

Military Officers as Neo-Classical Professionals: Guardians of the Republic, Not Merely Servants of the Regime

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If the civilians permit the soldiers to adhere to the military standard, the nations themselves may eventually find redemption and security in making that standard their own.

Samuel P. Huntington, *The Soldier and the State*¹

These precepts will guarantee not only their own integrity, but also the integrity of the community which is in their safekeeping.

Plato, *The Republic*²

You, the officers, the men and women of the Armed Forces of today, are the nation's Guardians, Guardians of today.

Gen. John W. Vessey, Jr., *A Concept of Service*³

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1. SAMUEL P. HUNTINGTON, *THE SOLDIER AND THE STATE* 466 (1957).
 2. PLATO, *THE REPUBLIC* 122 (Robin Waterfield trans., Oxford 1993).
 3. John W. Vessey, Jr., *A Concept of Service*, 51 NAVAL WAR C. REV. 153, 155 (1998).

ABSTRACT

*This paper is the first step in developing a neo-classical theory of the military officer corps as a functionalist profession. It unpacks the central paradox of Samuel P. Huntington's *The Soldier and the State*: Why does an account that begins with a call for a highly professionalized officer corps to obey the orders of any legally legitimate civilian regime end with the promise that humanity can achieve both security and redemption if all the nations of the world adopt core military values? How can "militarize the military," Huntington's solution to the classical question of civilian/military relations—Plato's "Who guards the guardians?"—come to mean "militarize the civilian"? The answer is that military values, seen as a proper subset of functionalist professional values, come to the same as the values of classical republicanism: The fullest and widest possible development of all forms of human excellence or, in a more modern phrase, no child left behind.*

INTRODUCTION: THE FIRST OF TWO CLASSIC ANSWERS TO THE CLASSICAL QUESTION

But are not these spirited natures apt to be savage with one another, and with everyone else? . . . Whereas, I [Socrates] said, they ought to be dangerous to their enemies, and gentle to their friends; if not, they will destroy themselves without waiting for their enemies to destroy them. . . . [H]ow shall we find a gentle nature which is also a great spirit, for the one is the contradiction of the other?

Plato, *The Republic*⁴

The Founders' Constitution acknowledges in its preamble the twin needs to "ensure domestic tranquility" and to "provide for the common defense."⁵ Our fundamental law has thus always recognized a pre-condition of any civil society: Security against violent attack, from within or without. But, as the body of the Constitution implicitly

4. PLATO, 2 THE REPUBLIC 374B (Benjamin Jowett trans., Oxford 3d ed., 1908) (interlocutor's responses omitted).

5. U.S. CONST. pmbl.

acknowledges,⁶ meeting that pre-condition immediately poses a problem noted at least as long ago as Plato's *Republic*: How best to guard our guardians—or more precisely, how to ensure the loyalty of those of our guardians whom we authorize to use violence to keep the peace, at home as well as abroad.

This question has, of course, continued to bedevil political societies, republican and otherwise, both in theory and in practice, right down to our own day. Just past the middle of the last century, two American theorists, Samuel P. Huntington⁷ and Morris Janowitz,⁸ offered a pair of answers that, together, have dominated discussion ever since; if not as thesis to antithesis, then as theme to counterpoint.⁹

6. See U.S. CONST. art. I, § 8, cl. 12–14 (granting Congress the power “[t]o raise and support Armies,” “[t]o provide and maintain a Navy,” and “[t]o make Rules for the Government and Regulation of the land and naval Forces”); *id.* art. II, § 2, cl. 1 (making the President “Commander in Chief of the Army and Navy”); see also HUNTINGTON, *supra* note 1, at 177–89 (explaining how these constitutional clauses allow for only a limited degree of civilian control of the military).

7. HUNTINGTON, *supra* note 1.

8. MORRIS JANOWITZ, *THE PROFESSIONAL SOLDIER: A SOCIAL AND POLITICAL PORTRAIT* (2d ed. 1971).

9. See Risa A. Brooks, *Militaries and Political Activity in Democracies*, in *AMERICAN CIVIL-MILITARY RELATIONS: THE SOLDIER AND THE STATE IN A NEW ERA* 212, 213 (Suzanne C. Nielsen & Don M. Snider eds, Johns Hopkins Univ. Press 2009) (“Today, the culture of the officer corps of the United States military is infused with these ideas [about an apolitical military, from Huntington’s analysis].”); Peter Feaver, *The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control*, 23 *ARMED FORCES & SOC’Y* 149 (1996); Lloyd J. Matthews, *Introduction to Part V: The Army Profession and the Army Ethos*, in *THE FUTURE OF THE ARMY PROFESSION* 385 (2005) (referring to “the traditional Huntingtonian view of military professions” as “still the dominant view within the Army”); Suzanne C. Nielsen, *Rules of the Game? The Weinberger Doctrine and the American Use of Force*, in *THE FUTURE OF THE ARMY PROFESSION* 627, 632 (2005) (describing *The Soldier and the State* and *The Professional Soldier* as “the acknowledged classics of American civil-military relations”); Suzanne C. Nielsen & Don M. Snider, *Conclusions*, in *AMERICAN CIVIL-MILITARY RELATIONS: THE SOLDIER AND THE STATE IN A NEW ERA* 212, 290, 308 (“Huntington—and a few years later Morris Janowitz with *The Professional Soldier* (1960)—played a leading role in the move after World War II by political scientists and sociologists to broaden their focus from individual soldiers and small groups to the corporate organization of the military and its relationship to the state and the society it serves.”); David R. Segal & Karin De Angelis, *Changing Conceptions of the Military as a Profession*, in *AMERICAN CIVIL-MILITARY RELATIONS: THE SOLDIER AND THE STATE IN A NEW ERA* 195 (“The publication of Samuel P. Huntington’s *The*

Many other perspectives have, of course, been offered since theirs, but Huntington and Janowitz have framed the debate, and any adequate answer today must take the insights of both fully into account.¹⁰

Reduced to its essence, their debate comes to this: Huntington takes military professionalism as the path to proper military/civilian relations, the way to keep the military subservient to the state without diminishing its capacity to defend the state against violent attacks. Janowitz sees military professionalism as impaling us on both horns of that very liberty/security dilemma. Unless the values of military professionalism are supplemented with divergent civilian values, in his view, the military will not only threaten civilian values but also suffer in its core defensive mission.

Since Janowitz answered Huntington in 1960, most commentators on civilian/military relations in America and the rest of the West have sided with one or the other, subject to various refinements, or have come down somewhere in the middle, in favor of some sort of synthesis, on the same basic assumptions.¹¹ This paper anticipates a very different synthesis, which questions the two basic premises that Huntington and Janowitz shared: First, that our military, like all militaries, is essentially “conservative” in ways that place its values fundamentally

Soldier and the State in 1957 and Morris Janowitz’s *The Professional Soldier* in 1960 altered the way American social science views the military profession, the armed forces more generally, and the nature of civil-military relations.”) (citation omitted); *id.* (“[I]t is time to update the foundations that Huntington and Janowitz provided for the study of military professionalism.”).

10. See Peter D. Feaver & Erika Seeler, *Before and After Huntington: The Methodological Maturing of Civil-Military Studies*, in AMERICAN CIVIL-MILITARY RELATIONS 72, 73 (“[I]t is almost impossible to think or write about civil-military relations without engaging Huntington.”); *id.* at 77 (“Most subsequent research in civil-military relations can be traced to one or both of these intellectual bloodlines, Huntingtonian and Janowitzean.”); Suzanne C. Nielsen & Don M. Snider, *Introduction*, in AMERICAN CIVIL-MILITARY RELATIONS 2 (“Huntington’s work remains a useful starting point for an urgently needed review of the realities and challenges facing American civil-military relations.”).

11. See, e.g., SAM C. SARKESIAN & ROBERT E. CONNOR, JR., THE US MILITARY PROFESSION INTO THE TWENTY-FIRST CENTURY (1999); SOLDIERS AND CIVILIANS: THE CIVIL-MILITARY GAP AND AMERICAN NATIONAL SECURITY (Peter D. Feaver & Richard H. Kohn eds., 2001); Jon Rahbek-Clemmensen et al., *Conceptualizing the Civil-Military Gap: A Research Note*, 38 ARMED FORCES & SOC’Y 669 (2012); Suzanne C. Nielsen, *Civil-Military Relations Theory and Military Effectiveness*, 10 PUB. ADMIN. & MGMT. 61 (2005).

at odds with the West's distinctively "liberal" civilian values. Second, that "professionalizing" the military means inculcating in its officers their occupation's "conservative" values to the virtual exclusion of their broader culture's "liberal" values, which, in turn, entails having officers obey, rather than question, civilian authorities' assessments of those values.

Looking back to Plato, this paper suggests both a new analysis of civilian/military relations and a neo-classical synthesis of civilian and military values. In this analysis, the basic conflict in Western societies is not between civilian "liberalism" and military "conservatism," but rather between the military's "conserving" of "positive liberty"—the "liberty of the ancients"—in the face of the West's drift toward "negative liberty"—the "liberty of the moderns." On this view, populism and consumerism, the economic and political aspects of the "negative liberty" of the moderns, threaten to undermine the foundation of "positive liberty," grounded in a rational understanding of the public good, which both our military and our civilian culture share with classical republicanism.¹² On that common ground we can build a synthesis that relieves current conflicts between military officers and civilian authorities by properly coordinating the one with the other.

This paper takes the first step toward that new synthesis, a critical re-assessment of Huntington's original thesis. It unpacks the basic paradox of Huntington's great study: Why, setting out to show how all societies, whatever their civilian values, can best subordinate military power to civilian authority, Huntington comes around to the view that humankind's best hope is for the civilian authorities of all national regimes to embrace universal military values? How, beginning with a proposal to "militarize the military," can he end with a proposal to "militarize the civilian"? The answer is at least as great a paradox. Huntington's solution to the problem of civilian/military relations classically posed by Plato is, at bottom, a brilliant modernization of Plato's own solution: Military officers and civilian authorities must be parallel professions serving the same common good in a society that, as a matter of military necessity, offers all of its citizens the greatest possible opportunity for the fullest human flourishing.

12. Isaiah Berlin, *Two Concepts of Liberty*, in *FOUR ESSAYS ON LIBERTY* 118 (1970).

Part I shows how Huntington's solution to the classical problem, "militarize the military,"¹³ entails an ingenious application of the functionalist sociologists' theory of professionalism to the military officer corps. Basically, military officers' professional knowledge would ensure their ability to guard the homeland against violent attack, even as their professional virtue ensured that they themselves would never become the attackers. And this would be the optimal relation between military officers and civilian authorities, according to Huntington, even if civilian authorities do not share the military's functionally conservative professional values. This is the keystone of Huntington's model; in his own words: "A highly professional officer corps stands ready to carry out the wishes of any civilian group which secures legitimate authority within the state."¹⁴

But this sounds suspiciously like the Nuremberg "defense," and Huntington is no friend of the Nazis. Something is surely amiss. This is not quite simply too good to be true; it is quite too good to be true this simply. Huntington's dual solution, military competence and obedience, entails a double mistake: He over-emphasizes one aspect of professional virtue, even as he wholly overlooks a second, equally important, aspect. Counter-balancing professionals' basic duty, to use their knowledge for their principals' purposes rather than their own, is the professionals' coordinate duty: To ensure that their principals do not themselves abuse the power of their professional agents' knowledge. Huntington's model rightly implies that military officers have a distinctly professional duty not to disobey civilian authority for reasons of their own, even as it wrongly implies that military officers have no distinctly professional duty to disobey civilian authorities who violate their own duties and thus abuse their own public trust. Huntington seems to have missed General Vessey's point, and Plato's: Ultimately, military officers are not servants of the state, but guardians of the republic.

Huntington's model works well enough, in its own terms, when professional military officers are matched with what he calls "statesmen," civilian authorities who know and serve the public good. Huntington's model would work best, to paraphrase Plato, when

13. HUNTINGTON, *supra* note 1, at 83 ("Objective civilian control achieves its end by militarizing the military, making them the tool of the state.").

14. *Id.* at 84.

philosophers are kings (or kings, philosophers);¹⁵ it works very badly when civilian authorities are merely politicians. And it works worst, sometimes to the point of genocide or nuclear Armageddon, when civilian authorities are mad, or bad, or both.

Part II shows the problems, but also the promise, of putting Huntington's theory through its paces, in two distinct sets of circumstances that Huntington himself identifies: The first-best situation, in which civilian authorities share the military's functionally conservative values and match their professionalism, and the second-best situation, in which civilian authorities lack common values, equivalent professionalism, or both. Because all of Huntington's second-best situations press him toward his first-best, we begin with them. Where military and civilian values differ, as Huntington shows with German Nazism, American liberalism, and Soviet communism, the mismatch threatens either the military success of a distinctly unsavory regime, as in the case of Nazism, or the mutually assured destruction of both contenders, as in the case of the Cold War between American liberalism and Soviet communism.

This is the classic problem of the second best: Measures that would produce optimal outcomes in the ideal situation—here, military obedience to proper civilian authority—necessarily produce suboptimal outcomes in any other, non-ideal situation.¹⁶ Stated less formally, the best is the enemy of the good. In Huntington's case, this means that a system proposed as the best possible means for all civilian value systems to secure a loyal and effective military presses inexorably toward a system in which civilian authorities and their military share the same value system, and that value system is the military's functional conservatism. This sounds, at bottom, more than a bit paradoxical—surrendering civilian values in order to save them.

What's more, when we turn to Huntington's first-best situation, in which the military and civilian authorities share the military's conservative values, we find two more paradoxes, one at the level of practice, the other at the level of theory. At the practical level, all of Huntington's historical examples of "conservative" political regimes prove

15. PLATO, *supra* note 2, at 157 ("Unless . . . philosophers bear kingly rule in cities, or those who are now called kings and princes become genuine and adequate philosophers . . . there will be no respite from evil . . .").

16. See R.G. Lipsey & Kelvin Lancaster, *The General Theory of Second Best*, 24 REV. ECON. STUD. 11 (1956).

either politically unappealing, like Bismarck's Prussia; militarily ineffective, like squirarchical England; or both, like the unreconstructed American South. Huntington's military conservatism is supposed to be deeply historically conscious;¹⁷ all his historical examples of political conservatism raise at least as many problems of military/civilian relations as they solve.

At the theoretical level, the paradox is even more profound. The military's chief values, Huntington tells us at the outset, are loyalty and obedience to civilian authority; the only real solution to the problem of military/civilian relations, he tells us at the end, is for civilian authorities to embrace military values. But who, then, will both the military and their civilian masters obey, and to whom will their common loyalty lie? One prospect, surprisingly, is God; that is at least a little odd, not only for a secular republic like ours, but also for a military that eschews all mysticism and traditionalism alike in the name of instrumental reason.

But a paradox is not a contradiction.¹⁸ As we will see in Part III, the ultimate paradox of Huntington's analysis, moving from "militarizing the military" to having the entire world embrace military values, may very well be, even as he says in his final sentence, humanity's best hope, not only for security, but also for redemption. Following Huntington's lead, we unpack this paradox in three steps. The first is to see that the functional values of the military provide both a minimum and an optimum for civilian politics. The minimum, security, is very low indeed: Nothing that threatens the destruction of the nation, as Nazism did, or the world, as nuclear holocaust has since the Cold War. But the optimum, redemption, is quite high: Nothing less than human excellence in all its imaginable forms, to the greatest extent possible. This social optimum, we will see, derives from the functional demands of the military itself. The nation is militarily strongest whose citizens are healthiest and best educated, irrespective of economic or ethnic background, race, color, creed, or sex.

17. HUNTINGTON, *supra* note 1, at 64 ("The military ethic thus places unusual value upon the ordered, purposive study of history.") (footnote omitted).

18. Cf. Richard H. Kohn, *Building Trust: Civil-Military Behaviors for Effective National Security*, in AMERICAN CIVIL-MILITARY RELATIONS 264–65 ("From the very beginning of its extraordinary scholarly life, *The Soldier and the State* contained numerous contradictions and errors that undermined its argument.").

The second step in unpacking Huntington's "militarize civilian society" paradox is to see that what both military and civilian leaders obey is this imperative: The proper job of any civilian regime that wants to be militarily strong is to ensure the greatest possible opportunity for excellence to the greatest number of its citizens. The ultimate military value is thus not to obey any legally legitimate civilian authority, but rather to look to the same set of values to which proper "statesmen" would look: The common good. This, in turn, produces a very different second-best—military officers are always to act under two coordinate criteria: First, so as to produce, under current conditions, the outcome most like that which would be produced by optimum conditions and, second, so as to move current conditions toward optimum conditions.

This brings us to the third and final step in unpacking Huntington's paradox; here we cross the critical threshold into Plato's *Republic* from an unexpected direction. Huntington's own first-best, remember, is rule by civilians who match military professionals in both their values and their expertise in realizing those values; this is but another way, we will see, of saying that the wise should rule for the good of all. In Plato's *Republic*, "good" is left, at best, a bit ambiguous, except on two points: All children, male and female, must be educated to their fullest individual potential; the fullest human potential is serving as the guardian of just such a regime. In Huntington's *The Soldier and the State*, we have the grounding of these fundamental civilian values in optimal military function.

And this means, finally, that military officers play an even more important role for Huntington than for Plato. For Plato, military officers are secondary guardians, auxiliaries who carry out the orders of the proper guardians, the wise who rule for the good of all;¹⁹ for Huntington, properly professional officers are those who press civilian

19. PLATO, *THE REPUBLIC* 94 (A.D. Lindsay trans., Everyman's Library 1993) ("Then it is really most correct to give these the name of perfect guardians, inasmuch as they watch over both enemies without and friends at home, taking care that the first shall be unable, and the second unwilling, to do harm; and to call the young men, whom we formerly counted as guardians, auxiliaries, and upholders of the doctrines of the rulers?"); see also Carl Ceulemans & Guy van Damme, *The Soldier and the State: An Analysis of Samuel Huntington's View on Military Obedience Toward Political Authority*, 10 *PROF. ETHICS* 7, 8 (citing this passage as anticipating Huntington's subordination of military officers to civilian authorities).

authorities to be all that they should be. For Huntington, then, it is the military officers, in a very real sense, who ultimately guard the guardians. For Plato, society will be just only when philosophers become kings, or kings philosophers. For Huntington, it is military officers, as experts in the common good, and thus philosophers, who will both prevent civilian authorities from destroying society and press civilian authorities toward justice itself. And thus, in a very real sense, the universal embrace of military values, as Huntington reveals them, may be our best hope for not only security, but also redemption.

I. PROFESSIONAL SOLDIERS FOR WESTPHALIAN STATES:
HUNTINGTON'S OFFICER CORPS AS A FUNCTIONALIST PROFESSION

A highly professional officer corps stands ready to carry out the wishes of any civilian group which secures legitimate authority within the state.

Huntington, *The Soldier and the State*.²⁰

Huntington significantly sharpens the classical question of civil-military relations posed by Plato: How to keep a society's military subservient to, not subversive of, the society's fundamental values. Huntington explicitly recognizes what Plato implied: Different societies, at different times and places, could embrace different fundamental values. He wrote from the perspective of the America's liberal democracy, in the ruins of Fascism and Nazism and in the immediate shadow of Soviet and Chinese communism. He believed that the professionalization of the military along functionalist lines would answer not only the particular problem of civilian/military relations in American liberal democracy, but also in all other contemporary political cultures as well. No other arrangement, he was convinced, could strike the necessary classical balance under modern conditions. A military best prepared to defend the regime it served, but least tempted to overthrow that regime.

To understand how he proposed to re-strike the classical balance, then, we must look first at why he thought the modern military had to be professionalized to perform its essential protective function, then at how he thought that same professionalization would prevent the

20. HUNTINGTON, *supra* note 1, at 84.

military from turning on its civilian masters. This was an extraordinary theoretical advance, both in re-framing the classical question and in suggesting what may well be the most viable modern answer.

A. Twin Imperatives in Tension: Guarding the Republic and Guarding the Guardians

Both Huntington and Plato took to be universal inherent tension between the necessary strength of the military and the relative vulnerability of the civilian society it protects. Huntington analyzed that tension in terms of a two-vector schema.²¹ On one axis he plotted the magnitude of forcible threats to the civil society; on the other, the nature and strength of the society's civilian values. Within that matrix, Huntington formulated the universal tension between military and civilian values with particular reference to American culture and the threats it faced in his own time. In mid-twentieth-century America, he found the challenge to be very great indeed.

1. The Fundamental Problem: Guarding the Republic

The functional imperative of every military is to protect its society from violent overthrow. The particular context in which Huntington situated the American military's "functional imperative" was the Cold War. America and the western alliance faced a diametrically opposed, officially expansive opponent, the Soviet bloc, which was armed with weapons of mass destruction that could be delivered to the heartland in a matter of minutes. The functional imperative, then, was at its most acute. America had to have a stronger military than ever in its history; that military had to receive an unprecedented level of social

21. *Id.* at 2:

The military institutions of any society are shaped by two forces: a functional imperative stemming from the threats to the society's security and a societal imperative arising from the social forces, ideologies, and institutions dominant within the society. . . . The degree to which they conflict depends upon the intensity of the security needs and the nature and strength of the value pattern of society.

support, both moral and material. That made the second imperative, preserving broader social values, all the more problematic.

2. The Derivative Problem: Guarding the Guardians

For Huntington as for Plato, the basic need of every society to ensure its own survival, by force if necessary, posed a derivative problem: How to keep the necessarily strong military from threatening the regime. Sometimes, both Huntington and Plato recognized, striking a balance would be impossible; to meet internal threats, as in the case of ancient Sparta, or strong and hostile neighbors, as in the case of modern Prussia, the entire society would have to be militarized. As Huntington noted, many of his contemporaries worried that America itself was at risk of becoming a “garrison state.”²² In other cases, as Plato implied and Huntington elaborated, the difficulty of striking the balance would turn not only on the nature of the external threat, but also on the compatibility of universal military values and particular civilian values.

