Ricks, *The Widening Gap Between The Military And Society*, ATLANTIC, July 1997, at 19.

35. SCROGGS, *supra* note 1, at 120.

36. *Id.* at 13.

promote any missions involving the military to Congress. Congress maintains a fiscal constraint on this immediate civilian leadership.<sup>37</sup>

The framers of our Constitution observed the abuses in England where the King had the power both to direct and to raise and maintain an army.<sup>38</sup> They purposely separated these functions to balance the control of the military between the two branches of government. The President is to direct the military as the Commander-in-Chief.<sup>39</sup> Congress is to constrain the use of the military by its power to declare war (as opposed to make war) and its authority to raise and maintain the Army through two-year appropriations.<sup>40</sup> Scroggs acknowledges this built-in tension between the two branches but argues that the military has some independent voice in the process.

The Constitution expects and promotes this nuanced conflict and tension between the legislative and executive branches. What the Constitution does not safeguard against is service culture that makes certain services less willing to participate *in this conflict* and less prepared to participate effectively. This is the danger that emanates from an imbalance in advocacy efforts being made by different services on the Hill.<sup>41</sup>

Scroggs further makes clear that when the service secretary, the Secretary of Defense, or the Administration denies the Army a request, the Army should be prepared, like the other services, to take that request to Congress.

The Army's view of itself as the nation's obedient servant works against Army leaders taking institutional interests to Congress that have been ignored in the Pentagon. This dimension is related to the previous one of teamwork and dependency, that in this case stresses obediently doing one's part as a prerequisite for

---

37. Robert R. Ivany, *Soldiers and Legislators: A Common Mission*, PARAMETERS, Spring 1991, at 8.

38. THE CONSTITUTION OF THE UNITED STATES, ANALYSIS AND INTERPRETATION 340 (Johnny H. Killiam ed., 1982).

39. "The President shall be Commander in Chief of the Army and Navy of the United States." U.S. CONST. art. II, § 2, cl. 1.

40. "Congress shall have the power to . . . declare war . . . raise and support Armies . . . [and] make rules for the Government and regulation of the Land and Naval forces . . ." U.S. CONST. art. I, § 8, cls. 11-14.

41. SCROGGS, *supra* note 1, at 49 [emphasis added].

the success of the larger whole. This makes it more difficult for an Army leader to speak out to the congressional audience against executive branch positions that are viewed by the Army leader as antithetical to Army interests.<sup>42</sup>

This proposal, that battles lost in the executive branch be pursued independently in the legislative branch, challenges the real essence of Army culture—adherence to the chain of command. The Army is a hierarchical organization. It could not function if political debate and compromise preceded each campaign, each action. It must respond to one leader. The framers recognized this; nowhere in Congress's Article 1, section 8, enumeration of powers over the military is command conferred.

## VII. Conclusion

Scroggs seems naïve of the political process and the inherently divergent pressures brought to bear on members of Congress. Which political party should the Army lobby? How should it lobby them?<sup>43</sup> Strategic military programs for a member of Congress might be those that funnel fed-

---

42. *Id.* at 113-14.

43. In 1990, 60% of the Department of Defense line items were changed by Congress. Congressional staffers attributed many of these changes to end-run service initiatives to circumvent the Secretary of Defense's decisions. Robert R. Ivany, *Soldiers and Legislators: A Common Mission*, PARAMETERS, Spring 1991, at 2.

eral dollars and jobs into his home district or state. What does the Army bring to the bargaining table?<sup>44</sup>

According to Scroggs, the articulated missions for the Army as determined by its *civilian* leadership cannot determine the Army's share of the defense budget.<sup>45</sup> In the checks and balance system set up by the framers, the Army may very likely not get sufficient resources from the legislative branch to meet the missions directed by the executive branch; however, this does not justify the Army military leadership circumventing its civilian chain of command and directly and privately lobbying Congress as Scroggs advocates.

The military leadership must support and respect the checks and balances built into our government. They must manage the Army honestly within the fiscal constraints Congress imposes; however, they must also make known the true state of the military to the Administration and to Congress: "With this much funding, we can do this much mission."<sup>46</sup>

While the line must be clear marking the extent of missions directed by the executive branch that can be performed given the funding allocated by the legislative branch, equally clear must be the line that prohibits the trespass by military leadership into the area of political policy. Scroggs concludes that the national security of our country is in jeopardy unless there is a change in status quo that would permit and encourage Army military leadership to privately lobby Congress for the "true needs" of the

---

44. One member of the House National Security Committee expressed his attitude towards the Army as:

I see the Army and the other services as just another government agency asking for a handout that I don't have to give. At times, with our deficit situation, I feel as if I am an executor of a bankrupt organization. My predecessor saw the Army, the other services, and the DOD leadership as special. In my eyes, they are no longer special. I see them as I see those advocating housing, highways, or education. These are different times and I'm a different Member from those who served in World War II.

SCROGGS, *supra* note 1, at 56 (quoting Interview Unidentified Member, House National Security Committee, in Washington, D.C. (Jun. 29, 1995)).

45. *Id.* at 150-54, 225.

46. *Id.* at 147-49.

Army.<sup>47</sup> In reality, it is the undisguised politicization of the military he advocates that jeopardizes national security.

*Army Relations With Congress: Thick Armor, Dull Sword, Slow Horse*, proposes many commonsensical changes that would make the Army's relations with Congress more effective. The backdoor lobbying of individual members of Congress that Scroggs promotes, however, would result in a weakening of executive branch control. The military leadership of the Army, as well as the other services, must reject this proposal as contrary to the very concept of civilian leadership of the military.

---

47. *Id.* at 238-39.