Reviews

On Obedience: Contrasting Philosophies for the Military, Citizenry, and Community, Pauline Shanks Kaurin (Annapolis: Naval Institute Press, 2020), 288 pp., cloth $37.95, eBook $37.95.

doi:10.1017/S0892679421000319

Pauline Shanks Kaurin has written an important, engaging, and timely book on obedience. Shanks Kaurin is a professor in the College of Leadership and Ethics at the U.S. Naval War College and holds the Admiral James B. Stockdale Chair in Professional Military Ethics. As her book's subtitle suggests, it is a work of military ethics that is also concerned with civil matters.

I read *On Obedience* in the second week of November 2020, a time when questions of military and civil obedience had suddenly become very pressing and immediate. There were serious questions about what the defeated incumbent U.S. president would do for a *finale*, or even an *encore*. If the president tried to use military force to remain in power, imposing some measure of martial law, or to launch an unprovoked attack somewhere as a final gesture of defiance and unhinged self-assertion, would the military obey? Later, flagrant disobedience was shown by the service members who participated in the January attack on the U.S. Capitol, an act in clear violation of Article 94 of the Uniform Code of Military Justice, which prohibits "mutiny and sedition." Prior to these events, the incumbent president had engaged in behavior that had the potential to weaken the legal and moral underpinnings of military discipline: cancelling courts martial or overturning their decisions with scant justification, and attempting to politicize the armed forces by involving military personnel in partisan political events. The immediate crisis of military discipline represented by the last administration and its disorderly departure seems to have passed, but we have been given a reminder of the importance, and complexity, of the matter of obedience in the military and civil spheres.

Along with its importance to civil-military relations and civilian control of the military, obedience is at the heart of military professionalism. Military recruits are trained from their first day to obey orders nearly unquestioningly. The often-stated justification for this emphasis on strict obedience is that the civilian lives of the recruits have been so undisciplined and free from constraints that a corrective must be applied. Another professed rationale for strict military obedience is that the battlefield demands unhesitating obedience in situations in which under the logic of civilian life it would seem quite reasonable to refuse an order, such as in the interests of one's safety, but which in the context of battle the order is necessary to protect

Ethics & International Affairs, 35, no. 2 (2021), pp. 313–320.
© The Author(s), 2021. Published by Cambridge University Press on behalf of the Carnegie Council for Ethics in International Affairs

https://doi.org/10.1017/S0892679421000319 Published online by Cambridge University Press

others or attain a mission's objective. However, the military also prizes initiative, and it could be argued that battles are often won not so much by blind obedience as by soldiers taking intelligent actions often in the absence of orders and sometimes even against instructions. It was Tolstoy who observed that nowhere is man so free as in a life and death struggle.

Shanks Kaurin first approaches the matter of obedience in a manner consistent with her background in ethics. She correctly asserts that discussions of obedience have tended to focus on matters of practicality and legality, neglecting ethical arguments. Painstakingly, somewhat in the manner of Aquinas, she maps out the "elements, nature, and essence" (p. 17) of obedience, placing it alongside the related categories of duty, obligation, respect, honor, and discipline. While some of these other concepts may seem richer and more beguiling than the rather bald matter of obedience, Shanks Kaurin argues that obedience is where these other matters translate into action. She concludes, aligning with Alasdair MacIntyre's work on virtue ethics, that obedience is a social virtue, related to the moral virtues of justice and prudence, and that it is best understood in a historical and cultural context of shared experience and values. Her model for the practice of obedience/disobedience is negotiation. The question of whether or not to obey is not simply a matter between the person giving the orders and the individual receiving them, but a discourse taking place within a community of values. In a negotiation, presumably initiated by the questioning recipient of orders, a conversation takes place based on a common language of some of the elements Shanks Kaurin discusses in her book: duty, obligation, and honor, along with the ideals that inhere in the country's Constitution. Obedience and disobedience for her is not a simple either-or distinction, but rather a "range of intention and action" (p. 111). In effect, Shanks Kaurin steers a middle course between those who would grant a large degree of autonomy to the recipient of orders, based on conscience or some other individualistic sense of right and wrong, and those who expect a presumption of obedience except in the most extreme or clear-cut cases.