In contemporary American society, Huntington found military and civilian values in acute conflict. As he saw it, the essential values of any successful modern military, including our own, were fundamentally at odds with the core values of our particular civilian society. In his terms, military culture is essentially “conservative”; American civilian society, fundamentally “liberal.” To understand why Huntington thought the divide between military “conservatism” and American “liberalism” to be especially deep, we must examine how Huntington used both of those key terms.

Consider, first, the “conservatism” of Huntington’s military culture.²³ Every military, he theorizes, must derive a distinctly

22. See JANOWITZ, *supra* note 8, at 440 (“The strain on democratic forms under prolonged international tension raises the possibility of the garrison state”); Christopher P. Gibson, *Enhancing National Security and Civilian Control of the Military: A Madisonian Approach*, in AMERICAN CIVIL-MILITARY RELATIONS 238, 241 (“If remaining armed to the teeth was required to prevent communist takeover, some feared that the country would be unable to retain its ‘Americanness.’”) (citation omitted).

23. As we will see, I follow Huntington in using “conservative” to mean something quite different from its contemporary use in the United States and closer to its European use, which is very nearly the opposite. See discussion *infra* Part II.B.1. Basically, European “liberals” are the United States’ conservatives, on economic if not on social questions.

conservative ethos, or mind, from its basic function of societal defense.²⁴ To anticipate and repel violent challenges to the society in its charge, the military must assume that human nature, for whatever reason, inclines toward war;²⁵ to be ready to meet force with force, every military must routinely and rigorously subordinate each individual in its ranks to their common military purpose, even if it means that individual's death.²⁶ And, to ensure obedience even unto death, military culture has to instill an unquestioning obedience to hierarchical authority.²⁷ Thus, for Huntington, the military ethos must be conservative in three related ways:²⁸ Pessimistic rather than optimistic about human nature, collectivist rather than individualist about the relationship of the individual and the society, and deferential to, rather than doubtful of, legitimate authority.²⁹

24. HUNTINGTON, *supra* note 1, at 61 ("The military mind . . . consists of the values, attitudes, and perspectives which inhere in the performance of the professional military function and which are deducible from the nature of that function.").

25. *Id.* at 63; *see also* JANOWITZ, *supra* note 8, at 26 ("[M]ilitary traditionalism implies . . . a belief in the inevitability of violence in the relations between states . . ."); Sir John Winthrop Hackett, *The Military in the Service of the State*, in *WAR, MORALITY, AND THE MILITARY PROFESSION* 107, 108 (3rd ed. 1981) ("Until man is a great deal better than he is, or is ever likely to be, the requirement will persist for a capability which permits the ordered application of force at the instance of a properly constituted authority.").

26. HUNTINGTON, *supra* note 1, at 63–64.

27. *See id.* at 73 ("For the profession to perform its function, each level within it must be able to command the instantaneous and loyal obedience of subordinate levels.").

28. Note that Huntington identifies other aspects of military conservatism; as we will see, these can either be subsumed under the essential three or shown to be extraneous.

29. Darrell W. Driver, *The Military Mind: A Reassessment of the Ideological Roots of American Military Professionalism*, in *AMERICAN CIVIL-MILITARY RELATIONS* 172, 172 (Suzanne C. Nielsen & Don M. Snider eds., Johns Hopkins University Press 2009). Driver offers strong, if not compelling, survey-based evidence that contemporary American officers do not, in fact, maintain the kind of conservative beliefs Huntington and others associate with the "military mind." *Id.* at 184. Richard Kohn takes Driver's point and adds his own historical support. Kohn, *supra* note 18, at 266. Huntington would surely respond that, even if this is true as a matter of fact, this does not follow, as Kohn concludes, *id.* at 267, that the conservative values he identifies are not functionally necessary. And as we shall see below, the truth most likely lies somewhere between. *See infra* Part III.

On each of these points, Huntington saw the particular values of post-war America's civilian society as decidedly different from, even opposed to, the universal, functional values of military conservatism. In his view, our civilian society tends to assume that human nature is ameliorable, if not perfectible, perhaps even to the point that war itself can be eliminated. It tends to elevate the individual above the collective, placing rights against the state above duties to the state. And it tends to foster dissent rather than conformity—to value questioning authority over obeying authority. In a word—Huntington's word—America's civilian culture is distinctly liberal.³⁰

This fundamental civilian liberalism makes the military's social imperative particularly problematic in the case of the United States. Our military, like all militaries, must be essentially conservative in order to protect our broader society; the society it protects is fundamentally liberal, and thus opposed at several critical points to the essential ethos of its military. "Guarding the guardians" has, accordingly, been a problem throughout the history of the American republic.³¹

What is more, Huntington observes, America's traditional solutions to that conflict would not work in the post-World War II era. Huntington skillfully recounts that, for much of its history, the United States had ensured the subordination of its military by two principal devices. First, as an institutional matter, the Constitution of 1789 placed the military services under the civilian authority of both elected branches of government, the President and Congress.³² Second, as a practical matter, the United States had maintained its military in a state of exceptional weakness: It expanded the military's size and effective power only in times of national crisis, like the Civil War, and did so

30. HUNTINGTON, *supra* note 1, at 143–62.

31. See Michael C. Desch, *Hartz, Huntington, and the Liberal Tradition in America: The Clash with Military Realism*, in AMERICAN CIVIL-MILITARY RELATIONS 91, 91 (Suzanne C. Nielsen & Don M. Snider eds., Johns Hopkins University Press 2009) (arguing that the conflict Huntington described is the best way to account for civil-military conflicts in both the Clinton and the second Bush administrations); Suzanne C. Nielsen, *The Army Officer as Servant and Professional*, in THE FUTURE OF THE ARMY PROFESSION 161, 168 (Lloyd J. Matthews ed., McGraw-Hill Custom Publishing 2005) ("Because of the violence inherent in the military function, the values which are necessary in a military context cannot be expected to mirror the values of the society from which [the] U.S. Army stems.").

32. HUNTINGTON, *supra* note 1.

only for the duration of the crisis.³³ But this second tactic, Huntington observes, became impossible after the advent of the Cold War, when threats from the Soviet bloc became constant and when ICBMs rendered America's geographic isolation an inadequate defense. Huntington also feared that the first tactic, relying on Constitutional limits and civilian cultural constraints, would not be sufficient to ensure the modern military's subordination. Accordingly, Huntington looked for another reliable means of balancing the functional and social imperatives he had identified. What is more, he looked for a solution that would resolve the twin problem of civilian-military relations, not just in the particular context of the United States, but in all contemporary national regimes.

B. The Dual Solution: Military Professionals' Knowledge and Virtue

Huntington found his answer to both military imperatives, the functional and the societal, in his analysis of the officer corps as a functionalist profession.³⁴ In the functionalist view, professions provide socially essential services that entail special knowledge; the military, Huntington realized, could be seen as performing just this kind of essential, knowledge-based service.³⁵ A professionalized military, then, would be the means of meeting the military's functional imperative. But knowledge, of course, is power, and special professional knowledge, the functionalists argue, poses the risk that professionals may abuse their power to take advantage of those they purport to serve.

This, Huntington realized, was very like the problem every military poses to the society it purports to protect. In the face of both market and government failures to curb abuses of professional power, functionalists argued that professions offer a viable alternative: Professional virtues, maintained by professional institutions.³⁶ Just so,

33. *Id.*

34. *See* Driver, *supra* note 29, at 172–74 (“The single answer, then, to the dual requirements of maintaining a strong military and maintaining civilian control was to cultivate an intense professionalism in the military.”).

35. *See* Matthews, *supra* note 9, at 211 (“The social-trustee type of vocational professional provides a needed service to the society it serves, one that is based on the application of an expertise generally beyond the capacity of citizens in that society.”).

36. *See* Don M. Snider, *The U.S. Army as a Profession*, in *THE FUTURE OF THE ARMY PROFESSION* 1, 25 (“No matter how extensively the Army must transform nor

Huntington argued, professionalizing the military could make it harmless to its civilian masters, thus meeting its social imperative. Professional knowledge, then, would enable the military to meet its functional imperative—adequate defense; professional virtue would ensure that it met its social imperative—subordinating the use of the military’s professional knowledge to the good of its civilian masters.³⁷ To suspect that this answer is too good to be true is not to say that it is not very good indeed.

Huntington’s original model of civilian/military relations has proved extraordinarily resilient. Without too much tugging and hauling, it can accommodate several factors that he himself failed adequately to take into account³⁸—the rise of insurgency movements and asymmetrical warfare, the need for Janowitz’s “constabulary role”—as well as subsequent developments that he could not have foreseen—the collapse of the Soviet Union and the rise of global terrorist movements.³⁹ So, too, it can accommodate a range of new theoretical

how much of the profession must be redefined, . . . one foundation must remain unchanged: by the nature of the Army profession, only individuals of firm moral character could discharge adequately their professional obligations to the nation and to the soldiers they are called upon to lead”); John Mark Mattox, *The Moral Foundations of Army Officership*, in *THE FUTURE OF THE ARMY PROFESSION* 387, 389; see also Tony Pfaff, *The Officer as Leader of Character: Leadership, Character, and Ethical Decision-Making*, in *THE FUTURE OF THE ARMY PROFESSION* 153, 157 (“A virtue ethics approach to officership can help resolve certain dilemmas that consequence and rule-based theories cannot.”); Segal & De Angelis, *supra* note 9, at 197 (“In contrast to the theme of capitalist occupations, *caveat emptor* (let the buyer beware), the service ethic of the professions could be characterized as *credat emptor* (let the taker believe in us).”).

37. HUNTINGTON, *supra* note 1, at 85 (“Objective civilian control not only reduces the power of the military to the lowest possible level vis-à-vis all civilian groups; it also maximizes the likelihood of achieving military security.”).

38. See Nielsen & Snider, *supra* note 10, at 1 (“Huntington’s work retains tremendous value in the present day.”); Nadia Schadlow & Richard A. Lacquement, Jr., *Winning Wars, Not Just Battles: Expanding the Military Profession to Incorporate Stability Operations*, in *AMERICAN CIVIL-MILITARY RELATIONS* 113–14 (arguing for an expansion of Huntington’s understanding of the military profession to “place[] stability operations squarely within the military’s required area of expertise”).

39. See Richard K. Betts, *Are Civil-Military Relations Still a Problem?*, in *AMERICAN CIVIL-MILITARY RELATIONS* 11, 12 (“Huntington’s opposition to subjective control remains persuasive in the twenty-first century.”); see also George B. Forsythe et al., *Professional Identity Development for 21st Century Army Officers*, in *THE FUTURE OF THE ARMY PROFESSION* 189 (“Since 1989, what’s been at risk has been our

developments, expanding to incorporate the insights of some, like Abbott's theory of professions in competition,⁴⁰ and showing fundamental weaknesses of others, like the more radical aspects of dominance theory, at least as applied to the military. Indeed, it is not too much to say that Huntington offers the most compelling modern solution to the classic problem of civilian/military relations—how civilian society is to guard its military guardians. What he offers, indeed, is a model that not only modernizes Plato's vision, but also universalizes it.

But something is wrong here. The shadow of Auschwitz has to cast at least a little doubt on making absolute military obedience the ideal solution to any problem, that of civilian/military relations chief among them.

C. The Two Missing Halves: The Public-Protective Virtue of Officers and the Parallel Profession of Statesmen

Huntington's dual solution to the tension between his twin imperatives suffers a double omission: First, the need for military officers, as professionals, to guard against incompetent or abusive civilian authorities, and, second, the need for civilian authorities themselves to be a kind of parallel profession.

1. The "Public-Protecting" Virtue of Military Officers

In his account of military officer's professionalism, Huntington over-emphasizes one aspect of professional virtue, even as he wholly overlooks a second, equally important, aspect. Counter-balancing professionals' basic duty, to use their knowledge for their principals' purposes rather than their own, is the professionals' coordinate duty, to ensure that their principals do not themselves abuse the power of their professional agents' knowledge.⁴¹ The fundamental problem with

Army's professional center of gravity, its sense of self."); Segal & De Angelis, *supra* note 9, at 206 (arguing for the expansion of military professionalism to include not only regular officers, but also non-commissioned and reserve officers).

40. See Snider, *supra* note 36, at 6 (noting reliance on Abbott's theoretical framework).

41. See WILLIAM H. SIMON, *THE PRACTICE OF JUSTICE: A THEORY OF LAWYERS' ETHICS* 123, 125 (1998); Harry T. Edwards, *The Growing Disjunction Between Legal Education and the Legal Profession*, 91 MICH. L. REV. 34, 66 (1992); see also Snider, *supra* note 36, at 59 n.48 ("The expertise of the military professional must

Huntington's emphasis on the first virtue and omission of the second becomes immediately apparent when we consider this statement of the other duty:

The professional ideology of service goes beyond serving others' choices. Rather, it claims devotion to a transcendent value which infuses its specialization with a larger and putatively higher goal which may reach beyond that of those they are supposed to serve [I]t is because they claim to be a secular priesthood that serves such transcendent and self-evidently desirable values that professionals can claim independence of judgment and freedom of action rather than mere faithful service.⁴²

This classic statement of professional virtue in general obviously poses a profound problem for Huntington's invocation of the virtue of military professionals in particular. According to the general statement, professionals must sometimes invoke values above those for whom they work; it is those higher values, not any particular human masters, that professionals ultimately serve. According to Huntington's statement of the particular case of military professionalism, by contrast, "A highly professional officer corps stands ready to carry out

be grounded in a moral understanding of what justifies and is justified by the use of force.").

42. ELIOT FREIDSON, *PROFESSIONALISM: THE THIRD LOGIC* 122 (2001) (internal citation omitted); see also Martin L. Cook, *Army Professionalism: Service to What Ends?*, in *THE FUTURE OF THE ARMY PROFESSION* 683, 688 (concluding, following Freidson's analysis, that "the view that the military is *merely* obedient is incompatible with retention of any meaningful sense in which military officership truly is a *profession*," though conceding that Freidson's ideal must be qualified "in the case of the military profession or any other profession embedded deeply in the bureaucracy of government and in an ethic of subordination to civilian control"); Michael Walzer, *Two Kinds of Military Responsibility*, in *THE PARAMETERS OF MILITARY ETHICS* 67–72 (Lloyd J. Matthews & Dale E. Brown eds., 1989) (distinguishing "hierarchical responsibilities," which run upward to superiors and downward to subordinates, from "non-hierarchical or outward" responsibilities, which run especially to enemy civilians); cf. Snider, *supra* note 36, at 59 n.48 ("Sociological theories of the professions—and of the military profession in particular—have failed to consider the importance of morality for determining the legitimate use of professional expertise and the legitimate jurisdictions within which that jurisdiction is applied.").

the wishes of any civilian group which secures legitimate authority within the state.”⁴³ “Objective civilian control achieves its end by militarizing the military, making them the tool of the state.”⁴⁴

2. “Statesmen” with Parallel Knowledge and Virtue

Huntington had, we must appreciate, an implicit answer to this problem. Military professionals, unlike most civilian professionals, do not serve lay people. They serve, instead, other experts, whom Huntington calls “statesmen.” This arrangement looks strikingly like Plato’s classical answer to the question of civilian/military relations, our second epigraph:

Then it is really most correct to give these the name of perfect guardians, inasmuch as they watch over both enemies without and friends at home, taking care that the first shall be unable, and the second unwilling, to do harm; and to call the young men, whom we formerly counted as guardians, auxiliaries, and upholders of the doctrines of the rulers?⁴⁵

Huntington’s military officers, like Plato’s auxiliaries, defer to civilian statesman, the equivalents of Plato’s guardians. The former are experts in the application of military means for the achievement of the latter’s social ends. His military officers need not concern themselves with state ends, because state ends are the occupational province of another kind of expert—the statesmen.

But with this neo-classical move Huntington only pushes his problem of professional military virtue back a step. What if statesmen themselves lack the necessary professional knowledge and virtue? In Plato’s *Republic*, remember, military commanders obey civilian authorities who are philosopher kings, a situation that the Platonic Socrates concedes may never obtain; in Huntington’s model, by contrast, “A highly professional officer corps stands ready to carry out the wishes

43. HUNTINGTON, *supra* note 1, at 84.

44. *Id.* at 83.

45. PLATO, *supra* note 19, at 94.

of any civilian group which secures legitimate authority within the state.”⁴⁶

Huntington, to his credit, faces the worst-case scenario: The situation of Germany’s generals in World War II, fully professionalized soldiers serving a genocidal civilian regime. And he carves out several exceptions to his general rule of military obedience: Illegal orders and immoral orders. But, as the next part shows, these exceptions tend to devour the basic rule of military obedience, even as they point back, with increasing insistence, toward Plato’s own solution.⁴⁷ And, ultimately, the mis-match of civilian authority with military professionalism pushes Huntington, in the very last sentence of his book, to the startling promise with which this paper began: “If the civilians permit the soldiers to adhere to the military standard, the nations themselves may eventually find redemption and security in making that standard their own.”⁴⁸

From a solution to the classic problem of military/civilian relations that calls for “militarizing the military,” a solution that is supposed to work for every society, Huntington comes to call, ultimately, for what looks like the militarizing of all society, and every society. This, again, is nothing if not a paradox, but it is a most promising paradox indeed. Before we can see the promise, the subject of Part III, we must see how Huntington comes to the paradox, the subject of Part II.

II. FUNCTIONAL STATES FOR PROFESSIONAL SOLDIERS: FROM MANY GOOD TO ONE BEST

The first step toward understanding how Huntington’s solution of a professionalized military to serve any legitimate regimes presses him toward a single regime compatible with a professionalized military is to notice that, by his own account, his solution has a first-best and a second-best. Huntington hardly needed Henry Adams to teach him the French proverb that neatly states the problem with his theory: The best is the enemy of the good. And he was forewarned by the challenge Adams encountered in trying to reconcile unity with multiplicity. Huntington, as we have seen, derives the military’s unique value system

46. HUNTINGTON, *supra* note 1, at 84.

47. *See infra* Part II.

48. HUNTINGTON, *supra* note 1, at 465–66.

from its universal functional imperative: In order to provide the best possible defense, every military's values must be conservative. But existing civilian value systems can, and do, vary across a wide spectrum; they are nothing if not a multiplicity.

In attempting to bring the unity of his solution to the problem of civilian/military relations to bear on this multiplicity of civilian regimes, Huntington effectively reversed Adams' course. He first identified four possible twentieth-century political systems: Fascism, communism, liberalism, and conservatism.⁴⁹ The basic values of the first three systems, he argues, are fundamentally at odds with the functionally essential conservative values of the military. This is the conflict that military professionalism must resolve. But this is, in its very nature, never more than a second-best solution; it always entails an imperfect equilibrium between a conservative officer corps and civilian authorities with a more or less divergent set of values. This equilibrium might tip in either of two directions: The officer corps might interfere in the affairs of politicians, which are the ends of state action, or the politicians might interfere in military matters, one particular means by which state ends are achieved.

Military professionalism prevents the balance from tipping against civilian authority. To prevent the balance from tipping against military function, every state must be, in effect, conservative *enough*—i.e., not so devoted to its own non-conservative ideology as to undermine the military's proper function. Huntington's system, that is to say, will work for any political regime, but only if that regime's values are not fundamentally at odds with military conservatism. In his analysis of the three twentieth-century non-conservative regimes, he hopes to show that each must move toward conservatism or risk being destroyed, as in the case of the Nazis, or destroying each other, as in Soviet communism and American liberalism.⁵⁰

Under closer analysis of his second-best examples, however, we find that they all prove either more or less than Huntington seems to want. With respect to Nazism, Huntington wants to show that, where the civilian regime departs far enough from the values of universal military conservatism, that departure will lead to its collapse.⁵¹ But this

49. *Id.*

50. *Id.*

51. *Id.* at 113–24.

example proves too much because the Nazi regime might well have worked out, consistent with Huntington's premises, in either of two very different ways. On the one hand, Nazism might have accommodated itself to military values well enough, not only to avoid collapse, but also to achieve triumph. On the other hand, had Hitler issued, and his generals followed, a set of orders wholly consistent with Nazism's own victory-or-death ethos, Germany might have collapsed all too spectacularly. A much better second-best, in the case of a regime like Nazism, is not a civilian regime minimally compatible with military values, but an officer corps that will refuse to implement the values of the regime.

With respect to Russian communism and American liberalism, Huntington's second-best analysis proves, not too much, but too little. Huntington wants to show that, unless both these civilian regimes move closer to military conservatism, they risk mutual nuclear destruction.⁵² But, as a matter of fact, American-led liberalism did triumph over Soviet communism without moving toward a permanent acceptance of communism in its sphere, which Huntington believed that military conservatism implied. And even if communism and liberalism had reached the conservative "rapprochement" he seemed to think necessary to avert nuclear holocaust, that might have counted as "security," but it would hardly meet his other standard, "redemption," at least for those on the Soviet side. That would seem to require a civilian regime on the American side conservative enough to sustain a functioning military, but not conservative enough to accept the international status quo.

But that, of course, would still leave Huntington his first-best, a regime optimally, not just minimally, compatible with military conservatism, the regime that adopts military values as its own. But what, we must wonder, would such a regime look like? Oddly enough, Huntington gives no example of a late twentieth-century conservative regime over against his non-conservative examples: German Nazism, American liberalism, and Soviet communism. To offer that example he must look back toward earlier conservative regimes, none of which bear up very well under close scrutiny. This takes him all the way back to Henry Adams's thirteenth-century unity, symbolized in the church at Mont St. Michel.⁵³ He admits the need for an even greater unity in

52. *Id.* at 350.

53. *Id.* at 465.

the twentieth century, which he finds in the gothic chapel at West Point.⁵⁴ But this chapel proves only a symbol; we see the four elements that must be unified but not how that unity is actually to be achieved.

To understand the problem of the second-best that Huntington's model produces, then, we must look more closely at both of its forms, his first-best and second-best solutions. We begin, as he does, with his second-best model; there we see how Huntington's universal solution to the problem of modern military/civilian relations presses him toward a first-best solution that entails a definition of the ideal state. We then turn to his search for first-best solution, which takes us from history, through myth, only to end in a symbol.

*A. Huntington's Second-Best Twentieth Century Situations:
Multiple Pressures Toward a First-Best Solution*

Huntington's three paradigmatic non-conservative regimes—German Nazism, American liberalism, and Soviet communism—are hardly surprising choices for him to analyze. Defeating fascism, especially Nazism, was the great challenge at the end of the first half of the twentieth century; preventing apocalyptic war between the rival victors, led respectively by the US and the USSR, seemed the great challenge of the century's second half. Addressing these second-best situations, then, was vitally important to Huntington's theory, practically as well as theoretically.

We consider, first, the reasons why Huntington believed that his ideal of military professionalism failed to solve the problem of military/civilian relations in Nazi Germany, then why he believes that this very professionalism is the best hope for the peaceful coexistence of Soviet communism and American liberalism. What we find is an odd convergence: Both the reasons Huntington gives for the failure of Nazism and the hope he holds out for the peaceful co-existence of the American liberalism and the Soviet communism press him, from multiple directions, past his various second-best solutions toward a single, first-best solution.

54. *Id.*

1. The One Second-Best Regime That Had to Fail (But Might Have Succeeded): Huntington's Nazi *Reductio ad Absurdum*

Huntington analyzes the failure of Nazi Germany as a case study in the breakdown of proper military/civilian relations owing to fundamental inconsistencies between universal military values and a particular set of civilian values. More specifically, he means for his analysis of military/civilian relations in the Nazi regime to show that military obedience to a civilian regime with inconsistent values can lead to ruin, the failure of both imperatives, functional and societal. He treats this as an unavoidable tragedy for truly military professionals. It is, from his perspective, a limited case that his model cannot cover, but can explain: Sometimes the divergence of military and civilian values is too great for military professionalism to work, even as a second-best.

Upon closer examination, however, the Nazi example reveals a very different conclusion: Sometimes the values of a civilian regime are so vile that anyone with values other than the regime's own would not want it to survive. To tolerate Nazism as an actual political regime, one must have a more encompassing tolerance than most of us can tolerate in ourselves. Beyond that, any theory of military/civilian relations that takes as its highest good the military's successful service to the values of such a regime is, at best, very odd (if not nearly Nazi). Yet that is precisely what Huntington's second-best solution, as applied to Nazi Germany, seems to do.

As we shall see, a fuller application of Huntington's solution might have served Nazi values all too well, in either of two ways, a perverse first-best and second-best from the Nazis' own perspective: Total domination of the world, as vindication of Nazi ideology, or, failing that, total destruction of the German people, as unworthy of their Führer, in a bizarrely parodic *Götterdämmerung*. Either way, the Nazi regime becomes, in Huntington's hands, an example, not of how incompatible military and civilian values must lead to regime collapse, but of how military professionals might serve some civilian values all too well. The relationship of German generals and Nazi authorities, then, proves to be less an exception that proves Huntington's rule and more a *reductio ad absurdum*.

Just reading Huntington's treatment of the German generals of World War II is doubly jarring. On the one hand, he cannot quite bring himself to condemn, on professional grounds, those generals who

sought to obey Nazi orders; on the other hand, he cannot quite stop himself from commending, on political grounds, those generals who sought to overthrow Nazism.

This double shock, together with Huntington's dual ambivalence, reveals both the critical flaw of his second-best model and the minimal outline of first-best model toward which it points.

In the Nazi example Huntington makes explicit what he believes to be two basic corollaries of his general theory of military/civilian relations: Acting on political principles is always militarily unprofessional; acting professionally need never be politically principled. On these principles, Huntington divides Hitler's generals into two camps, those who took political positions and those who remained professionally aloof. Those who acted politically, rather than professionally, he logically subdivided into two groups, pro-regime and anti-regime: "One clique succumbed to Nazi temptations, abandoned the professional outlook, adopted Nazi views, and were suitably rewarded by the government. Another group . . . also assumed political roles[,] actively opposing Hitler and his policies."⁵⁵

How, then, are we to judge these politically active generals, pro-Nazi and anti-Nazi? *Ex hypothesi*, since both groups actively engaged in politics, they both fail together under professional standards. But Huntington declines to draw quite that conclusion. Instead, he maintains, "Since both these groups abandoned professionalism for politics, it is appropriate to judge them, not by professional, but by political standards."⁵⁶

Under those standards, Huntington's judgments are hardly surprising, much less disturbing: "The former [the pro-Nazi generals] share in the guilt of National Socialism; the latter [anti-Nazi generals] were usually motivated by the highest humanitarian and Christian ideals."⁵⁷

The innocuousness, even orthodoxy, of this conclusion neatly masks the move Huntington is making here, and the extent to which it undermines his own model. Huntington's model, remember, offers to solve the problem of civilian/military relations for all regimes, implicitly ignoring the moral or political merits of those regimes. From that

55. HUNTINGTON, *supra* note 1, at 121.

56. *Id.*

57. *Id.*

perspective, it makes sense neither to condemn the pro-Nazi generals to “guilt” for their Nazi sympathies nor to commend the anti-Nazi generals for having “the highest . . . ideals.” What his model purports to judge is how well a professionalized military serves the values of whatever regime it finds itself serving.

In the abstract, that sounds innocent enough. But it is at least a little surprising, even a bit disturbing, when the particular regime under analysis is Nazi Germany. Nor is that the worst of it. Although Huntington explicitly declined to evaluate either kind of politically active generals, pro- or anti-Nazi, under professional standards, he nonetheless leaves no doubt that the actively anti-Nazi generals fare no better than their pro-Nazis colleagues, thus “the German officers who joined the resistance to Hitler . . . forgot that it is not the function of military officers to decide questions of war and peace.”⁵⁸ And thus, with respect to the politically engaged generals, Huntington’s analysis is doubly odd. It cannot permit, in its own terms, praise of the anti-Nazi generals for their politics; it must, indeed, condemn them, along with their pro-Nazi counterparts, for their unprofessionalism.

And Huntington’s account of politically engaged generals is still only half the story. What is truly surprising, and deeply disturbing, is Huntington’s assessment of the other group, the German generals who eschewed politics, whether pro- or anti-Nazi, and tried to act according to purely professional standards. As he points out, these apolitical, properly professional, generals were by far the largest group. “The great bulk of the officer corps had no political yearnings one way or the other and simply desired to follow the proper professional course.”⁵⁹ The triumph of Nazism in Germany and its total intrusion into military affairs placed these officers, as professionals, in what he sees an impossible double bind:

The invasion of the authority of the officer corps and the destruction of its autonomy produced an insoluble conflict. The military code did not permit either total obedience or total resistance. Professional duty to obey the leaders of the state clashed irreconcilably with

58. *Id.* at 77. I should note that the ellipses omit nothing but an assimilation of MacArthur’s conduct in the Korean War to that of the German generals in World War II.

59. *Id.* at 121–22.

the professional responsibility for the security of the state.⁶⁰

Here Huntington is not just saying that Hitler's generals faced a dilemma between the military duty to obey and the civilian norms of humanitarianism; that was the dilemma of the anti-Nazi generals he has already faulted for their lapse in professionalism. The politically neutral generals faced an even worse dilemma, at least in Huntington's model, because this latter dilemma lay within military duty itself: "Professional duty to obey the leaders of the state clashed irreconcilably with the professional responsibility for the security of the state."⁶¹

Nor was that the worst; Huntington continues:

"I am a soldier; it is my duty to obey," argued Brauchitsch. Others with equally good military logic disagreed: "The highest commanders in time of war," commented Speidel, "have not always been able to differentiate between the obedience due to God and conscience and the obedience due to men."⁶²

This is not merely a dilemma, a choice between equally distasteful alternatives; it is an antinomy: Equally compelling arguments lead from equally valid premises to contradictory conclusions.⁶³ Thus, for Hitler's generals, "arguments with equally good military logic" lead from the two fundamental imperatives of military professionalism—defer to civilian authorities, defend civilian authorities—to diametrically opposed professional imperatives: Obey civilian orders on the one hand; disobey those same orders on the other. More precisely, in terms of Huntington's model: Obey, in order to serve the civilian regime, the societal imperative; disobey, in order to save the civilian regime, the functional imperative.

This is a crucial point; what are we to make of it? First, notice that it is not an embarrassment to Huntington's basic theory of military professionalism: Obedience to legitimate civilian authority is the best

60. *Id.* at 122.

61. *Id.*

62. *Id.*

63. IMMANUEL KANT, *CRITIQUE OF PURE REASON* 334–35 (John Miller Dow, Meiklejohn trans., George Bell & Sons 1901) (1781).

way to ensure that the military fulfills both of its dual imperatives, the functional and the societal, *if those two imperatives can, in fact, both be met*. With the antinomy of the German generals, Huntington seems simply to underscore that essential caveat and to give us a vivid example of the conditions, originally stated in the abstract, when it cannot be met: When a particular set of civilian values are too much at odds with functionally essential military values. The Nazi antinomy, then, is, for Huntington, an example that proves the exception he has built into his basic rule.

But, even as the orthodoxy of Huntington's moral condemnation of Nazi generals and commendation of anti-Nazi generals masks the inconsistency of this move with the structure of his system, so, too, do historical accidents soften the dual shock of a fully consistent application of his system. Huntington's antinomy proves more than he admits and, ultimately, too much. His own further analysis reveals two more aspects of this antinomy, both consistent with his general theory, but both disturbing. The first is his assessment of the professionalism of the apolitical German generals in facing their antinomy; the second is a way out of that antinomy.

To see why, we need to see how Huntington himself sharpens that antinomy with a distinction he draws elsewhere in his analysis with this hypothetical: "What does the military officer do when he is ordered by a statesman to take a measure which is militarily absurd when judged by professional standards *and which is strictly within the military realm without any political implications?*" The italics are mine; Huntington adds his own emphasis in the next sentence: "This situation, provided that the last qualification holds and that it is completely removed from politics, represents a clear invasion of the professional realm by extraneous considerations."⁶⁴ Accordingly, "Here the existence of professional standards justifies military disobedience."⁶⁵

As an example, Huntington cites a conflict between Hitler and his generals: "The statesman has no business deciding, as Hitler did in the later phases of World War II, whether battalions in combat should advance or retreat."⁶⁶ Thus, by Huntington's logic, Hitler's generals may have been in a tragic bind, personal or political: To obey was

64. HUNTINGTON, *supra* note 1, at 77.

65. *Id.*

66. *Id.*

unprofessional; to disobey, little short of suicidal. But their professional obligation, from Huntington's perspective, is clear enough: Disobey militarily absurd orders, in order at least to save the regime and, at best, to advance the regime's values (even if those values are Nazi global domination). If the militarily absurd orders from the civilian authority are not politically motivated, then the military officer faces no antinomy; that officer faces, instead, an unambiguous professional obligation to disobey.⁶⁷

If there is to be an antinomy of professional duty, then, it must lie with the other half of Huntington's hypothetical: What is an officer to do in the face of militarily absurd orders from civilian authorities that do, in fact, have "political implications"? Here Huntington leaves us hanging. Somewhat surprisingly, Huntington does not trace out this logical alternative⁶⁸; this silence is all the more surprising, because Nazi officers did, in fact, face just such orders. When Germany defeat seemed inevitable, Hitler famously ordered his officers to destroy Germany itself as unworthy of *Volk*, *Reich*, and *Führer*.

As we consider the Führer's final orders, we must bear in mind the distinction that Huntington's own hypothetical makes critical: Militarily absurd civilian orders *without* political purpose, and militarily absurd civilian orders *with* political purpose. Sometimes, Huntington would very well have known, "scorched earth" orders are not militarily absurd. They worked for two very different Russian regimes, first for the Czar against Napoleon, then for Stalin against Hitler himself. Had Hitler's generals faced orders such as these—scorched earth orders with a chance of military success—then under Huntington's theory they should have had no professional problem obeying them. If Nazi civilian authorities had ordered scorched earth tactics with no chance of success, the German generals would have faced a special case of the

67. Disobey is what the apolitical generals sometimes did, with Huntington's apparent approval. See *id.* at 122 (noting that these generals "sabotag[ed], where possible, impossible policies").

68. See James Burk, *Responsible Obedience by Military Professionals*, in AMERICAN CIVIL-MILITARY RELATIONS 149, 160 ("In general, Huntington approaches them [hard cases] by asking whether the end sought falls strictly in the domain of military action, with no political implications (which would be quite unusual)."); Ceulemans & van Damme, *supra* note 19, at 13 ("If the statesman decides to interfere [in a matter of military expertise], such a decision will most likely be motivated by some political implication he perceives in following a certain military course.").

dilemma Huntington's hypothetical raises and resolves: If civilian orders are militarily absurd, and are without political implications, military officers must disobey them, perhaps even subvert them.

But those were not the final orders Hitler's generals faced, or might very well have faced. They faced, instead, the infamous "Nero Orders" of March 1945. Those orders "envisaged a scorched earth policy that implied the complete destruction of [Germany's] infrastructure."⁶⁹ Hitler may well have had in mind, not a plan for the Nazi regime to retreat and re-group, as the Russians had retreated in the face of both Napoleon and Hitler, but a mandate for the German nation's self-annihilation. This would have been entirely consistent with the thinking, not only of Hitler himself, but also of other high Nazi civilian officials. As Niall Ferguson has recently argued,

Not surrendering, it appears, mattered more to Hitler than victory. . . . Yet honorable defeat, which for Hitler meant nothing less than a Wagnerian finale, was itself desirable, perhaps even preferable, to victory.⁷⁰

Huntington, again, does not examine this half of his hypothetical, either in the abstract or in the historical case of Hitler's final orders.

But neither omission is necessary; Huntington's model implies an unambiguous answer in both cases: Obey, and destroy. In the abstract, if military officers receive civilian orders that, though "militarily absurd," nonetheless entail the highest possible "political implications," they must obey. This conclusion flows ineluctably from Huntington's understanding of the military's functional and societal imperatives. What those imperatives produce is not, as he implies elsewhere, an antinomy; it is, rather, a *reductio ad absurdum*. Had they faced unambiguous "Nero Orders" from civilian Nazi officials, the German generals would not have faced a conflict between their functional imperative—save the regime—and their societal imperative—obey the regime. They would have faced an unambiguous, if paradoxical, imperative: Destroy your country's civilian society, on the orders of your

69. NIALL FERGUSON, THE WAR OF THE WORLD: TWENTIETH-CENTURY CONFLICT AND THE DESCENT OF THE WEST 555 (2006).

70. *Id.* at 554–55.

country's civilian regime, in order to advance the highest values of that very regime. The civilian orders are not, it is important to note, absurd by civilian standards because, as John Goodman's character in *The Big Lebowski* points out in his mock-defense of Nazism against the charge of nihilism: "Say what you want about the tenets of National Socialism, at least it's an ethos."⁷¹

The Nazi ethos, of course, had an even more sobering aspect than what we have just seen, the *Götterdämmerung* of the German nation; that aspect, we now need to notice, was its downside. Its upside, conveniently for Huntington's analysis, is almost literally too awful to contemplate: The Nazis might well have won. Had any one of a number of historical variables been different—had American isolationism kept the US from helping the UK and the USSR, had Germany been later invading Russia or Japan later attacking the US, had the V2 been developed sooner, or the A-Bomb by Heisenberg's team and not Oppenheimer's—the Axis, empowered by the competence of its officer corps, might very well have won the war. We Americans, of course, might still be free behind the Atlantic and Pacific Oceans, but all of Europe would be under the Third Reich, perhaps for the next millennium, and Asia would have been part of Japan's Co-Prosperity Sphere.

In that event, Huntington's theory would have put him in the embarrassing position of congratulating the politically neutral generals for vindicating the values of the civilian regime they served, even as he bemoaned the evils of that regime itself. It is awkward enough, as we have seen, to admire Hitler's apolitical generals for the "glory" of their professional excellence, even as we heave a sigh of relief at the "tragedy" of their defeat. It would be quite another to admire those generals' professionalism as we suffered, or died, under the burden of their victory, the vindication—very likely a very vindictive vindication—of their regime's values.

Had Hitler's generals acted as proper military professionals under Huntington's model, that model might have suffered either of two very large embarrassments: Nazi victory over the world, or Nazi destruction of the German nation. Notice, significantly, that these embarrassments are of a special sort, *reductio ad absurdum*. They do not

71. THE BIG LEBOWSKI (Polygram Filmed Entertainment 1998); *see also* Nielsen, *supra* note 9, at 627, 639 ("Given that significant actions will rarely be free from any political implications, the window opened here [at this point in Huntington's analysis] is either small or nonexistent.").

reveal any internal inconsistencies in Huntington's theory; they merely show that, pressed to its logical conclusion in the case of the Nazis, that theory would produce results that, presumably, only a Nazi would embrace.

Having noted how embarrassing for Huntington the application of his theories to Nazi Germany really is, we must now note how easily he could avoid that embarrassment, at no real cost to his theory's internal consistency, with respect to both of the unacceptable results it produces, either Nazism's global triumph or Nazism's total German immolation. Consider the latter first: Huntington would only need to amend his statement of the military's two fundamental imperatives, the functional and the societal. The functional imperative would be to protect civilian society, not that society's legitimate political regime;⁷² the societal imperative would be to obey the legitimate civilian regime, but only so long as that obedience does not entail the destruction of civilian society. With their imperatives thus amended, military officers would never face the prospect of having to obey "Nero Orders"; they would, rather, be required to disobey those orders.⁷³

But what of the alternative unacceptable consequence, global Nazi triumph? To see how Huntington might avoid that consequence within the confines of his own model, we need only notice that Huntington carefully places his nations within the framework of an international system, that of the Treaty of Westphalia. In establishing that international order, legitimate national regimes gave each other wide latitude in their internal affairs; in the original situation, that latitude included choice of national religion. But that latitude was not read out of national sovereignty as some sort of logical entailment; it was, rather, read into national sovereignty as a guarantee of international order. National sovereignty over religious matters was adopted as a means of securing international peace, by making wars of religious

72. See Gibson, *supra* note 22, at 238, 259 ("The American people are the ultimate clients of America's military professions.").

73. See Mattox, *supra* note 36, at 387, 393–94 ("At the very least . . . we can fairly conclude that, to the extent that an army serves as the guarantor of the state's safety, and to the extent that the preservation of the state represents a moral good, the army has a moral obligation to do all within its power to ensure the preservation of the state.").

liberation illegitimate.⁷⁴ Against that background, one could easily explain why nations that engage in offensive warfare, or wars of conquest, are acting contrary to the fundamental purpose of the Westphalian system. Huntington, then, could easily have placed his German generals under an obligation to the international legal regime not to assist in wars of aggression. That is, of course, precisely what the Nuremberg trials eventually did.⁷⁵

Notice, too, that this dual set of obligations—neither destroy the nation nor conquer the world—which we can easily place within Huntington’s own system, also nicely maps onto a fuller understanding of functionalist professionalism. In that understanding, remember,⁷⁶ professionalism entails two correlated virtues, one client-protective, the other public-protective. The profession’s primary duty is client-protective, competently to serve its principals; this entails a professional obligation not to use the power conferred by one’s professional knowledge to take advantage of one’s principals for one’s own benefit. In the case of the military, officers should not stage a coup simply to establish a military dictatorship, their own rule for their own sake.

But in the general theory of professionalism, professionals, as we have seen,⁷⁷ have a second, countervailing duty: Not to let their principals use them, as professionals, to take improper advantage of third parties. This public-protecting virtue, notice, would nicely cover both sides of our expanded Nazi example: The problem of Nazi triumph and the problem of Hitler’s “Nero orders.” On the one hand, the public-protecting duty of military officers as professionals would cut strongly against their engaging in offensive war; on the other hand, that public-protective duty would preclude their destroying the people of their own nation in the service of regime values.

On the basis of this public-protecting professional virtue, we can condemn both Huntington’s apolitical “professional” generals and his pro-Nazi political generals on the same grounds—for failing to honor their professional obligation to protect the public. What is more, we can also congratulate the anti-Nazi “political” generals in a way that

74. Myres S. McDougal, Harold D. Lasswell & Lung-chu Chen, *Human Rights and World Public Order: A Framework for Policy-Oriented Inquiry*, 63 AM. J. INT’L L. 237 (1969).

75. *Id.* at 258.

76. *See supra* Part I.3.

77. *See id.*

Huntington cannot—for honoring, as far as they could, that same professional virtue. Informed with a fuller appreciation of the military officer's professional duty, we can see that, in resisting Hitler's politically motivated and militarily absurd orders, the anti-Nazi generals are in a much stronger position. They can point not only to the "highest values of humanitarianism and Christianity" as some extraneous source, but also to humanitarian values, and to Christian values so far as they overlap with humanitarian values, as incorporated into their professional duty itself.

We must wonder, a bit later,⁷⁸ why Huntington did not make this amendment. What we need to see now is that it has two important consequences for his model. In the first place, it significantly, if only slightly, undermines that model's universalism. This, remember, was Huntington's model in its original form: "A highly professional officer corps stands ready to carry out the wishes of any civilian group which secures legitimate authority within the state."⁷⁹ As amended, the properly professional military must obey any politically motivated orders of any legitimate regime, except that regime's order to destroy either its own civilian society or the global international order for the glory of the regime.