Shanks Kaurin defends her "negotiation" approach to obeying orders by citing such aspects of modern military culture as "mission command" and what Chairman of the Joint Chiefs General Mark Milley has called "disciplined disobedience" (p. 100). Mission command is new U.S. Army doctrine that calls for a more flexible approach to command, allowing the subordinate greater room for initiative and creativity. Milley's disciplined disobedience is an acknowledgment that orders may sometimes be disobeyed in pursuit of a larger objective or in order to maintain professional and ethical standards. The author discusses how war games and other forms of tactical training can be employed to explore the opportunities for disciplined disobedience in war. In fact, one of the benefits of tactical training has always been that it can help to establish the degree of control and compliance necessary to accomplish a mission. Tactical training allows soldiers to work out which decisions must be made at higher headquarters, and which questions can be left to initiative, to an understanding of the stated commander's intent, and to a grounding in the basics of military operations, to include rules of engagement and the standards of proportionality and discrimination in the employment of firepower.

https://doi.org/10.1017/S0892679421000319 Published online by Cambridge University Press

For the soldier, especially for the good soldier—and in fact for most of us—obedience is easy, but disobedience is hard. Disobedience based on ethical, as opposed to tactical or legal considerations, may be especially difficult, in part because ethical disobedience is underexamined and largely unexplored. I once heard a former chairman of the Joint Chiefs of Staff express surprise at a high-ranking military lawyer's assertion that there was no provision in military law for purely ethical disobedience. The fact that someone who had been the senior officer of the U.S. armed forces was unaware of this strongly suggests that disobedience has received too little attention in the armed forces, and I would be surprised if this lack of attention did not extend to most civic and professional communities. Shanks Kaurin has performed a great service by creating a guide for the discussion and the practice of obedience and disobedience. Her calls for military education to aim at developing the "moral imagination," aided by what she calls the "narrative pivot," reflecting on literature, history, art, and film (pp. 162–63), have wide relevance. Her book includes a discussion guide, and it is clearly suitable for the classroom, seminar, and informal book club.

Nearly one in five of those who attacked the U.S. Capitol in January are alleged to have been military veterans. One of the radical groups that was represented in the attack recruits veterans as its members and calls itself Oath Keepers. That these veterans could imagine that their attack on the U.S. Capitol was part of a project of fulfilling their constitutional oath clearly calls for greater oversight and more education in the ethical aspects of military service. As General Milley and other senior officers observed in the last days of the previous administration, the emphasis in military service must be not on loyalty or obedience to one person, but on the higher loyalty to the principles of the Constitution. Those who hold views in favor of non-constitutional or anti-constitutional governance measures like mob rule, violence and threats of violence, and subverting or undermining the voting or legislative process cannot truthfully swear an oath to the Constitution, and without that oath they cannot serve.

To speak personally, *On Obedience* led me to reconsider some of the occasions on which I may have chosen the lesser over the greater path out of a dull compliance, or when I failed to fulfill my instructions thoroughly because I stayed with the letter of orders instead of trying to understand the spirit and intention behind them. Then there were the occasions when I took the time to inquire, to understand fully, and to perform my duties maybe even beyond or better than what my superiors had intended. Those who read this book may be equipped thereby to raise the standard of their obedience and to know that there may be times, few if foremost, when to disobey is the higher duty.

—Reed Bonadonna

Reed Bonadonna is a retired Marine Corps colonel and a former senior fellow at the Carnegie Council for Ethics in International Affairs, located in New York City, the United States of America. His most recent book is How to Think Like an Officer: Lessons in Learning and Leadership for Soldiers and Other Citizens (2020).

https://doi.org/10.1017/S0892679421000319 Published online by Cambridge University Press