This, admittedly, is a very narrow limiting of Huntington's original universalism; later, we shall see,⁸⁰ this is the thin end of a very long wedge. Beginning with the concession that some regimes are unacceptably bad, it opens a range of possible regimes asymptotic toward the admirably, even supremely, good. It forces Huntington to take a critical step, albeit the smallest possible step, toward an ideal regime; taking that step leaves behind the assumption that the only standard by which to judge military professionalism is advancement of regime goals.

What we need to notice now is that this wedge—the possibility of assessing regimes by standards other than their own—cuts not only against an obviously evil and defunct regime—that of the Nazis—but equally well against two regimes that were quite viable in Huntington's time, one of which was his own—Soviet communism and American liberalism. Nazism, as we have seen, merely builds a floor under the

78. See *infra* Part II.B.2.

79. HUNTINGTON, *supra* note 1, at 84.

80. See *infra* Part II.B.2.

kind of regimes that military officers may properly serve, although a considerably higher floor, and a floor on different foundations, than the one Huntington himself presents. The Soviet and American systems, by contrast, press him toward the ideal he himself prefers: A matching of functional military conservatism with its appropriate civilian counterpart.

2. The Two Second-Best Regimes that Had to Coexist (But Didn't):
Huntington's Hoped-for Cold War Convergence of American
Liberalism and Soviet Communism into Civilian Conservatism

Nazism, as we have seen, is not the only second-best situation that Huntington analyzes in terms of a non-conservative civilian political regime's compatibility with military conservatism. Nazism is but one species of fascism, and alongside fascism he also considers two other non-conservative regimes: communism and liberalism. These latter two, indeed, loom particularly large for him. Again, Huntington was writing at the height of the Cold War; the world of his day and the only future he foresaw was permanent conflict between the camps of Soviet communism and American liberalism. Each, as we have seen, was the other's nemesis; the military might of each posed the primary challenge to the continued survival of the other, and, indeed, of the entire world. And the civilian ideology of each, he believed, posed a threat not only to its own military, but also to the peace, even survival, of the planet. The way he thought his theory might preserve not only both systems, but also the world, is at least as instructive as his account of Nazism's failure; it reveals, as an odd kind of converse, a different but complimentary set of problems, pressure toward the first-best from the opposite direction.

i. The Conservative Convergence Foreseen

Huntington, as we have noted, saw an irreducible conflict between the American military's functionally conservative values and the prevailing liberal values of American civilian society. Given that opposition, the best prospect was for each side, military and civilian, to remain within its proper sphere. That, again, was the second-best balance that his professionalization of the military was meant to strike. Huntington saw little risk that the American military would, on its own initiative, lean too heavily in ordinary domestic politics, much less

succumb to “Praetorian” temptations and stage a coup. The greatest domestic risk to his second-best equilibrium in America, as Huntington saw it, came from the civilian side. Liberal society, in his analysis, was deeply, perhaps essentially, inclined to impose its values on the military; that, he feared, would inevitably undermine the military’s necessarily conservative values and thus reduce its functional effectiveness, which at the time was measured by its ability to defend liberal American society and its allies from the threat of Soviet communism.

Logically, Huntington realized, this tension between universal military conservatism and American civilian liberalism, and thus between the military’s functional and societal imperatives, could be relaxed in either of two directions. One was “weakening the security threat,”⁸¹ thus making the functional imperative, the need for strong national defense, less insistent. Not surprisingly, he saw little hope there; from his perspective, little more than a decade after WWII, “the Cold War rivalry between the United States and the Soviet states appeared a relatively permanent aspect of the international scene.”⁸² He could not, of course, foresee the collapse of the Soviet Union, any more than he could see the rise of post-Maoist China, fundamentalist Islam, or Russian neo-imperial irredentism. But he, taking to heart the pessimist that he deemed essential in military officers, would not likely have placed much hope in the prospect that military threats would diminish.

Huntington had to look for hope, then, in the other direction, a lessening of tension on the other side, the military’s societal imperative. In America, this would entail what he called “the weakening of liberalism.”⁸³ If he could not be optimistic about the decline of external military threats, he would need to be optimistic about the decline of civilian liberalism and the rise of what he calls “the New Conservatism.”⁸⁴ Without reviewing his now-dated data on the emergence of that movement, we can nonetheless appreciate why he believed it would relieve the tension between the military’s two imperatives:

[T]hey were signs of a reexamination of American society and American values from a more

81. HUNTINGTON, *supra* note 1, at 456.

82. *Id.*

83. *Id.*; *cf. id.* at 143.

84. *Id.* at 457.

conservative viewpoint. Their significance for civil-military relations was that in due course they might result in the wide-spread acceptance by Americans of values more like those of the military ethic. Present in virtually all the strands of the new conservatism were a stress on the limitations of man, an acceptance of institutions as they were, a critique of utopianism and “solutionism,” and a new respect for history and society as against progress and the individual.⁸⁵

Nor, we need to notice, is that the best of Huntington’s second-best vision. At the end of his book, he holds out a tantalizing prospect: The very conservatism that will make America a stronger bulwark against the threat of Soviet communism may well make Soviet communism itself less a threat. Up to this point, as we have seen, he has held little hope that the Soviet threat, the main challenge of the American military’s functional imperative, will diminish. Any lessening of tensions, again, must come with a “weakening of liberalism” and a corresponding strengthening of civilian conservatism. But, if he remains pessimistic about the end of the Soviet threat, he becomes more optimistic about keeping the Cold War cold. In that latter frame of mind, he holds out the prospect of a development in the Soviet Union itself corresponding to the “weakening of liberalism” in the United States:

The probability of continued peaceful adjustment between the two nations depends to a large extent on the degree to which communism in the Soviet Union and liberalism in the United States are supplanted by a conservative outlook, divorced from universalistic pretensions, and simply content to preserve and secure what it has. In the Soviet Union, as well as in the United States, this event is not beyond the realms of possibility.⁸⁶

Virtually no one, of course, would dismiss this convergence of American and Soviet civilian values as undesirable, if the alternative is

85. *Id.* at 458–59.

86. *Id.* at 463.

the nuclear annihilation of all of humankind. What is more, anyone might be tempted, with the benefit of hindsight, to conclude that history has confirmed Huntington's surprisingly optimistic prognosis for US/Soviet relations: Even as he hoped, the super-powers did not destroy each other; cooler, and in that sense more "conservative," heads seem to have prevailed, both East and West.

ii. The Conservative Duality Revealed

But, even as Huntington's analysis of the fatal flaws of Nazism failed to reveal the whole picture, so too, his prescription for defusing conflict between American liberalism and Soviet communism proves something quite different from what the doctor might have ordered. Huntington's prescription, remember, is the same for both military and civilian leaders, Soviet and American alike: Be more conservative. More specifically, military leaders should be as conservative as their optimal functioning requires, and civilian leaders should be more conservative along the lines of military conservatism, even at the expense of their respective society's civilian values. American liberals, accordingly, need to be less insistently liberal; Soviet communists, less insistently communistic.

On closer analysis, however, that conservative prescription confusingly compounds two very different ingredients, which we now need to isolate and analyze. One part of Huntington's conservatism is about how to go about achieving one's ends; the other is about what those ends themselves actually are. One is a conservatism of means, then, the other a conservatism of ends. Neither conservatism, upon further analysis, is as ambiguously appealing as Huntington would have us believe. The conservatism of means, we need to see, is dangerously indifferent to ends; it would serve Nazism as well as any other regime. The conservatism of ends is tantalizingly open-ended and under-specified. We have already seen that it must at least forbid the destruction of the nation and the international order of nations if it is to avoid his Nazism *reductio*;⁸⁷ we will see here that Huntington runs into trouble when he tries to move from this minimum to any optimum.

87. See *supra* Part II.A.1.

a. The Conservatism of Means

Consider, first, the conservatism of means or, more precisely, ends-means rationality. With respect to the military, the conservatism of means entails a healthy skepticism about the limits of human nature, both social and individual, in both your own society and every other. It protects against overreaching, overconfidence, over-extension, against over-estimating your own strength and under-estimate your enemy's. It is partly, but only partly, this methodological conservatism of means that Huntington is recommending that his American and Soviet civilian leaders borrow from their military counterparts; it is this conservatism as caution that will curb the tendencies that Huntington finds in each of their ideologies toward fatally risky expansionism and adventurism; it is this means-oriented conservatism that will, literally as well as figuratively, keep the fingers of both their leaders off the thermonuclear button.

This kind of conservatism, as Huntington quite rightly implies, is a key ingredient in the success of any human venture, whatever the goal of that venture, and thus any regime, whatever the values of that regime. That is true, but hardly a new truth,⁸⁸ and less than half of an old one. If conservatism-as-caution is an essential virtue, ethically and politically, it is also a much more complex virtue than Huntington's analysis suggests. Once we examine conservatism-as-caution more closely, we find Huntington tends to overlook two aspects of conservatism-as-caution; for convenience, we can call them the quantitative and the qualitative.

To begin with the quantitative aspect, notice that caution is not an absolute value, but rather a mean between extremes. We must be cautious enough, neither over-cautious nor under-cautious. We cannot sensibly aspire to be "cautious" in any absolute sense, and, more to the point, we cannot assume that more caution is always better. In implicitly treating caution-as-a-means as a part of conservatism, civilian and military, Huntington tends, at best, to obscure this point, speaking of conservatism as if more were always better.

The quantitative notion of caution as a mean between extremes is as old as Aristotle's ethics; the observation that this mean has two

88. See ARISTOTLE, *NICHOMACHEAN ETHICS* 43, 45, 68–77 (defining virtue generally as a rational mean and analyzing the particular virtue of courage as the mean between fear and confidence) (Martin Ostwald trans., 1962).

vectors is as well-established as basic portfolio theory.⁸⁹ Those two vectors are size of return and risk of return; each includes an aspect of conservatism as caution. In calculating size of return, one must accurately assess costs on the one hand and benefits on the other; the aim, in each case, is to be correct, not “optimistic” or “pessimistic” as such. The same holds true with respect to the calculation of risk, the likelihood that any given possible return will, in fact, be realized. Benefits, then, are always net of costs, and net benefits must be discounted by risks of realization. Stated most generally: The optimum measure of caution is a mean between that necessary to maximize the chance of any venture’s fullest success, and that necessary to minimize the risk of its utterest failure.

This general notion of caution as a mean between extremes, rather than an absolute, is easy to see with respect to the military’s functional conservatism: Properly conservative military professionals should be skeptical about new weapons systems, but they should be properly skeptical of old weapons systems, too. German tacticians who relied on U2s were too optimistic about a new offensive weapon; French tacticians who relied on the Maginot Line were too optimistic about an old one. Early firearms were dangerous and inaccurate, compared with state-of-the-art crossbows; no one fights with crossbows today. And what goes for tactical systems also goes for strategic objectives: Colonel Travis fought to the last man, and we remember the Alamo; Frederick the Great declared the whole of the Balkans not worth the bones of a single Pomeranian grenadier, hyperbole heroically unheeded in August 1914.

Huntington barely addresses, and certainly never spells out, what the analogously appropriate level of civilian conservatism would be. Everyone already knows that “guns” come at a concomitant cost in “butter.” Huntington says, very generally, that “the ideal military man is thus conservative in strategy, but open-minded and progressive with respect to new weapons and new tactical forms.”⁹⁰ As the next section will show, the need for military preparedness itself places very real limits on the content of conservatism as a political ideology, strongly favoring, most critically, advancement by merit rather than hereditary

89. Dale Kintzel, *Portfolio Theory, Life-Cycle Investing, and Retirement Income*, SOCIAL SECURITY OFFICE OF POLICY (Oct. 2007), <https://www.ssa.gov/policy/docs/policybriefs/pb2007-02.html>.

90. HUNTINGTON, *supra* note 1, at 71.

right. More generally, civilian society must be as careful not to meet new challenges with outmoded institutions, even as the military must be careful not to fight today's wars with yesterday's weapons and tactics. Isaiah Berlin likes to quote Kant's aphorism: From the crooked timber of humanity nothing truly straight is ever made.⁹¹ But this is not to say that nothing is ever made from that crooked timber, or that some things made from it are not better than what might have been. The House of Hohenzollern's social and military reforms made some very fine soldiers indeed (not to mention a few very fine philosophers).⁹²

What we need to see now is a more general point: Conservatism as caution, as the proper weighing of net benefits and discounting of risks, has a limiting case that marks the critical distinction between its quantitative and qualitative aspects. The costs of some goals, military and political, are, mathematically speaking, asymptotic toward infinity. We must give at least this much to Marx: At this point, the quantitative shifts to the qualitative; the costly becomes the impossible. Infinitely costly is the mathematical meaning of impossible. In ethics, the "can" is an outer limit of the "ought"; politics is proverbially the art of the possible.

But the possible, in both ethics and politics, is the outer limit, not the only limit. With that in mind, we need to look more closely at the quantitative side of conservatism-as-caution. Some ends, while possible, may be rejected on other grounds, as we have already seen with respect to Nazism.⁹³ What we need to see now is that the quantitative aspect of conservatism as caution, in and of itself, is no limit to Nazism; quite the contrary. Just as there must be honor among thieves if thieves are to succeed, so, too, there must be caution. And so it is with political regimes. Conservatism-as-caution is not only what American liberalism and Soviet communism needed to avoid the kind of brinksmanship that might destroy the world; the very same conservatism is what Hitler needed to avoid invading the Soviet Union prematurely and to avert the other mistakes that, as Huntington rightly notes,

91. ISAAH BERLIN, *THE CROOKED TIMBER OF HUMANITY: CHAPTERS IN THE HISTORY OF IDEAS* (2d ed. 2013).

92. See Jason M. Bender, *Non-Technical Military Innovation: The Prussian General Staff and Professional Military Education*, *SMALL WARS J.* (Sep. 14, 2016), <https://smallwarsjournal.com/jrnl/art/non-technical-military-innovation-the-prussian-general-staff-and-professional-military-educ>.

93. See *supra* Part II.A.1

put him at odds with his generals and contributed tremendously to the collapse of his Nazi regime's plans for both Germany and the world. The methodological conservatism that would have been good for the Warsaw Pact and NATO Alliance in Huntington's day would have been every bit as good for Hitler just after the *Anschluss*: Good for the end he was pursuing, without calling into question the "goodness" of that end itself, in itself.

Notice, in that regard, how disturbingly easy it is to apply Huntington's Cold War advice for the USSR and the USA to Hitler, Chamberlain, and their contemporaries at Munich and afterward:

The probability of continued peaceful adjustments between the two [camps] depends to a large extent on the degree to which [Nazism in Germany] and liberalism in [Britain and its allies] are supplanted by a conservative outlook, divorced from universalistic pretensions, and simply content to preserve and secure what it has.

If only Hitler had been content with Austria, a re-militarized Rhineland, the Sudetenland, and, perhaps, Danzig and the Polish corridor—then what? As we have seen, he might have secured a truly thousand-year reich in a reasonably-sized Grosse-Deutschland. He might—I trust this is as hard to read as it is to write—have eliminated Jews, if not in the whole world, then at least in an expanded German "homeland." And, as we have seen, conservatism-as-caution does not just cover down-side risks; it also enables up-side opportunity. Had Hitler bidden his time, been a bit later in invading Poland, or the USSR, then Hitler might have used von Braun's V2s to "better" advantage; had he been content to cultivate his own garden, he might, indeed, have sowed his own nuclear research sooner, and reaped his own nuclear whirlwind in due course.

The point, again, is this: Means-oriented conservatism, conservatism-as-caution, is, even as Huntington implies, a necessary element of the success of any human venture. But, as Huntington fails to notice, that very conservatism, like all purely methodological virtues, is, as such, indifferent to the goodness or badness of the ends toward which it is employed. The joke that got Bill Maher into trouble treaded insensitively soon on precisely this truth: When it comes to destroying

buildings, al-Qaeda is really quite good⁹⁴—in no small part, we can add, because they were appropriately cautious.

b. Conservatism of Ends

Huntington himself, we must hasten to notice, is emphatically not indifferent to ends. He is most assuredly not a Nazi; beyond that, he is obviously and deeply averse to Nazism and in favor of what he seems to see as its opposite, “the highest humanitarian and Christian ideals.”⁹⁵ What we need to see now is that these substantive values are not purely personal with Huntington himself, as he insisted they were with the anti-Nazi generals. Huntington’s conservatism has a substantive as well as a methodological component; it is about ends as well as about means. We have already seen that his Nazi example presses him in this direction, toward a substantive limit on the kind of state ends that a properly professional military will serve. If Hitler’s generals had, in fact, faced “Nero” orders, we have to think Huntington would have wanted them, as professionals, to blink; we can, ourselves, make such an exception to military subordination fit within the general contours of his model.

With respect to the US and the USSR, Huntington himself makes a corresponding substantive limit quite explicit. It would be better for civilian leaders in both the liberal West and the communist East to move away from their own substantive values toward a kind of substantive baseline: Do not risk the destruction of humankind for the advancement of your more particular substantive values, either liberal or communist.⁹⁶

But now we must notice that, even as historical events obscured the problem of Huntington’s analysis of the collapse of Nazism, so, too, they obscure problems in his parallel analysis of the continued peaceful coexistence of Soviet communism and American liberalism. Nazism, of course, failed, and only Nazis mourn the failure. But a more cautious Hitler, as we have seen, might have produced a very different outcome

94. See Celestine Bohlen, *In New War on Terrorism, Words Are Weapons, Too*, N.Y. TIMES (Sept. 29, 2001), <http://www.nytimes.com/2001/09/29/arts/think-tank-in-new-war-on-terrorism-words-are-weapons-too.html> (quoting political comedian Bill Maher).

95. HUNTINGTON, *supra* note 1, at 121.

96. *Id.* at 463.

for Nazi values: Not their failure, but their triumph, on a more or less broad scale.

The face-off of Soviet communism and American liberalism did not end, thankfully, in the nuclear incineration of the planet. But, it is important to notice, that stand-off, like the threat of Nazism, might have played out differently from the way it did, which was itself different from the way Huntington anticipated. Huntington hoped for each superpower to be content in its own sphere of influence. That might have meant the Soviet Union under a less blustering Khrushchev, the United States under a more seasoned Kennedy, sparing us the Cuban Missile Crisis. In effect, the Brezhnev Doctrine—no loss of any state in the communist orbit—might have faced off, forever, against the Truman Doctrine—no expansion of the communist orbit. But it might have been otherwise, without nuclear holocaust. Indeed, it was otherwise.

Consider just two alternatives, which, conveniently for our analysis, are the actual past and future of the Soviet Union in Huntington's time. On the one hand, the Soviet Union might have lapsed backward into a new era of Stalinist repression, but without any real international ambitions. Huntington's recommendation, remember, was for both the US and the USSR to adopt "a conservative outlook, divorced from universalistic pretensions, and simply content to preserve and secure what it has."⁹⁷ This would imply, obviously enough, consigning literally millions of people to worsening economic stagnation and political repression. This, obviously enough, would have been the Soviet equivalent to the Nazi situation that Huntington overlooked: Nazism triumphant, if content, in Greater Germany, hunkered down, perhaps, behind Heisenberg's H-bombs mounted on von Braun's ICBMs. Were a corresponding Stalinism-in-its-own-domain the price of avoiding thermo-nuclear holocaust, that price, however grim, might have been worth paying.

Before accepting that price, though, we must consider another alternative to nuclear holocaust, the actual fate of the Soviet Union: To oversimplify, it simply imploded. More precisely—and this is the important point—its implosion can hardly be imputed to the triumph of Huntington's brand of conservatism in either camp. It points, rather, to something more: An idealism that, ironically enough, Huntington himself enthusiastically embraces.

97. *Id.*

To see why this is so, we must notice that Huntington's conservatism of ends, like his conservatism of means, is not monolithic. Consider, more closely, the conservatism Huntington hoped would permanently freeze the Cold War. In the United States, this conservatism was not, obviously enough, the internationalism of Wilson's League of Nations or the "help any friend, resist any foe," pre-Vietnam vision of Kennedy's Camelot. But neither was it the "tear down this wall" conservatism of Ronald Reagan, railing against the "evil empire," pressing for a "star wars defense," and defense-spending the Soviet Union into bankruptcy, even as it held out to Gorbachev the hope of eliminating all nuclear weapons. The conservatism that Huntington seems to hope for, rather, is the Machiavellian conservatism of Nixon and Kissinger's *Détente*.

Very closely parallel to this version of American conservatism runs Huntington's Soviet counterpart. This conservatism is neither the internationalist Leninism of Trotsky nor the shoe-pounding "we will bury you" bravado of Khrushchev. If this Soviet conservatism is not quite the "Darkness at Noon" paranoia of Stalin's "communism in one country," it is very close to the sclerotic conservatism of Brezhnev, Andropov, and Chernenko, and very far from the *glasnost* and *perestroika* of Gorbachev, Reagan's counterpart.

The conservatism that Huntington recommends to both Soviet communists and American liberals can thus be read as reducible to Realpolitik and *raison d'état*, as a conservatism that cynically despairs of all real improvement in the general human condition. From the perspective of this conservatism, the point of convergence between the US and the USSR is not that this is the best of all possible worlds, but that there is little to be gained, and much to be lost, in trying to make the world any better. This is not so much wisdom, or even caution, as complacency or, worse, world-weariness. The fact that we neither died in a thermonuclear holocaust nor resigned ourselves to permanent Cold War points to a kind of civilian conservatism that is distinctly different from this. Just as conservatism-as-means is not an absolute, but a mean between extremes, so conservatism-as-ends is not a single point, reductionist realpolitik, but rather a spectrum of viable positions.

Conservatism-as-ends is not, in other words, limited to the extreme form that Huntington seems to recommend to the Cold War antagonists of this day: Hold fast to what you, respectively, have, lest not just you, but everyone, lose all. One can eschew perfectionism and still

pragmatically pursue limited, achievable, meliorist objectives. It is, we might note, quite close to the Stoicism of Marcus Aurelius, emperor as well as general: “Don’t hope for Plato’s Utopia, but be content to make a very small step forward and reflect that the result of even this is no trifle.”⁹⁸

Here, however, Nixon and Kissinger on the political right, joined by critics of “Star Wars” on the Left, might register an objection: Pointing to the implosion of the USSR might be the risk-management equivalent of boasting, after a year without a household conflagration, that you were, in fact, wise not to waste money on fire insurance. From their perspective, the implosion of the Soviet Union may well have entailed inappropriate risks of nuclear holocaust. Accordingly, the best counsel, no less now than when Huntington wrote, is always to seek nothing more than the bare minimum he sometimes seems to recommend: Survival.

We can answer this objection from two quite different directions, each Huntington’s own. The first answer is to notice that this is just a special case of our earlier general point: Caution is a mean, not an absolute, and our chastened meliorism is closer to the relevant mean. Less than a major defensive effort on the part of the West may well have tempted a new generation of Soviet leaders, not given to reciprocal “conservatism,” to dangerous expansion, not only at our expense, but at the expense of nuclear war. And even “holding our own” may itself entail a critical measure of amelioration: If we had not been concerned, say, about racial justice in the U.S., we might have tipped much of Africa and Asia into the Soviet camp; so the armed forces argued in their brief against segregation in *Brown v. Board of Education*.⁹⁹ To paraphrase the Red Queen: To stay where you are in a rapidly moving world, you have to run pretty fast.¹⁰⁰ *A fortiori*, if you want to improve your position, to get to a better place, you have to run, not just faster, but in the right direction.

And that is the second response to the realpolitik objection: We need not worry ourselves with whether this kind of stand-pat

98. MARCUS AURELIUS, *MEDITATIONS* 61 (A.S.L. Farquharson trans., Everyman’s Library 9th ed. 1961).

99. See Brief for the United States as Amicus Curiae at 7, *Brown v. Bd. of Educ.*, 347 U.S. 483 (1954) (No. 8).

100. LEWIS CARROLL, *THROUGH THE LOOKING GLASS AND WHAT ALICE FOUND THERE* 50 (Henry Altemus 1897) (1871).

conservatism is, in the abstract, a worthy goal for our society, much less all societies. We only need to note that it is not Huntington's own ideal. Huntington, for all his own objections to Utopianism, clearly wants, at the end of the day, to get to a better place. What Huntington really wants is not a society content with whatever values it has inherited, so long as it meets his implicit minima of survival, but a society that has either inherited or adopted what he has identified as essential military values, which he associates with humanity's maxima of flourishing. The result of the convergence he hopes is the adoption of military conservatism by US and USSR civilian leaders is much more, he makes clear, than the averting of nuclear annihilation: "If the civilians permit the soldiers to adhere to the military standard, the nations themselves may eventually find redemption and security in making that standard their own."¹⁰¹ These are, quite literally, the last words in Huntington's book; our remaining task is to work out their implications.

In defining the content of his conservatism-as-ends at the level of international relations, then, Huntington thus faces a critical dilemma. If he can be content with security alone, Nixon and Brezhnev's *Détente*, he only needs the conservatism of their "peaceful coexistence." But if he really wants his other goal, redemption, he will need something very nearly approaching the internationalism of Wilson, which, on one critical point, intersects with the conservatism of Reagan. For Reagan, no less than for Wilson, America is a city on a hill, if not the last or the best hope of humankind. Huntington, too, has his city on a hill: West Point. We must see, in the next section, how he purports to make West Point's military conservatism the source of the values that will not only secure, but redeem, the world. First, though, we must review how far Huntington has already brought us from where we set out.

3. Narrowing the Scope of Acceptable States Toward Civilian Conservatism

Huntington's solution to the classical problem of civilian/military relations, we saw in Part I, is supposed to be the same for all civilian regimes, irrespective of their value systems. This is because a professionalized military is both optimally competent in employing

101. HUNTINGTON, *supra* note 1, at 465–66.

violence as a means of achieving state ends and completely subservient to any legitimate regime, whatever that regime's civilian values. In this Part, however, we have seen that Huntington's solution presents serious problems in the second-best situation: When the civilian regime's political values diverge from the military's own functionally conservative values.

Following Huntington's lead, we analyzed military/civilian relations in three non-conservative civilian political systems: German Nazism, American liberalism, and Soviet communism. In each case, we saw that, to avoid very real catastrophe, Huntington's solution needs a civilian regime that is not merely minimally conservative—not so at odds with military values as to subvert military function—but more: At least conservative enough not to use the military force at its disposal for the destruction of itself or the world. And we also saw that Huntington himself wants still more: A civilian regime that is consistent enough with military values to bring not only security, but also redemption. This latter, obviously, is a most ambitious goal; it presses us to take a much closer look at what Huntington's civilian conservatism must be.

B. Huntington's Hunt for the First-Best, from History Through Myth to Metaphor: Multiple Pressures Toward Plato's Republic

We saw in the last section that representatives of three of Huntington's typical civilian regimes—German Nazism, American liberalism, and Soviet communism—all entail values that are at odds with the essentially conservative values of an optimally functioning modern military. In stark contrast, the fourth and final type of regime he considers, conservatism, is to entail no such tension. The political values of a conservative civilian regime would be entirely compatible with the functional values of its military. In Huntington's words,

Unlike liberalism, Marxism, and fascism, conservatism is basically similar to the military ethic. . . . In its theories of man, society, and history, its recognition of the role of force in human relations, its acceptance of existing institutions, its limited goals, and its distrust of grand designs, conservatism is at one with the military ethic. Most important, conservatism,

unlike the other three ideologies, is not monistic and universalistic. It does not attempt to apply the same ideas to all problems and all human institutions. It permits a variety of goals and values. Consequently, conservatism alone of the four ideologies is not driven by its own logic to an inevitable conflict with the military values which stem from the military function. It alone has no political-ideological pattern to impose on military institutions. While inherent contrast and conflict exist between the military ethic and liberalism, fascism, and Marxism, inherent similarity and compatibility exist between the military ethic and conservatism.¹⁰²

Marvelous stuff, then, this military-friendly civilian conservatism. It offers nothing less than a happy end to human history; in Huntington's millennium of conservative military values, all nations, he assures us, will have both redemption and security. "Conservatism" thus serves the same function in Huntington's system of civilian/military relations as "dark energy" does in modern cosmology: It explains all the unsolved problems elsewhere in the system; it balances all the equations.

Also like physicists' "dark energy," however, Huntington's conservative civilian political system stands badly in need of further specification.¹⁰³ When we descend below the highest level of abstraction, we encounter serious problems in granular reality. Interestingly, Huntington offers no contemporary example of a conservative regime to match his German Nazism, Soviet communism, or American liberalism. More tellingly, when we look more closely at the conservative theoreticians he prefers—Burke and Calhoun—we find that they supported regimes that were both less attractive than he would have us believe and less consistent with modern military values than he seems to realize. At bottom, the problems come to this: Although Huntington claims that a wide range of politically conservative regimes are compatible with military professionalism, that range, in practice, proves very narrow indeed. The failed search for a political conservatism to

102. *Id.* at 93.

103. *See* Driver, *supra* note 29, at 184 (following Rossiter's analysis to describe "conservative," as used by Huntington and others, as "a term that approaches the realm of the essentially contestable") (citation omitted).

match military professionalism, which we examine in this section, presses us toward the theoretical question we answer in Part III: The only regime that will meet Huntington's criterion is the one in which the wise rule for the good of all.

1. History: Canvassing Conservative Precedents

Huntington quite clearly recognizes that his theory depends on a particular kind of civilian political conservatism to complement his functional military conservatism, and he is at pains to identify it at the outset:

Conservatism, as used here and hereafter in this volume, refers to the philosophy of Burke, and not to the meaning given this term in popular political parlance in the United States to refer to the laissez-faire, property-rights form of liberalism as exemplified, for instance, by Herbert Hoover.¹⁰⁴

Implicitly recognizing that this invocation of Burke is not quite up to the task he sets for his conservatism, Huntington invokes two American exemplars of conservatism, both of whom were active and theoretical politicians, and both of whom were important in the development of America's professional military: Alexander Hamilton and John C. Calhoun. What is more, he tries to find elements of his kind of conservatism in the Constitution itself, and he cites two examples of historical regimes in which his kind of political conservatism successfully co-existed with functionally essential military conservatism: Late nineteenth-century Prussia and twentieth-century Britain. All this, however, produces more of a muddle than a model. To clarify this obscurity, we need to look at Huntington's conservatism from two familiar perspectives, his societal and his functional imperatives. From these two perspectives, we see two aspects of the same fundamental problem: Huntington's conservative precedents are fundamentally anti-modern, both economically and politically, in ways that not only offend modern civilian sensibilities, but also threaten the effectiveness of any modern military.

104. HUNTINGTON, *supra* note 1, at 93.

i. Burke, Calhoun, and the Modern Military's Societal Imperative

In moving from his second best, a liberal civilian America at odds with its essentially conservative military, to his first-best, a conservative civilian America in harmony with that military, Huntington is obviously calling for a change in the societal imperative that his military will face. We cannot, accordingly, fault him for departing from liberal values that, as we have seen, he finds doubly dysfunctional, both subversive of military virtues and dangerous to global security. We must, however, look more closely at what values he plans to put in their stead. Just how illiberal his examples are will come as shock, not just to those who espouse pretty nearly any form of liberalism, but also to those who espouse a wide range of alternatives to liberalism. What becomes clear is that these conservatisms not so much antiliberal as anti-modern.

Let us begin where Huntington himself begins, with Burke. Burke is perhaps best known in America for sympathizing with the American Revolution as a struggle to vindicate the rights of Englishman, even as he despised the French Revolution's embrace of the universal "rights of Man." But our Revolution, of course, began with Jefferson's invocation of just such universal rights, derived from the same Enlightenment philosophers revered by the French Revolutionaries and reviled by Burke. More problematically, if less famously, Burke's conservatism rested on two foundations explicitly rejected in the American Constitution: An established church and a hereditary ruling class.¹⁰⁵ And, of course, the two conservative regimes that Huntington cites, late nineteenth-century Prussia and twentieth-century Great Britain, include these illiberal elements in practice, not just in theory.

Neither of Huntington's American conservatives embraces either of these Burkean institutions. But one of them, Calhoun, brings some pretty dubious baggage of his own, and Calhoun's conservatism is even more appealing to Huntington than Hamilton's. The neo-conservatives on whom he bases his hope for advancing conservative values "expound the virtues of Burke and Calhoun."¹⁰⁶ "The South,"

105. See Driver, *supra* note 29, at 172, 184 ("Huntington employs the term [conservative] to describe the philosophy of British parliamentarian Edmund Burke, an Old World aristocratic plea for traditional order from a time when liberal ideas provided justification for capitalist expansion.").

106. HUNTINGTON, *supra* note 1, at 457–58.

according to Huntington, “gave military professionalism its only significant support in the pre-Civil War years.”¹⁰⁷

In a critical passage, Huntington both identifies the cultural setting that gave rise to Southerners’ political theory and expresses admiration for that theory:

The causes of Southern conservatism were primarily domestic. The Southern social system was an illiberal island in a liberal society. In self-defense the Southerners, like the Federalists before them, demonstrated their conservatism by creative and original political speculation Conservatives, forced to justify themselves in a hostile society . . . were driven to political theory, and the Old South produced notable conservative expressions in the work of George Fitzhugh and John C. Calhoun.¹⁰⁸

Notable though that work may be, it is also distinctly unsavory: Calhoun argued, against not only abolitionists but also more moderate defenders of slavery, that slavery was not a necessary evil, but a positive good.¹⁰⁹ The basis for that good was the premise that people of African descent were fundamentally inferior to people of European ancestry, making the subordination of the one to the other mutually beneficial. And Fitzhugh expanded the defense of slavery even further, contrasting the virtues of slave labor in the South with the vices of free labor in the North and elsewhere.¹¹⁰ We may charitably assume that these are not the aspects of Southern “conservatism” that Huntington commended to his contemporaries. But we cannot indulge that charitable assumption without removing the elements of Calhoun and Fitzhugh’s theories that they themselves took to be fundamental, and for which Huntington offers no clear alternative.

108. *Id.* at 211.

109. *Id.* at 147.

110. RICHARD N. CURRENT, JOHN C. CALHOUN 46 (Washington Square Press 1966).

111. GEORGE FITZHUGH, CANNIBALS ALL! 29 (1857).

ii. Anti-Modernism and the Modern Military's Functional Imperative

As we saw in the last subsection, Huntington's "off the rack" conservatisms offend a wide range of modern sensibilities, not only because Huntington is looking for an alternative to liberalism, but also because he looks to alternatives that are anti-modern in either their politics, like Burke's hereditary aristocracy, or their economics, like Calhoun and Fitzhugh's slave-based agrarianism. But we need not insist on the virtues of these elements of modernism to appreciate a problem inherent in Huntington's conservative precedents. Their anti-modernism, we need to see in this subsection, dooms Huntington's "off the rack" conservatisms to a deeper problem within his own system: They cannot be reconciled with the military's functional imperative. Every civilian conservatism Huntington expressly favors demonstrably conflicts with one or more of the military values he thinks both essential and admirable. We consider each of Huntington's recommended conservatism, in chronological order; together, they take us from the origins of modern military professionalism right down to Huntington's own time, where, as we have seen, he seems to have no examples to offer.

a. European Anciens Regimes

Burke was the model of the conservatism that Huntington says he has in mind. And Burke's conservatism, as we have also seen, conserved the European system of hereditary political power as it had evolved down to the time of the American and French Revolutions. As it happens, however, Burke's hereditary aristocrats proved quite resistant to the emergence of modern military professionalism in the next century, and not without good reason: That newer professionalism threatened to promote a much more meritocratic social order than their own. Huntington himself carefully documents this dynamic:

Conservatives such as the Duke of Wellington strongly condemned proposals to substitute a "mercenary army" for one led by "men of fortune and character—men who have some connection with the interests

and fortunes of the country, besides the commissions which they hold for His majesty.”¹¹¹

So, too, with Wellington’s Prussian counterparts: “Despite the opposition of conservatives like Wrangel and Manteuffel, the spirit of the Prussian officer corps had been slowly transformed from an aristocratic class spirit into a military caste spirit,” until “the aristocracy of birth had been replaced by an aristocracy of education and achievement.”¹¹² In the Prussian case, the pressure of reactionary conservatism in late eighteenth-century society had led no less a military monarch than Frederick the Great to limit the officer corps exclusively to noblemen; early in the nineteenth century, the moderately meritocratic armies of Wellington’s *bête noire*, Napoleon, had crushed Frederick’s aristocratic armies,¹¹³ forcing Prussia to become the model of modern military professionalism under Moltke and Bismarck by that century’s end.

Compared with Prussia, the English opposition of social conservatism to the core values of modern military functionalism began earlier and lasted longer. As Huntington himself notes, Cromwell’s New Model Army of England’s seventeenth-century Civil War had “many seeming similarities to nineteenth-century professional armies. In the New Model Army . . . discipline was strict; promotion was in part by seniority and in part by recommendation of superior officers; purchase [of commissions] was excluded, and politics drastically limited.”¹¹⁴

The New Model Army crushed the feudal armies of the reactionary Stewart monarchy and established a proto-republican regime: No single established church, no monarchy or house of lords.¹¹⁵ That regime collapsed shortly after Cromwell’s death, and the conservative restoration that followed both narrowed religious tolerance and restored the hereditary political rule of the monarchy and the nobility. It was, in effect, Burkean before Burke.

112. HUNTINGTON, *supra* note 1, at 47.

112. *Id.* at 54.

113. *Id.* at 33.

114. *Id.* at 21.

115. See ERIC NELSON, *THE HEBREW REPUBLICAN: JEWISH SOURCE AND THE TRANSFORMATION OF EUROPEAN POLITICAL THOUGHT* (2011). In fact, the contours of a neo-classically republican state were even clearer than this suggests.

What is more, that conservatism, quite contrary to what Huntington would have us believe about the general compatibility of social conservatism and functional military values, was radically opposed to the professionalizing trend represented by Cromwell's army. In Huntington's own words, "The ghost of the New Model Army still haunted the minds of British soldiers and statesmen two hundred years after the Restoration."¹¹⁶ And, to come full circle, it was the threat of Prussia's newly professionalized military, built in response to the anti-aristocratic armies of Republican and Imperial France, that forced socially conservative England, virtually last among major European powers, to embrace modern military professionalism.¹¹⁷ Again, in Huntington's own words, "With reluctance Parliament conceded that Moltke might be a greater threat than Cromwell and authorized the government to buy up the commissions [originally issued for purchase] and institute a system of promotion based on seniority and selection according to merit."¹¹⁸

Thus, by Huntington's own account of the development of professional military systems in both Prussia and Britain, we have exactly the opposite of what he says about the general compatibility of conservatism as a political system and the functional conservatism of a professionalized military. "Conservatism" in nineteenth-century Europe was radically resistant to fundamental elements of the functional values of the professionalized military, not, as Huntington's theoretical account insists, profoundly supportive of those values. Hereditary aristocracy, a bedrock principle of Burkean conservatism, makes a very bad bedfellow for the meritocracy, the foundation of an optimally effective modern military.

With respect to European conservatism, then, Huntington seems to be playing both sides of a very hazy line. On the one hand, he insists that his civilian conservatism, a conservatism consistent with military conservatism, is the conservatism of Burke; on the other hand, his own historical account shows that it was precisely this Burkean conservatism of English squires and Prussian Junkers that had to be overcome in order to establish the alignment of civilian and military values that

116. HUNTINGTON, *supra* note 1, at 47.

117. *Id.* at 43 (explaining that "Aristocratic bars to entry prevailed much longer in the British Army than in the French and Prussian forces").

118. *Id.* at 47.

he finds ideal in late nineteenth-century Germany and twentieth-century Britain. Burke loathed nothing so much as the social leveling of the French Revolution; it was precisely the continuation of that leveling under Napoleon that put the proverbial marshal's baton in every corporal's knapsack.

Huntington may have thought he addressed this problem with this pronouncement: "[T]he ideal military man is thus conservative in strategy, but open-minded and progressive with respect to new weapons and new tactical forms."¹¹⁹ But that is either too vague to be useful, or demonstrably false. The basic problem is that, as both the Prussian and the British examples show, what the military needs for success is sometimes a major social transformation. More specifically, that transformation is from European-style conservatism, the conservatism of Burke, to European-style liberalism, the French Revolution's equality of all citizens before the law, irrespective of birth or religious belief.

That said, however, we might nonetheless notice that Huntington has, in fact, found two conservative civilian regimes that, by his own account, mesh nicely enough with the functional conservatism of his modern professional military: Late nineteenth-century Prussia and early twentieth-century Britain. Chastened though they were by meritocratic pressures from republican France, imperial Prussia and Britain seem to work well enough. But, as we see when we turn to his American examples, they have something that every modern military needs, but something that Huntington cannot quite bring himself to like: A strong and centralized state.

b. American Alternatives

Huntington's search for militarily compatible conservatism in civilian politics fares little better in America. On first face, this should come as no surprise. One of Huntington's principal premises, as we have seen, is that the "conservative" values of the military fundamentally conflict with the historically "liberal" values of American civilian society. In Huntington's telling, however, there is more to the civilian side of the story:

119. *Id.* at 71.

Liberalism has always been the dominant ideology in the United States. The American Constitution, on the other hand, is fundamentally conservative, the product of men who feared political power and who provided for the widespread dispersion of that power among numerous governmental units.¹²⁰

Against the main tide of American civilian liberalism, Huntington identifies two strong “conservative” eddies, the Federalism of the early founders, especially Alexander Hamilton, and the anti-Jacksonian apologists for the antebellum South, especially John C. Calhoun.

And Huntington’s American conservatives do, indeed, offer a distinct advantage over his Burkean European conservatives: They have no militarily dysfunctional inclination toward hereditary aristocracy; his paradigms, Hamilton and Calhoun, are themselves self-made men, and (considerations of sex and race significantly aside) both were aggressively meritocratic. What is more, the American Constitution explicitly discountenances two problematic pillars of European conservatism: Religious establishment¹²¹ and hereditary political power.¹²² Even these advantages, however, underscore, again, an important ambiguity in Huntington’s vision of conservatism: In Europe, as we have seen, established churches and hereditary aristocrats are hallmarks of conservatism; America’s “fundamentally conservative” Constitution, on the other hand, explicitly removes these two Burkean pillars.

A more significant problem with Huntington’s American conservatism, however, is not the basic elements of Burkean conservatism that it eschews, but the distinctly American element that he places at its center: Fear of “concentrated political power,” manifested in “the widespread dispersion of that power among numerous governmental units.”¹²³ Making fear of strong central government a pillar of American conservatism poses two fundamental problems, one theoretical, the other historical. The theoretical problem is that, by Huntington’s own

120. *Id.* at 143.

121. U.S. CONST. amend. I, cl. 1–2.

122. U.S. CONST. art. I, § 9, cl. 8.

123. HUNTINGTON, *supra* note 1, at 143.

account, a strong central government is itself a pre-condition of modern military professionalism.¹²⁴

The historical problem is that making “fear of centralized power” the pillar of American conservatism seriously undermines his two paradigms of American conservatism, the Federalists, especially, Hamilton in the first generation, and Southerners, especially Calhoun, in the second.

Hamilton tended to favor larger, not smaller, and national, not local, government; that was much of what it meant to be a Federalist. And Calhoun’s early career, when he did most for military theory and practice, was during a distinctly nationalistic phase of his career. What’s worse, the agrarianism of Calhoun’s later career is hardly compatible with a strong army, and, worst, the sectionalism of his later career contributed tremendously to the near dismembering of the Founders’ Union and the definitive end of the Old South.

(i) Hamilton and the Federalist Founders

“The Federalists,” according to Huntington, “were almost classically conservative; their basic values closely resembled those of the military ethic.”¹²⁵ And Huntington does, indeed, identify several tenets that Federalism shared with his military conservatism. In particular, “They stressed the need for military force and the primacy of national defense among the functions of government” and “did not eschew power politics,” in the sense of *realpolitik*, but instead “reflected the professional military concept of war as the rational instrument of state policy.”¹²⁶ And, he might fairly have added, the federalists tended to be mistrustful of human nature. Each of these elements is easily overstated, especially in contrast to Huntington’s “liberal” Jeffersonians.

But what is most important, for our purposes, is the element of Huntington’s American conservatism that is missing from his catalogue of Federalism’s conservative features: Opposition to strong central government. Its absence is no accident: Federalists tended to favor, not oppose, just such a government. The authors of the original

124. *Id.* at 33 (“As a part of the state bureaucracy, moreover, an officer corps could only be maintained by societies with highly developed governmental institutions.”).

125. *Id.* at 194.

126. *Id.*

Federalist Papers—Hamilton himself, James Madison, and John Jay—wrote in favor of a new constitutional regime designed to replace the central government under the original Articles of Confederation with a central government that was both stronger and more centralized. Indeed, it was that very aspect of the new regime that inspired their name. What's more, once the new Constitution was in place, the Federalists, under Hamilton's leadership, were the party in favor of centralized power, over against Jefferson and his allies in what was to become the Democratic Party.

The basic problem is this: All of the Founders favored a stronger central government than that of the original Articles of Confederation; all, remembering the recent Revolution, also feared unrestricted governmental powers. But some of the Founders were more fearful of centralized government than others, and both sets of Founders actually line up on the wrong side in terms of Huntington's claim that conservative values are more compatible with military values. On the one hand, the Founders least fearful of a strong central government, and thus least "conservative" by Huntington's constitutional standard, were Hamilton's Federalists; the Federalists were also, as Huntington himself notes, most in favor of a strong standing army, professionalized by the standards of the time. On the other hand, the Founders most fearful of a strong central government, and thus most "liberal" by Huntington's standard, were Jefferson's Republicans; the Republicans favored citizen's militias, preferably at the state level. And, perhaps most importantly in light of the needs of the fully professionalized military of the nineteenth century, the Federalists favored, over against the Republicans, strong central government institutions like the National Bank; the Republicans favored, against Federalist opposition, the election of officers by the troops under their command.

The bottom line: To the extent that Huntington wants to identify "conservatism" with opposition to strong central government, then Jefferson's Republicans are more "conservative" than Hamilton's federalists. But, as Huntington nicely demonstrates, it was precisely the Federalists, not the Republicans, who favored a strong and professionalized army. As Huntington himself admits, "Hamilton alone among the Federalists anticipated important elements of military professionalism," and his views were "not even acceptable to most Federalists."¹²⁷

127. *Id.* at 195.

What is more, after the Founding generation, Federalism retreated to New England, then died out altogether, displaced by the triumph of Jeffersonian values.¹²⁸ Huntington must, accordingly, look elsewhere for an American political conservatism to match his functional military conservatism. And so he does.

(ii) Calhoun and the Antebellum South

The roots of American military professionalism,” according to Huntington, “go back to mid-nineteenth-century Southern conservatism.”¹²⁹ In Calhoun, as we have seen,¹³⁰ Huntington rightly identifies the political champion of Southern conservatism. But, as we have also seen,¹³¹ Calhoun’s conservatism rests on a distinctly distasteful foundation: Slavery. Now, having seen what Huntington missed in Hamilton, we may have the means of separating Calhoun’s racist dross and refining his conservative gold. In Calhoun, Huntington seems to have found what he needs: A kind of conservatism that opposes a strong central government even as it favors a modern professional military. But here is the rub: Although Calhoun did, indeed, embrace both these positions, he did not embrace them at the same time.

Early in his political career, particularly as Secretary of War under Madison, Calhoun pressed hard for the Hamiltonian military model, as Huntington himself duly notes.¹³² But early in his career Calhoun was an ardent nationalist, like most ambitious young politicians of his generation. As Huntington notes, Calhoun was perhaps the most effective proponent of military professionalism before the Civil War, with Jefferson Davis, an admirer of Calhoun’s politics, a close second;¹³³ his chief opposition came from “dominant Jeffersonian-Jacksonian liberals in Congress and the public.”¹³⁴ But, significantly, that opposition was not directed particularly at Calhoun’s military policy, but more at his centralizing nationalism. Calhoun the architect of

128. *Id.* at 146–47.

129. *Id.* at 214.

130. *See supra* Part II.B.1.

132. *See id.*

133. HUNTINGTON, *supra* note 1, at 216.

134. *Id.* at 214 (citing Calhoun and Davis as “the two most vigorous” among the antebellum Secretaries of War).

135. *Id.* at 216.

the modern American military was also Calhoun the proponent of strong and effective central government.

And the young Calhoun was not merely a nationalist; he was also an aggressive national expansionist. According to his biographer, "Like other enthusiastic nationalists of the period, Calhoun believed that westward expansion was inevitable, and he believed the army could play an essential role in making it safe and orderly."¹³⁵ This puts him considerably at odds with Huntington's ideal of military professionalism, which, as a corollary of its essential pessimism, is never expansionist.¹³⁶ Calhoun, by contrast, did not believe his expansionism undermined military professionalization; he saw military professionalism as the necessary means for national expansion.

Later in his career, Calhoun not only abandoned his nationalism; he also became the chief architect of southern sectionalism. On the fundamental issue of that era, nullification of federal law, particularly protective tariffs, by the separate states, sustained by the threat of secession, Vice President Calhoun wrote the states-rights brief; President Jackson defended the Hamiltonian tariff. In the moment of their final political breach, President Jackson toasted "To the Union"; Vice President Calhoun countered, "Next to our liberties, most dear." The ultimate irony of Calhoun's tragic career may well be this: The professionalized national army of which Calhoun was the principal proponent in the early, nationalistic phase of his career was the ultimate instrument of destruction of the Southern confederacy that embodied the anti-nationalist principles of his later career. Nor is that the end of the tragedy, or the irony: The Southern officers of the American army were trained in both of Calhoun's schools, modern military professionalism and mid-nineteenth-century Southern sectionalism; when forced to choose between the national army and their respective states, they tended strongly to choose the latter. They proved, all too well, a point Huntington makes elsewhere: "The nature of an officer's political loyalty becomes more important to the government than the level of his professional competence."¹³⁷

136. IRVING H. BARTLETT, JOHN C. CALHOUN: A BIOGRAPHY 93 (1994).

137. HUNTINGTON, *supra* note 1, at 68–69; *id.* at 273 ("Unlike the military, the Neo-Hamiltonians supported national expansion.").

137. *Id.* at 35.

Calhoun's early emphasis on military professionalism combined with his later opposition to federal power to produce terrible double tragedy: The national army he helped found was the instrument of destroying the independent South he inspired; the Southern generals trained in his national army very nearly destroyed the nation that they should, on Huntington's principles, have felt themselves bound to serve.¹³⁸ Calhoun, then, hardly has what Huntington is looking for: A conservatism committed to small government that is compatible with modern military professionalism.

We could, perhaps, dismiss this as an artifact of Calhoun's political biography, an adventitious split between the military professionalism of his early career and the sectionalism of his later career. This would leave Southern conservatism, more generally, as a basis for the kind of pro-military, small government conservatism that Huntington is looking for. As we have seen, Huntington does, indeed, argue that the South as a whole is an island of anti-liberalism. What's more, he also points out that the South, more than the rest of the nation, was especially sympathetic to the military. But, here again, he cannot sustain the case. The basic problem is this: All three of the principal reasons Huntington cites for the South's sympathy to the military are, by his own admission, at odds with the precisely the kind of modern, professionalized military that Calhoun had tried to build.

As Huntington points out, the South needed an army to protect against Indian incursions and slave revolts.¹³⁹ But, as Calhoun himself argued, that kind of garrison duty hardly required the technological sophistication of a professional army up to European standards.¹⁴⁰ More basically, Huntington notes, "[T]he agrarian character of the section and the relative absence of commercial and industrial opportunities present in other parts of the country naturally stimulated Southern interest in the military career."¹⁴¹ But the same agrarian economy, fundamental to Calhoun's vision of both human virtue in general and the

138. *Id.* ("A final factor facilitating the growth of professionalism was the existence of a single recognized source of legitimate authority over the military forces. A professional officer is imbued with the ideal of service to the nation.").

139. *Id.* at 211.

140. BARTLETT, *supra* note 135, at 91.

141. HUNTINGTON, *supra* note 1, at 212.

South's particular place in the Union, left its army and navy woefully undersupplied with the basic necessities of modern war.¹⁴²

Perhaps even more significantly, the military ideal that appealed most to Southerners was not the professionalized officer of Calhoun's modernizing vision. According to Huntington, one of the principal sources of "Southern militarism was the romantic cult which infused antebellum Southern culture," which "stemmed in large part from the agricultural nature of the South, the admiration of Southerners for the English ideal of the 'gentleman,' and the desire, fanned by the novels of Scott, to ape the manners and customs of medieval knighthood."¹⁴³

As we have seen, it was this very English ideal that opposed the professionalization of England's own military. In the nineteenth century, England's "conservative" old order rightly feared the re-emergence of a meritocratic military like Cromwell's New Model Army, even as Southerners fancied themselves courtly Cavaliers against the bourgeois Yankee Roundheads.¹⁴⁴ To paraphrase one of Calhoun's contemporaries, history plays twice; first as tragedy, then as farce.¹⁴⁵ As Huntington himself quite rightly insists, "Knowledge of the manners and outlook of that aristocratic, individualist amateur, the medieval knight, is of little help in understanding the professional values and attitudes which constitute the contemporary military mind."¹⁴⁶ Calhoun, in complete harmony with Huntington and, with Huntington, in considerable tension with Southern romantics, argued for military academies "accessible not just to the sons of the wealthy but [also] to those of the middle and lower ranks of society," to promote upward mobility in society generally as well as meritocracy in the military itself.¹⁴⁷

142. BELL IRVIN WILEY, *The Collapse of the Confederacy*, in THE BELL IRVIN WILEY READER 141, 143 (Hill Jordan et al. eds., 2001) (explaining that a "primary cause of Confederate defeat was the North's tremendous superiority in human and material resources," including that the North "had far more liquid wealth, banks, factories, mines, and ships").

143. HUNTINGTON, *supra* note 1, at 211.

144. See generally W. J. CASH, *THE MIND OF THE SOUTH* (1941) (discussing tensions between "Southerners" and "Yankees").

145. KARL MARX, *THE 18TH BRUMAIRE OF LOUIS BONAPARTE* 15 (Wildside Press 2008) (1852).

146. HUNTINGTON, *supra* note 1, at 20.

147. BARTLETT, *supra* note 135, at 82–83.

Huntington himself admits that the three elements of Southern culture that “nurtured Southern militarism”—“[s]ectional self-interest, an atavistic allegiance to feudal romanticism, and an agrarian economy”—“were not in themselves sufficient to lead to an appreciation of military professionalism.”¹⁴⁸ Indeed, he concedes, “in many respects they reflected motivations incompatible with professional ideals.”¹⁴⁹ What, then, does he see as the critical link between antebellum southern culture and military professionalism? In a word—but, as we have seen, a poorly defined word—“conservatism,” more specifically,

[T]he conservative cast of Southern society and Southern thinking, the product of the South’s defensive position as an illiberal island in a liberal society. This conservatism furnished a sympathetic environment of the growth of the professional ideal and channeled into the military concern aroused by other aspects of Southern life into an active recognition for the nature of the military profession and a preference for that profession as a career.¹⁵⁰

Having said that, Huntington goes on to demonstrate the predominance of Southerners in the ante-bellum military.¹⁵¹ But he gives no further evidence of what the “conservative cast of Southern society and Southern thinking” actually entails. Once again, we are told that civilian conservatism, opposed as it is to liberalism, is a potent force in favor of military professionalism, with its own functional conservatism. But we are not told what, exactly, that potent force might be, or what lies behind it. It is, again, like the physicists’ “dark energy”; we cannot see it, but it must be what we need it to be to make our analysis balance out.

The problem, though, is that the South’s social conservatism is less like physicists’ dark energy and more like Milton’s “darkness visible.” What we see are two sets of very dark phenomena. As a social system generally, as we have seen, its fundamental racism is distinctly

148. HUNTINGTON, *supra* note 1, at 212.

150. *Id.*

151. *Id.*

152. *Id.* at 212–14.

unappealing; on military matters in particular, its militaristic tendencies are distinctly opposed to a modern military professionalized along the lines Huntington, with Calhoun, saw as functionally essential. Southern conservatism, then, was rather the reverse of physicists' "dark energy": Its nature is all too apparent, and its effect is to unsettle, rather than balance, the necessary equations.

iii. In the Net: No Precedents, Important Insights

Huntington's search for historical precedents for the kind of civilian conservatism that will complement his military conservatism proves disappointing. His European conservatives nicely fit the Burkean mold he believes he needs to fill; they are, even as he says military officers must be, inclined to value the group over the individual, the tried and true over the novel and innovative. But, as we have seen, this is true to a fault, and that fault puts them at odds with not only modern liberal values, but also the demands of modern military function. In particular, their feudalistic preference for inherited privilege and theological orthodoxy is deeply, and dangerously, at odds with modern military meritocracy.

Huntington's American conservatives, particularly Hamilton's Federalists and Calhoun's Southerners, prove no better fit. They do, indeed, shed the feudal relics of inherited position and religious establishment, but they present problems of their own. Hamilton's federalism would have been a much better fit, but for Huntington's insistence here that conservatism favor small and decentralized government, in considerable tension with his position elsewhere, that strong states are a precondition of modern professionalized militaries. Southern conservatism, which Huntington would make the foundation of American military professionalism, also disappoints. Its militaristic tendencies prove to be far more feudal than modern, and its social ideals, particularly its agrarianism, proved, in the event, not only incapable of equipping a modern army, but also embarrassingly insistent on the virtues of slave labor. And yet here Huntington may well be onto something promising.

2. From History to Myth: Receding into Re-Imagined Past

Huntington was not alone in looking to the South as somehow the preserve of values he saw lost in the triumph of the North. For

some, these were rural and agrarian values as opposed to cosmopolitan and industrial values. For Huntington, the appeal of the South was more subtle. The values it offered, and the values he needed, had to be consistent with the demands of a modern military; they had to be values, in other words, that fit the functional imperative of the modern military. But, quite significantly, Huntington made other demands as well: He believed that properly military values were the model for civilian values themselves; in that sense, Huntington meant to replace American liberalism with a very special form of military conservatism.

i. The Old South

The dean of Southern historians of the last century, C. Vann Woodward, finds a similar search for alternatives in Southern culture to modern America in three late nineteenth-century novelists, Herman Melville, Henry Adams, and Henry James. None of them, Woodward notes, had any strong personal ties to the South, nor any sympathy with either slavery or secession; to the contrary, “[e]ach came of an authentic Yankee heritage,”¹⁵² and each carefully purged his sympathetic Southern characters of “the more troublesome doctrinal heresies.”¹⁵³ But all of three of them felt deeply alienated from *fin-de-siecle* American culture,¹⁵⁴ and each looked to the South, not for an alien value system, but for traces of an older and purer American value system that, purged of its “peculiar institutions,” might provide access to the virtues shared, North and South, in the early days of the Republic.

These three authors were not, Woodward suspects, particularly concerned, in any serious historical or sociological sense, about “[s]outhern identity and heritage.”¹⁵⁵ In that sense, their turn to the South differs from Huntington’s. But

What they *were* all deeply concerned about was
what had overtaken their own society since the Civil
War, the mediocrity, the crassness, and the venality

153. C. VANN WOODWARD, *A Southern Critique for the Gilded Age*, in *THE BURDEN OF SOUTHERN HISTORY* 109, 110 (rev’d ed. 1968).

154. *Id.* at 138.

155. *Id.* (“Each of them was in some degree estranged from the new America and rejected its dominant values[;] [e]ach in some fashion withdrew . . .”).

155. *Id.* at 137.

they saw all about them. The South or the Southern hero, past or present, was a useful foil for the unlovely present or the symbol of some irreparable loss.¹⁵⁶

Here their quest was very much like Huntington's, and what they found may well have been, at bottom, precisely what he was looking for: "the antique valor and probity of the early Republic."¹⁵⁷

ii. *The Founders' Republic*

The great problem, for them as for Huntington, was to purge the South of slavery and sectionalism; as a practical matter, this was, as we have seen, impossible. But, like Huntington, the novelists knew that what they were looking for was, in effect, a way back to the values of the early Republic, particularly in the person of Washington, both Commander in Chief of the Continental Army and first President of the New Republic. Henry Adams, grandson of John Quincy Adams and great grandson of John Adams, nicely illustrates the problem with his recollection of a childhood trip with his father, Charles Francis Adams, across rutted antebellum roads to Mount Vernon:

The moral of this Virginia road was clear, and the boy fully learned it. Slavery was wicked, and slavery was the cause of this road's badness which amounted to a social crime—and yet, at the end of the road and product of the crime stood Mount Vernon and George Washington.¹⁵⁸

In his novel *Democracy*, Adams makes both his hero and his heroine scions of families who knew Washington, and he has a New Englander pay him this tribute: "We idolize him. To us he is Morality,

156. *Id.*

157. *Id.* at 139.

158. *Id.* at 135 (quoting HENRY ADAMS, *The Education of Henry Adams* Henry Adams, in *DEMOCRACY, ESTHER, MONT SAINT MICHEL AND CHARTRES, THE EDUCATION OF HENRY ADAMS* (1983)).

Justice, Duty, Truth; half a dozen Roman gods with capital letters. He is austere, solitary, grand; he ought to be deified.”¹⁵⁹

iii. The Roman Republic

As Gary Wills has shown, this image of Washington as a reincarnated hero of the Roman Republic, an America Cincinnatus, was the result of much self-conscious myth-making, not least on the part of Washington himself.¹⁶⁰ But the purpose of this myth-making, here as in the classical Roman histories, was not deception, but inspiration.¹⁶¹ A similar cult, at least as carefully cultivated, developed around General Robert E. Lee, himself quite consciously an emulator of Washington, the spouse of one of Washington’s descendants, and long the resident of his wife’s mansion, Arlington.

The Federalist Papers, penned before the Founders split into Federalist and Republican parties, capture the essence of this ideal in its civilian political form:

The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess most wisdom to discern, and most virtue to pursue, the common good of society; and in the next place, to take the most effectual precautions for keeping them virtuous whilst they continue to hold their public trust.¹⁶²

Once we see their ideal, we recognize it as the essence of the civilian “conservatism” Huntington needs to match the functional conservatism of his modern military officers. No sooner do we recognize that ideal, however, than we realize why he had so little success finding its embodiment in any particular time and place. Huntington’s first-

159. *Id.* at 122 (quoting HENRY ADAMS, *Democracy, in* DEMOCRACY, ESTHER, MONT SAINT MICHEL AND CHARTRES, THE EDUCATION OF HENRY ADAMS (1983)).

160. Gary Wills, *Cincinnatus: George Washington and the Enlightenment* (1984).

161. See MICHAEL GRANT, *THE ANCIENT HISTORIANS* xv (1970) (“Another thing that may strike us as peculiar about the ancient [Greek and Latin] writers is that the guidance they propose to give is inclined to be moral.”).

162. THE FEDERALIST NO. 57 (James Madison).

best, the civilian regime that matches his properly professionalized military, is, at bottom, Plato's: The rule of the wise for the good of all.

What he and others found attractive about the myth of the antebellum South and the dimly-remembered early Republic were two related elements; one political, the other economic: public officials chosen for their virtue and their excellence, not their popular appeal, and private wealth accumulated in the cultivation of staple crops or the practice of honorable professions and expended for classical elegance and public benefit rather than for modern style or private show. The problem, of course, was that this was more idealized memory than historical fact; the promise was that it was just the ideal they were looking for.

The myth of Washington may also help explain what we have seen, earlier in this section, as an anomaly in Huntington's appeal to Hamiltonian Federalism. Huntington insists that the Founders enshrined principles of small, decentralized government in the Constitution of their Republic. But the Constitution was a move away from the weak central government of the original Articles of Confederation, toward just the kind of stronger central government that Huntington says a modern military requires. And Hamilton's Federalists became the party of a stronger central government, the kind of government Calhoun supported in the earlier pro-military, pre-sectionalist phase of his career. The myth of Washington, however, harkened back to the earlier time, even as the myth of Cincinnatus harkened back, past the Empire, to the Roman Republic.

What Huntington needs, but cannot quite bring himself to seek, is not Washington the modern Cincinnatus, the gentleman farmer called in a crisis who returns to his farm when the crisis is over. What he needs is what classical history inconveniently fails to provide: A modern Marcus Aurelius who presides over, not an empire, but a republic. What he needs, sad to say, is what, in Reconstruction, Lincoln might have been; what, in Republican Rome, the Gracchi almost were; what, in the English Revolution, Milton counseled Cromwell to become.

iv. History, Myth, and Insight

In his search for conservative precedents, Huntington canvases an impressive, though by no means exhaustive, list: Burke's

historically-oriented political theory, the American Founders' Constitution, Hamilton and Calhoun's theoretically informed political practice, and the British and Prussian monarchies at the turn of the twentieth century. Upon close examination, alas, all of the conservatisms Huntington recommends come up far short of what he promises: A civilian ideology that embraces essential military values fully enough to give humanity not only security, but also redemption. Some of his conservatisms, as we have seen, simply fail the most basic functional imperative: They cannot even sustain the kind of modern military they need for their own national defense. Others fail, not because they cannot sustain the military necessary for their national defense, but because their social values would find few, today, interested in defending them. None comes near Huntington's own most ambitious goal, redemption.

None of this is to say, however, that Huntington's search through the conservatisms of the past is a dead loss or waste of time. Quite the contrary: It is doubly helpful. On the one hand, it shows us which elements of civilian ideologies conflict with essential elements of modern military professionalism. Military professionalism tends to preclude both the anti-modern political element of Burke's hereditary privilege and the anti-modern economic element of Calhoun's agrarianism. And modern ideologies prove no more immune to this kind of incompatibility. Soviet communism sometimes asked far too much in political orthodoxy and ultimately offered far too little in economic productivity; American liberalism may pose equally serious, if less clearly visible, problems. Huntington himself, as we have seen, tends to lapse, like Calhoun, into the very *laissez-faire* mentality he dismissively attributes to Herbert Hoover: A national government not strong enough with respect to either other nations or its own political subdivisions.

And yet, under the over-broad heading of individualism, he identifies two basic elements of our own political and economic system that threaten essential military virtues: Populism, the foundation of liberal democracy, and consumerism, the foundation of market capitalism. If feudalism undermines military meritocracy with its hereditary restrictions, populism threatens military meritocracy with standardless majoritarianism. Good officers are not born of better parents, but neither are they elected by enlisted soldiers. As Huntington rightly notes about the latter, "[t]he representative ideal was, of course, just as

incompatible with military professionalism as the aristocratic ideal.”¹⁶³ Similarly, if socialism rewards politically determined need at the expense of private economic productivity, capitalism may well err in precisely the opposite direction, satisfying frivolous consumer tastes at the expense of workers’ health care and education. Self-indulgence and self-aggrandizement may not be social diseases, but neither of them is the public virtue on which modern militaries depend.

The South, Huntington reminds us, has traditionally been more sympathetic than the American mainstream to the military life, if not quite to the values of modern military professionalism. As we saw in the last section, this appeal to Southern values as an antidote to what is most objectionable about American values comes fully to the fore in Huntington’s final historical example, which moves from precedent to something more like myth, even symbol, from the real to the idealized to the ideal. Critics of modern American society have tended, like Huntington, to look for America’s lost virtues in the South, the region of America long thought most resistant, for better as well as for worse, to America’s modernization. That their South was mostly a myth matters less, for their purposes and for Huntington, than the fact that, against that counter-example, they could better see what troubled them about America itself. Consider this juxtaposition, from C. Vann Woodward’s analysis of Henry Adams’s *Democracy*:

Across the Potomac, in striking contrast to the city built in swamps and sunk in quagmires of corruption, rise the stately white Virginia mansions of Arlington and Mount Vernon. They constitute a grave and silent censure of the scene below, and it is to these vantage points on the Virginia bank of the river that the novelist has his characters repair for their deeper colloquies on the future of democracy.¹⁶⁴

In this section, as we have seen, Huntington offers just such a contrast, to very much the same point; in the next, we will see that he makes an important advance: His alternative to the flawed American

163. HUNTINGTON, *supra* note 1, at 34.

164. WOODWARD, *supra* note 152, at 122.

values of today must not only be grounded in our shared past, but also capable of supporting our common future.

3. From Myth to Symbol: Re-Constructing an Icon of Coherence

At the very end of his book, in a kind of symbolic capstone to the arch of his argument, “The Worth of the Military Ideal,” Huntington juxtaposes vivid vignettes of two very different value systems: “Just south of the United States Military Academy at West Point is the Village of Highland Falls.”¹⁶⁵ The latter epitomizes America’s civilian vices; the former, Huntington’s military virtues: “West Point embodies the military ideal at its best; Highland Falls the American spirit at its most commonplace.”¹⁶⁶ Here we see, in starkest contrast, the good at its best and the bad at its worst; Huntington’s thesis, universal military conservatism, and its American antithesis, civilian liberalism.

Huntington begins with Highland Falls. This portrait of civilian liberalism at its worst could hardly be less appealing:

Main Street of Highland Falls is familiar to everyone: [T]he First National Bank with venetian blinds, real estate and insurance offices, yellow homes with frilly victorian porticos, barber shops, and wooden churches—the tiresome monotony and incredible variety and discordancy of small-town commercialism. The buildings form no part of a whole: they are simply a motley, disconnected collections of frames coincidentally adjoining each other, lacking common unity or purpose.¹⁶⁷

Without pause for even a paragraph break, Huntington marches us past the abysmal civilian liberalism of Main Street and into the paradigmatic military conservatism of West Point:

On the military reservation the other side of South Gate, however, exists a different world. There is

165. HUNTINGTON, *supra* note 1, at 464.

166. *Id.* at 465.

167. *Id.* at 464–65.

ordered serenity. The parts do not exist on their own, but accept their subordination to the whole. Beauty and utility are merged in gray stone. Neat lawns surround compact, trim homes, each identified by the name and rank of its occupant. The buildings stand in a fixed relation to each other, part of an over-all plan, their character and station symbolizing their contributions, stone and brick for the senior officers, wood for the lower ranks. The post is suffused with the rhythm and harmony which comes when collective will supplants individual whim. West Point is a community of structured purpose, one in which the behavior of men is governed by a code, the product of generations. There is little room for presumption and individualism. The unity of the community incites no man to be more than he is. In order is found peace; in discipline, fulfillment; in community, security.¹⁶⁸

In West Point, Huntington finds the apotheosis of precisely the value system he needs, a military past and a present that he takes as blueprint for the future of civilians as well.

The full epiphany comes in his book's final paragraph:

West Point is a gray island in a many colored sea, a bit of Sparta in the midst of Babylon. Yet is it possible to deny that the military values—loyalty, duty, restraint, dedication—are the ones America most needs today? That the disciplined order of West Point has more to offer than the garish individualism of Main Street? Historically, the virtues of West Point have been America's vices, and the vices of the military, America's virtues. Yet today America can learn more from West Point than West Point from America.¹⁶⁹

He closes that paragraph, and his book, with the sentence quoted at the beginning of this paper: "If the civilians permit the soldiers to

168. HUNTINGTON, *supra* note 1, at 465.

169. *Id.* at 465–66.

adhere to the military standard, the nations themselves may eventually find redemption and security in making that standard their own.”¹⁷⁰

But, as that sentence reminds us, the work of Huntington’s comparison is still far from done: He must show us, not just that the epitome of universal military conservatism is, in every conceivable way, superior to the worst of American civilian liberalism; he must also show us how the civilians can, themselves, adopt military values. We still need the synthesis he has promised. At precisely this critical point, Huntington must shift his perspective on West Point, and he does. He has shown us West Point as the “military reservation” at the end of Highland Falls’ Main Street, as thesis to its antithesis, as good servant to bad master. Now, for West Point to serve as the synthesis Huntington has in mind, it must be both military reservation, and more.

For our whole society, civilian and military, to see what more we need from West Point, we need to find its spirit; to show us that spirit, Huntington points us to its architectural center. Even as “[t]he spirit of Highland Falls is embodied in Main Street,” so

The spirit of West Point is in the great, gray, Gothic Chapel, starting from the hill and dominating The Plain, calling to mind Henry Adams’ remark at Mont St. Michel on the unity of the military and the religious spirits. But the unity of the Chapel is even greater. There join together the four great pillars of society: Army, Government, College, and Church. Religion subordinates man to God for divine purpose; the military life subordinates man to duty for society’s purposes. In its severity, regularity, discipline, the military society shares the characteristics of the religious order. Modern man may well find his monastery in the Army.¹⁷¹

170. *Id.* at 466.

171. *Id.* at 465; *cf.* HENRY ADAMS, *Mont Saint Michel and Chartres*, in DEMOCRACY, ESTHER, MONT SAINT MICHEL AND CHARTRES, THE EDUCATION OF HENRY ADAMS 348 (1983) (“On this solid foundation the Abbott [of Mont St. Michel] rested the chief weight of the church, which was its central tower, supported by the four great pillars which still stand . . .”).

In his monolithic, literally granite, Gothic chapel, Huntington seems to have what he seeks, a universal synthesis of military and civilian values.

Immediately, we know that this is not the synthesis we need. Most obviously, we need to move, not backward into the thirteenth century, but forward into the twenty-first. Military values, according to Huntington, promise all of humanity, “redemption as well as security”; surely he doesn’t mean for modern humanity literally to follow its military guardians into a medieval monastery. Huntington is quite right to note, following Henry Adams, that the military and the religious spirits unite in Mont St. Michel. But he must also have known Adams’s fuller title: *Mont Saint Michel and Chartres: a study of thirteenth-century unity*.¹⁷² And he would also have learned Adams’s lesson about that particular unity: That it could not hold, even in its own time, much less in ours. How are we, as citizens of a secular republic, to get past this suggestion that, at West Point’s gothic chapel, as at the great medieval church at Mont St. Michel, the religious and the military spirits unite in one purpose, and that the common public purpose, military and civilian, is the divine?

Huntington himself points us to the answer, with his invocation of Henry Adams. Adams, Huntington must have known, does not leave us with the pointed arches and soaring spires of the Gothic; he takes us back to their foundation. Gothic, as Grant Woods’ famous picture reminds us, is an incongruous aesthetic for America. Beneath it and behind it Adams saw at Mont Saint Michel a deeper, more enduring unity, that of the original, Norman chapel, in an earlier style, the Romanesque. It is to the Romanesque, Adams tells us, that we come back after our youthful enthusiasm for the Gothic.¹⁷³

But the Romanesque itself was only a bridge, back to a center that could hold. For the builders of Mont St. Michel, that center was the Rome of the Church. We, in our time, are forbidden, by our

172. ADAMS, *supra* note 171, at 719 (describing the book as “a volume which [Adams] mentally knew as ‘Mont Saint Michel and Chartres: a study of thirteenth-century unity’”).

173. *Id.* at 349 (“The quiet strength of these curved lines, the solid support of these heavy columns, the moderate proportions, even the modified lights, the absence of display, of effort, of self-consciousness, satisfy them as no other art does. They come back to it to rest, after the long circle of pilgrimage,—the cradle of rest from which their ancestors started.”).

fundamental law, to build a chapel that is a church. But the Romanesque might also be our way back, Huntington and Adams must also have realized, to a very different Rome, the classical Rome of both the Renaissance and the Revolution, American as well as French. Mont St. Michel's bridge back across the Dark Ages to Peter's Church, like the Founders' back to Cicero's Republic, rested on the round arches of Roman architecture, as functional as those of the Pont du Garde, as perfect as those of the Pantheon,¹⁷⁴ the apotheosis of classical Roman architecture.

It was the model for the architects of the Renaissance, even as it was for the American Republic's Capitol. The peak of Rome's Pantheon is not a stone Archangel, escaping earth and assaulting heaven,¹⁷⁵ but an operculum, an opening that lets light from outside and above illuminate the interior below. Its design thus reflects a very chastened—one might fairly say conservative—view of the divine: On the one hand, direct emotional contact cannot be denied, but neither can it be made rationally binding on others. On the other hand, if God's will is for the human good—if, as Huntington suggests elsewhere, the highest humanitarian values are implicitly the same as the highest Christian—then we serve the latter when we serve the former.

The synthesis that Huntington needs is precisely this: A rationally determined vision of the common good that God himself would endorse (if He really exists, and if He really is a rational being who loves human beings above all things).¹⁷⁶ This is, of course, the accommodation, not only of the Founders, but also of Plato and the Stoic philosophers. In his principle dialogue on religion, Socrates presses his

175. Note that Brunelleschi went back to the Pantheon as model for the Dome of the Duomo of Florence, the first great masterpiece of Renaissance architecture. See ROSS KING, *BRUNELLESCHI'S DOME* 27–30 (2000).

176. ADAMS, *supra* note 171, at 349 (“Perched on the extreme point of this abrupt rock [at Mont Saint Michel], the Church militant with its aspirant Archangel stands high above the world, and seems to threaten heaven itself.”); *id.* at 691–92 (“The theology turns always into art at the last, and ends in aspiration. The spire justifies the church.”).

177. As, of course, many maintain that He is. See, e.g., *John* 3:16 (“For God so loved the world that he gave his only begotten son.”). For an argument that this conception of a fundamentally pro-human God can be found in all three great Abrahamic faiths, Judaism and Islam as well as Christianity, see Rob Atkinson, *The Future of Philanthropy: Questioning Today's Orthodoxies, Re-Affirming Yesterday's Foundations*, 4 WM. & MARY POL'Y REV. 251 (2013).

impetuously religious interlocutor Euthyphro toward this very conclusion: Justice, the service we owe our fellow human beings, and piety, the service we owe the gods, must be the same, if either is to be rationally knowable.¹⁷⁷ That is why, at bottom, Plato's ideal society, like our Founder's regime, is neither a theocracy, nor a democracy, but a republic: The basic test that every law must pass, the foundation of due process of law, is that every law rationally advance a legitimate public purpose.

In Huntington's metaphor of West Point, we can now see, at least in outline, what the equivalent would look like: A civilian society led by those educated in statecraft, even as America's military leaders are educated in warcraft. Their common ground is the common good; their leaders those knowledgeable of, and committed to, that good. Those two virtues, seeking and serving the common good, are the values enshrined in their pantheon. The form and function that Huntington gives this civilian value system seems, at first sight, a center that cannot hold, at least not in a modern republic: A medieval monastery, centered on a Gothic church, serving an implicitly Christian God.

But, beyond his own symbols, Huntington himself points us to a very different synthesis, with very different symbols, that promises to work perfectly well: His medieval monastery, on closer inspection, is a modern university; his Gothic cathedral actually serves as a neo-classical pantheon; his mystical divine purposes, closed to all but the cloistered clergy, must be identified with reasonable human purposes, open to all with true professional training, military and civilian alike. What he initially presents as a diptych, Highland Falls vis-a-vis West Point, proves to be a triptych; between his military utopia and his civilian dystopia we can see a modern civilian republic perfectly consistent with conservative military values.

III. PROFESSIONAL OFFICERS SERVING A NEO-CLASSICAL REPUBLIC: BRINGING HUNTINGTON AND PLATO TOGETHER

As you are yourself a complement of a social system,
so let every act of yours be complementary of a social

178. Plato, *Euthyphro*, in 1 THE DIALOGUES OF PLATO 394 (Benjamin Jowett trans., Random House 14th ed. 1937) ("Piety or holiness, Socrates, appears to me to be that part of justice which attends to the gods, as there is the other part of justice which attends to men.").

living principle. Every act of yours, therefore, which is not referred, directly or remotely to the social end sunders your life, does not allow it to be a unity, and is a partisan act, like a man in a republic who for his own part sunders himself from the harmony of his fellows.

Marcus Aurelius, *Meditations*.¹⁷⁸

In Part I, we saw that Huntington's proffered solution to the classical problem of civilian/military relations is "objective civilian control": A fully professionalized military officer corps that stands ready to obey the orders of any legitimate civilian regime. That would give the perfect balance of maximum military preparedness and minimum risk of military insubordination. Military professionalism, in that arrangement, entails two basic components, one intellectual, the other moral: The competence needed to ensure its functional imperative, defend the homeland, and the virtue necessary to prevent abuse of that competence at the expense of civilian values, the cultural imperative.

In Part II, upon closer examination, we saw that this universal solution proves to have problems wherever the competencies and values of civilian authorities are not perfectly congruent with those of the military. All three of Huntington's twentieth-century second-best situations proved even worse than he himself seemed to appreciate. In Nazi Germany, he saw that Nazi interference in military affairs had undermined the military's functional capability; we saw that a more chastened civilian fascist regime might very well have used an obedient military not only to avert Germany's unconditional surrender, but also to produce either the annihilation of Germany itself or a thorough German victory. In the Cold War between the liberal NATO Alliance and the communist Warsaw Pact, Huntington saw the risk that a more aggressive faction on either side might have produced thermonuclear war. We saw that a less aggressive faction on either side might have left the Warsaw Pact nations in a state of permanent stagnation, if not Stalinist terror or economic collapse.

These prospects pressed us, with Huntington, toward his ideal solution as the only real option: A civilian regime that itself embodies values consistent with the conservative values dictated by the military's

179. AURELIUS, *supra* note 98, at 60.

function. But his survey of candidates for an effective regime of civilian conservatism came up surprisingly short: All fail. In their failure, however, we recognize the outline of what we are looking for, a society in which military and civilian values are synthesized. Huntington held that prospect out for us in his own City on a Hill, right here on American soil, his West Point, centered on its Gothic chapel. But Huntington disappoints us again: His civilian society and his military professionals are united in service to divine purposes he does not deign to disclose. But, again, Huntington fails instructively—we see, in still clearer outline, what we are looking for: A society in which the wise rule, in both civilian and military matters, for the good of all. That first-best arrangement, Huntington insists, will bring not only security, but also redemption.

Having raised the stakes this high, Huntington forces us to look back at his original proposal. When we do, we find that that proposal itself presses us, relentlessly, beyond itself, toward a system that may very well give all that Huntington promises. Huntington's vision of universal social unity under the symbol of the Gothic chapel, we have just seen, cannot accommodate his synthesis of military and civilian values. Nor, as we saw just before that, can we quite extrapolate the civilian conservatism his second-best solutions press us toward from his historical examples. But, if we bear the two failures in mind, we can find just that synthesis, just the civilian conservative regime that Huntington needs to pair with his military conservatism, in the very place where he directs us to look: The functional requirements of the professionalize military itself. Even as he says, "the nations themselves may eventually find redemption and security in making that standard their own."¹⁷⁹ And that, we are now in a position to see, will be Plato's classical solution, updated and expanded for our own age.

Making this final connection requires us to move both Huntington and Plato toward each other. First, we must see how Huntington's analysis presses us toward Plato's conclusion. Then we must see how Huntington, as it were, brings Plato down to earth. And that common ground will be this: The kind of meritocratic social arrangements necessary to ensure the strongest military are the very arrangements needed to produce social justice generally.

180. HUNTINGTON, *supra* note 1, at 466.

*A. Moving Huntington Toward Plato: Military Officers and Civilian Authorities Knowing and Serving the Common Good*¹⁸⁰

Moving Huntington toward Plato requires three basic steps. First, we must see that Huntington's "first-best," a regime with civilian authorities who properly match his professionalized military officers, is none other than Plato's ideal regime, where the wise rule for the good of all. Since this is not likely ever to obtain in the ideal Platonic form, and since acting as if it were already in place produces problems of the second best, we are pressed toward a second step: Exceptions to the rule that officers should always obey orders of any legitimate civilian authorities. When we examine these exceptions, however, we notice that, in order for military officers to make these exceptions work, they must, themselves, both know and be committed to the public good. When we notice this, we can appreciate the possibility of realizing Huntington's concluding promise of both securing and redemption under military values. This, in turn, brings us to our third and final step: Huntington's first-best, professional officers obeying any legitimate authority, actually only works in the very circumstances of Plato's Republic: Where civilian authorities and military officers share a vision of the same values.

Huntington's first-best solution to the problem of military/civilian relations requires a set of civilian authorities whose mastery of politics matches their military officers' mastery of arms. Civilian authorities need to be statesmen; more specifically, they need to know state ends as well as military officers know military means to those ends. And, because civilians know the ends of state action, military officers should defer to them. But this first-best scenario might fail at either of two critical points: Civilian offers may not know what is good for the state, and, even if they did, they might not pursue that good. They might, in other words, lack either the professional knowledge or the professional virtue that would make them the proper complements of Huntington's professional officers. What is more, those professional officers might, as part of their own professionalism, make up what the civilians lacked, in both knowledge of the public good and in

180. This section is a very tight summary of ROB ATKINSON, *THE LIMITS OF MILITARY OFFICERS' DUTY TO OBEY CIVILIAN ORDERS: A NEO-CLASSICAL PERSPECTIVE* (2015).

commitment to it.¹⁸¹ These possibilities seriously undermine the rationale for Huntington's rule of obedience, suggesting a general exception: Officers should not obey orders that do not advance the public good, which is the common end of both professional statesmen and professional military officers.

Huntington himself admits of two exceptions to military obedience: Illegal orders and immoral orders. He based these exceptions on limits of civilian expertise: Law and morals lie as much outside the sphere of politics as they do outside the sphere of military science.¹⁸² In fact, the reverse is the case with respect to both military and civilian authorities: Law and morality fall equally within the spheres of both military officers and civilian authorities. What is more, law and morality are grounded in the same norms as both civilian and military expertise: The common good.

This, in turn, implies that both the rule of military obedience to civilian authority and the exceptions for illegal and immoral orders all derive from a more basic rule: Civilian authorities and military authorities alike must know and serve the common good. That rule nicely includes Huntington's rule of obedience, when that rule is working as it should, that is, when the orders of civilian authorities are actually in accord with the public good. And it also subsumes Huntington's two exceptions: Military leaders should disobey both illegal orders and may disobey immoral orders for the same reason that they are to obey orders in general: In order to advance the common good.

As a result, Huntington's first-best regime is very like Plato's, in two respects, one structural, the other substantive. The wise must rule for the good of all, more basically, the rulers must know and serve the common good. When these two conditions are met, and only when these two conditions are met, can Huntington's professionalized officers fulfill both their functional and their societal imperatives by following civilian orders.

And this implies, finally, that Huntington's solution to the classic problem of civilian/military relations comes, at bottom, to Plato's: Military officers are auxiliary guardians, carrying out the orders of the

181. Here the evidence is encouraging, if rather thin. See Driver, *supra* note 29, at 188 ("[O]ne consensus that did emerge [among a scientific sample of military leaders]: *societies run best when individuals are committed to the common good and service to societal goals.*") (emphasis in original) (citation omitted).

182. HUNTINGTON, *supra* note 1, at 77.

proper guardians, because the orders of those guardians advance the same values to which military officers are, as professionals, themselves committed—basically, the common good.

*B. Moving Plato Towards Huntington:
Guardians and Auxiliaries Sharing Functional Military Values*

In the last section, we saw how the inner logic of Huntington's solution to the classic problem of civilian/military relations moves him toward Plato's own solution of that problem: Have military authorities and civilian authorities share the same values, and have the structure of civilian society be the rule of the wise for the good of all. In this section we need to notice this accommodation of Huntington to Plato is, in several important respects, not what the *Republic* seems to contemplate. If, accordingly, we are to match Huntington with Plato, we must move Plato toward Huntington; if we do, we find we have, not only a Plato compatible with Huntington, but a Plato and a Huntington who are both more appealing.

Even as we moved Huntington toward Plato in three steps, so we need three steps to move Plato to Huntington. The first step is to account for the fact that the values the military and civilian authorities unite upon are the functional values of the military itself. To do this, we need to see how the functional value of the military, security, is also both the highest value in the *Republic*, justice, and the ultimate value that Huntington promises at the end of his book, redemption. In effect, we need to show how Huntington's functional imperative, defend society, subsumes, in the first-best situation, his societal imperative, preserve society's highest value.

But Plato concedes what Huntington's model compels us to see: The first-best regime, the rule of the wise for the good of all, is not the current state of affairs, and may never be.¹⁸³ The next step is to get past Plato's own second-best problem: Given the outlines of a just state, how are philosophers to conduct themselves in non-ideal states? What we need to see here is that Huntington's best second-best rule for officers serving non-ideal states is the same as Plato's rule for philosophers in all states, ideal and non-ideal: Do what reason shows to most advance the common good.

183. PLATO, *supra* note 19, at 274.

That leaves us with a final problem, the solution of which is our third and final step: Plato promises to ground his ideal state by exercise of the purest reason in the timeless source of all values, the Idea of the Good; Huntington gets us to his ideal state by working out the intensely practical demands of a modern military's basic function, national defense. We need to see how the model that Huntington gives us rests on as good a ground—indeed, the same ground—as the republic of Plato's *Republic*.

1. A Firmer Foundation: Functional Military Values as Ideal Social Values

In his final closing promise of both security and redemption, Huntington sets two related conditions: Civilian authorities must not only allow military officers to hold military values, but also embrace those values as their own. In one sense, as we have seen, this is Plato's own solution to the problem of military/civilian relations that he himself originally raised: The best way to keep military guardians loyal to civilian authority is to have them share the same values.¹⁸⁴ But, in another sense, it is just the opposite of what Plato seems to have had in mind, both explicitly and implicitly. Quite explicitly, in *The Laws*, Plato has the Athenian stranger make this observation:

[W]ith regard to the happiness of a city or of a private person, [no one] . . . would [ever] become a correct statesman, if he looked first and only to external wars, and would never become a lawgiver in the strict sense, if he didn't legislate the things of war for the sake of peace rather than the things of peace for the sake of what pertains to war.¹⁸⁵

The reason, according to the Athenian stranger, is that the proper statesman must see war as a regrettable necessity and focus primarily on providing the city with what is best, namely the things of peace.¹⁸⁶ So, too, in the *Republic*, the primary goal of the proper guardians is

184. See *supra* Part III.B.

185. PLATO, *THE LAWS OF PLATO* 7 (Thomas L. Pangle trans., Univ. of Chi. Press 1988).

186. *Id.*

promoting the public good, justice, not preparing for the worst, war. *War for Peace* seems a motto fit only for Cromwell—until you consider the reverse.

But Huntington's concluding sentence offers the possibility of a very neat synthesis: What if properly preparing for war comes to the same thing as seeking justice? More precisely, what if proper preparation for war, a regrettable necessity, turns out to be the same as aiming for the best, justice, "peace and at the same time goodwill towards one another"?¹⁸⁷ Every military, as Huntington shows, faces two imperatives, one functional, the other societal. But, we have also seen, the converse is equally true: Every society faces the same imperatives, to provide for an adequate military and to insure that that military is loyal to civilian values. In each case, the functional and societal values condition one another: At a minimum, societal values must not undercut military values; at the optimum, societal values would enhance military values, indeed, social and military values would be the same. What, though, if the fullest implementation of military values were to coincide with the implementation of the regime that the wise would impose for the good of all?

Huntington has already shown us that the critical element of military professionalism is meritocratic, selection and promotion of officers only according to military criteria. And professional education, in the military as in other professions, entails a wedding of special expertise, in this case management of violence, with liberal education, in all cases an appreciation of what society most values. In a modern military profession, the former involves being able to bring to bear, directly or indirectly, every aspect of society, every science and every "art," on threats of violence to the homeland and its values; it also means, as it meant in Plato's day, understanding what the homeland's values actually are.

In a modern military, as in Plato's *Republic*, the broader the pool of military talent is defined, and the deeper it is prepared, the better.¹⁸⁸ Plato's *Republic*, accordingly, insisted that both women and men be educated in preparation for war, even as it insisted that all the

187. *Id.* at 1.

188. See Mady Wechsler Segal & Chris Bourg, *Professional Leadership and Diversity in the Army*, in THE FUTURE OF THE ARMY PROFESSION 705, 718 (analyzing "the ways in which diversity contributes to the Army's core value of respect, to military professionalism, and to military effectiveness").

Republic's children, whatever the occupation of their parents, be given the finest possible education. The aim of that education was to prepare them for the highest possible function: Ruling the state. But, as we have seen, the same set of values needed to run the state are those needed to command the military. Optimum military security, then, poses a very high demand on society: Find and develop the highest talents of all your most talented children.

This, as it turns out, is the same as the highest command to the guardians, derived from the *Republic's* fundamental and founding myth that the guardians are to tell all the citizens:

You in this city are all brothers, so we shall tell our tale to them, but God as he was fashioning you, put gold in those of you capable of ruling; hence they are the deserving of most reverence. He put silver in the auxiliaries, and iron and copper in the farmers and other craftsmen. For the most part your children are of the same nature as yourselves, but because you are all akin, sometimes gold will come from a silver offspring, or silver from a gold, and so on all round. Therefore the first and weightiest command of God to the rulers is this—that more than aught else they be good guardians of and watch zealously over the offspring, seeing which of these metals is mixed in their souls; if their own offspring has an admixture of copper or iron, they must show no pity, but giving it the honour *proper* to its nature, set it among the artisans or farmers; and if on the other hand in these classes children are born with an admixture of gold or silver, they shall do them honour and appoint the first to be guardians, the second to be auxiliaries. For there is an oracle that the city shall perish when it is guarded by iron or copper.¹⁸⁹

At the end of this tale, Socrates poses a fundamental question: “Can you suggest any contrivance by which they may be made to

189. PLATO, *supra* note 19, at 95.

believe this story?”¹⁹⁰ The answer in the *Republic* is not particularly encouraging.

But this myth is, of course, quite close to the meritocratic myth of American liberalism.¹⁹¹ What it needs—and what Huntington may have given it—is a foundation in the building, not of the just state, of which American liberalism despairs, but the militarily prepared state, which American liberalism seems all too enthusiastically to embrace. In seeking “security,” then, we may, indeed, find “redemption.” Put somewhat more formulaically, the military imperative has a minimum and an optimum; so, too, does the social imperative. The minimum of the social imperative, as we have seen, is to not to undermine the military’s basic function, national defense; now we can see that the optimum of the social imperative may be close to, if not identical with, the military optimum: The best defense possible.

2. A Better Second-Best

Huntington’s first-best civilian regime, we have just seen, is essentially Plato’s first-best: The rule of the wise for the good of all. But, as we have also seen, to have officers act as if they were actually living in that world, as if their civilian masters were in fact philosopher kings, would be to court disaster. That is, remember, what Hitler’s “professional,” apolitical generals did. And yet that is exactly what Huntington seems to call for them, with rare exception, to do.

In the *Republic*, we should now note, Plato seems to come to a very similar conclusions, on both points:¹⁹² The ideal state is not here, and may never be; philosophers should nonetheless act as if it were. First, Socrates brings his interlocutor to realize that the ideal republic they have just outlined does not, in fact, exist: “‘I understand,’ he said. ‘You speak of the city whose foundation we have been describing,

190. *Id.*

191. See Mattox, *supra* note 36, at 394–95 (“Given the philosophical, theological, and experiential soil from which sprang the Constitution of the United States, it seems clear that the ultimate aim of the social contract it codifies is not merely law and order, or even merely the preservation of liberty, but rather the promotion of human flourishing—protecting all that is virtuous, lovely, of good report, or praiseworthy, while at the same time serving as a hedge against any malicious influence subversive of that aim.”) (citation omitted).

192. PLATO, *supra* note 19, at 280–81.

which has its existence in words; for there is no spot on earth, I suppose, where it exists.”¹⁹³

Socrates himself confirms this skepticism, then seems to make the second point:

“No,” I said; “but perhaps it is laid up in heaven as a pattern for him who wills to see, and seeing, to found a city in himself. Whether it exists anywhere or ever will exist, is no matter. His conduct will be an expression of the laws of that city alone, and of no other.”¹⁹⁴

With this his interlocutor seems to agree: “‘That is likely enough,’ he said.”¹⁹⁵

But, having read Huntington, we are not at all inclined to agree. Instead, we are inclined to wonder: Why should a philosopher’s acting as if philosophers were kings be any less disastrous than a military officer’s acting as if civilian authorities were proper statesmen? This would press us to reconsider both Huntington and Plato’s second point, to read it at a different, and deeper, level. Perhaps the meaning for both officers and philosophers, in our imperfect world of unwise rulers, is for them themselves to act now under the same rule that they would act under if they themselves were kings as well as philosophers: The way that redounded to the common good; that, after all, is the fundamental rule of both Plato and Huntington’s ideal state. In a perfect world, as in an imperfect world, that rule, stated at the highest level of generality, is the same: Do what most advances the common good.

In a world where philosophers themselves are rulers, this mandate to philosophers will be more straightforward: Make only those laws, and issue only those orders, that advance the common good. In a world where the rulers are not philosophers, and where philosophers are, in effect, the objects, not the subjects, of law, the mandate is more complex. It will not mean obey every law or every order, because, as we have seen, that will sometimes lead to disaster. But, significantly, it will not mean obey only the laws and orders that philosopher-kings

193. Plato, *supra* note 178, at 274.

194. *Id.* at 275.

195. *Id.*

themselves would have issued. That, too, may bring disaster, or at least disorder.¹⁹⁶ As a second-best, that is, disobeying all unwise laws and orders, because they are unwise, may work no better than the opposite, obeying all unwise laws and orders, because they are legitimate. We do not know which of these second-bests is better, but we have good reason to think that a third would be best: Do, in all cases, what rebounds most to the common good. Paradoxically, the best second-best has precisely the same form as the first-best: Do, whether as ruler or as ruled, what is for the common good. This would be a better second-best, because it is doubly good: It both produces better results under present conditions and also moves us toward ideal conditions.

Lest this sound a bit too lofty, like a philosopher's advice to a proper officer, recall this Part's epigraph, the advice that Marcus Aurelius, both a proper officer and a philosopher king, gave himself:

As you are yourself a complement of a social system, so let every act of yours be complementary of a social living principle. Every act of yours, therefore, which is not referred, directly or remotely to the social end sunders your life, does not allow it to be a unity, and is a partisan act, like a man in a republic who for his own part sunders himself from the harmony of his fellows.¹⁹⁷

3. A Better First-Best: Same Destination, Better Directions

There is, we should note, one final move that we need Plato's system to make if we are to align it with Huntington's insights. We must, metaphorically speaking, lower his expectations, even as we fulfill Huntington's promise.

196. Aquinas makes much the same point. 2 THOMAS AQUINAS, *First Part of the Second Part*, in SUMMA THEOLOGICA 1020 (Fathers of the English Dominican Province trans.; Cosimo Classics 2007) (Question 96, Fourth Article).

197. AURELIUS, *supra* note 98, at 60; *see also* AQUINAS, *supra* note 196, at 1020 ("For, since one man is a part of the community, each man, in all that he is and has, belongs to the community; just as a part, in all that it is, belongs to the whole" (Question 96, Fourth Article)).

i. Plato's Rule of the Wise, Supposedly Derived from the Idea of the Good

The Platonic Socrates seems to assure his interlocutors, and us, that, if we were really what we ought to be as philosophers, we would see that all good things, including the ideal state, derive from the Idea of the Good.¹⁹⁸ As it happens in the dialogue itself, however, this remains a matter of metaphors: The sun and its light,¹⁹⁹ the light casting shadows on the wall of a cave,²⁰⁰ a line marked off to show the proper relationship of the world of mere sense and the world of pure intellect. We seem, at the end, to have the outline of a just state, even though we have not quite proved either that it is good, or that it could ever really exist.

ii. Huntington's Guardianship of the Guardians, Demonstrably Based on Military Preparedness

Huntington has us, by contrast, moving in the other direction. We begin with what is most basic, with what Plato grudgingly admits we must have: A military capable of defending our society against violence, internal or external, without itself becoming a threat.²⁰¹ And yet, if we follow his argument out, as we have, to where it leads us, we find that we have gotten to the same place where Socrates's interlocutors found themselves: With a model of social order that seems not only militarily adequate, but also desirable in its own right, a world where everyone is assured, to the greatest extent possible, of all that he or she needs to become the best that they can be, measured by the highest possible human standard—whatever that standard might be. We come to the ideal political arrangements, the rule of the wise for the good of all, not top down, as Socrates suggests, by some sort of derivation from the idea of the good, but rather from the bottom up, from the basic political fact that any successful state must be able to defend itself.

198. Plato, *supra* note 178, at 189.

199. *Id.* at 195.

200. *Id.*

201. *Id.* at 92–96.

iii. *The Common Ground: Dialogue with Future Rulers*

Then again, what Socrates actually does do in the *Republic* is much closer to what Huntington does in *The Soldier and the State*. Socrates promises, but does not deliver, a “pure” proof of the justice of his rule of the wise for the good of all from the idea of the good itself. Instead, he starts with young men, the future leaders of his society, civilian and military, and he persuades them to follow only that rule which, under the scrutiny of their dialogue, proves most conducive to the common good, most likely to produce the ideal state. And so, for his own part, has Huntington: He begins with a promise of security; he ends with a promise, not only of security, but also of redemption.

CONCLUSION: HUNTINGTON’S *THE SOLDIER AND THE STATE*, PLATO’S *REPUBLIC*, AND OURS

Don’t hope for Plato’s Utopia, but be content to make a very small step forward and reflect that the result even of this is no trifle.

Marcus Aurelius, *Meditations*.²⁰²

Huntington’s *The Soldier and the State* is a great paradox: It begins with the promise that modern military can protect civilian society without threatening civilian values only if modern officers embrace a professional duty to obey any legitimate civilian authority; it ends with the prophecy that humankind will achieve both security and salvation only if civilian authorities accept professional military values as their own. And Huntington heightens his paradox by opposing the universal values of military conservatism to the historical values of American liberalism. This seems, on its face, to turn the classic question of civilian/military relations—Who guards the guardians?—on its head. Plato seems to have anticipated this paradox in his *Laws*: The real statesmen will legislate for war only with an eye toward peace, not the other way ‘round.’²⁰³

202. AURELIUS, *supra* note 98, at 61.

203. PLATO, *THE LAWS OF PLATO* 6 (E. B. England trans., Manchester 1921) (1781).

But, on closer analysis, Huntington's paradox may offer a second-best alternative to both Plato's ideal, the rule of the wise for the good of all, and American liberalism, the dominant ideology of his own day, and ours. That alternative allows Huntington to embrace the former without rejecting the latter. What is more, it allows him to work toward the goal of the ideal within the institutions of the real. Perhaps most importantly, it gives him a way, not so much to synthesize our military and our civilian values, as to show that those values are, at bottom, the same: Opportunity for all, even the most unfortunately born, to become the best that they can be, including the best that anyone can be, guardians of the Republic itself. That insight will not, perhaps, bring Plato's Republic. But it will be no trifling step forward for our own, for it will help us educate our own guardians, the men and women of our military, in the mold of Marcus Aurelius, as students and servants of the same values as our founders and their philosophers. That, ultimately, is how to guard the guardians, even as the Platonic Socrates says: "[T]hey must get the right education, whatever that is, if they're going to have what's most important for being tame with each other and those who are guarded by them."²⁰⁴

This, of course, is a long way from where Huntington himself began: How to keep the military subordinate to any legitimate civilian authority, whatever the state's values. Why, for all its promise, has Huntington's position been hidden for over half a century? Here we consider two basic possibilities. Perhaps, ironically, because the civilian "liberalism" Huntington saw as antithetical to military "conservatism" has been even more pervasive in America than he realized; perhaps, thoroughly imbued with that civilian liberalism himself, he simply could not see beyond it to the neo-classical republicanism that his own model of military professionalism implies. This irony, Huntington's inability himself to escape the liberalism he sees as both pervasive and corrosive, may well be the answer.

But the answer more likely lies elsewhere, not in irony, but in paradox, the deepest, if not the greatest, of Huntington's many paradoxes: Perhaps Huntington's position has been hidden in plain view. Perhaps it has been appreciated, from the very beginning, by those who have read him most carefully; perhaps, at some level, he realized that he was leading us to a position that, in his time and place, he could not

204. Plato, *supra* note 178, at 189.

explicitly state: Properly professionalized military officers must truly be the ultimate guardians of any republic, particularly a republic that rests on positive liberty, the liberty of the ancients.

Let me put it another way, a way that at least some modern liberals themselves, those of Rawls's school,²⁰⁵ might like: If you were the least advantaged child born in America, the civilian liberal values embodied in our law would impose no impediments to your eventually being elected President of the United States; what's more, by the grace of our democracy, you would almost certainly have enough to eat, and you would even be offered a nearly free education. But it would not be the education needed to command a modern armed force, and you almost certainly would not be elected President.

If you were that least advantaged child, then, you might well want more; with the "conservative" military values implicit in Huntington's *The Soldier and the State*, you would get it. Huntington's conservatism is not "Burkean," as he would sometimes have us believe, but neo-classically republican; he would make the state's chief end, not preserving the status quo, whatever it is, but preparing you, whoever you are, to be appointed to West Point or Annapolis or the Air Force Academy, and eventually, perhaps, to the Joint Chiefs of Staff.

Huntington's military conservatism is, indeed, antithetical to one kind of liberalism, the libertarianism of liberalism's right wing.²⁰⁶ But Huntington's military conservatism is also antithetical to a certain kind of conservatism; by his own insistence, his is not the laissez-faire conservatism of Herbert Hoover.²⁰⁷ On the other hand, Huntington's military conservatism is quite close to another liberalism, the republicanism of liberalism's left wing.²⁰⁸ It is thus also close to the liberty of the ancients, a liberty that leading theorists of Huntington's own time

205. See JOHN RAWLS, A THEORY OF JUSTICE (1971); JOHN RAWLS, POLITICAL LIBERALISM (1993).

206. See Driver, *supra* note 29, at 172, 184 ("Huntington employs the term [conservative] to describe the philosophy of British parliamentarian Edmund Burke, an Old World aristocratic plea for traditional order from a time when liberal ideas provided justification for capitalist expansion.").

207. HUNTINGTON, *supra* note 1, at 93.

208. PHILIP PETTIT, REPUBLICANISM: A THEORY OF FREEDOM AND GOVERNMENT 118–19 (1997).

tended to tar with the brush of both the fascist far right and the communist far left.²⁰⁹

But Huntington's military conservatism is most like the paradoxical conservatism that Clinton Rossiter said was most American: A conservatism that conserves a radical tradition.²¹⁰ For Rossiter, that radicalism tended toward classical liberalism, the nemesis of Burkean, *ancien regime* conservatism. Huntington's conservatism, again, is neither of these. His military conservatism conserves the liberty of the ancients, but that makes his conservatism not less American, but more. As we saw at the outset, the preamble of the Founders' Constitution acknowledges the need both to provide for the common defense and to preserve domestic tranquility. But the Founders also saw, as Huntington saw, that not only those twin tasks, but also that a greater task, securing the blessing of liberty to ourselves and our posterity, requires that our republic do more: Promote the general welfare, establish justice. The Founder's Republic requires its statesmen of today to say to every citizen, even the least well off, what its military officers have already said: *Be all that you can be—a force for good in the world.*²¹¹

Surely Huntington, lover of both theory and history that he was, would have delighted in this final, double paradox: His conservatism is far more conservative than Rossiter's, precisely because it conserves a radicalism that is far more radical. Huntington's is not the *laissez-faire* liberalism of England's early nineteenth-century's Anti-Corn Law League, trying to remove feudal restrictions, economic and political, from an emerging middle class; his is the liberalism of liberal education, the education of Plato's *Republic*, insisting that the wisest rule so as to realize the fullest human capabilities of all. He himself never quite said so, perhaps wisely, given the darkness of his day. I cannot presume to be wiser than he, but I have to hope that our day is brighter than his.

209. Berlin, *supra* note 12; see KARL POPPER, *THE OPEN SOCIETY AND ITS ENEMIES* (1945).

210. CLINTON ROSSITER, *CONSERVATISM IN AMERICA* (1955).

211. These are, for anyone immune to popular culture, recent recruiting slogans of the Army and the Navy, respectively.