

CGSC Symposium: “The Professional Ethic and the State”

OFFICERS SHOULD NOT VOTE

Abstract

When first posed with this idea, the most common reaction is a more colorful version of, “That’s crazy!” A senior official at the Federal Voting Assistance Program (FVAP) told the author several years ago, paraphrased, “I’ve heard about that idea, but I’ve never actually seen it in writing.”

This paper combines several disparate literatures to argue that military officers should not vote in federal elections-- elections for congress and the president. First, the paper considers the Army profession literature, namely the role of the Army officer to develop expert knowledge, advise civilian decision makers on military affairs, and execute the civilian decision. Second, the paper addresses voting using the principal-agent framework and concomitant dilemmas, that is, the challenges arising because the principal (the boss) lacks the time and resources to closely monitor the activities of the agents (the subordinates). Third, the paper weaves together the political science literature explaining why individuals choose to vote with the Army Values. Finally, for the reader unmoved by the arguments outlined above, the paper offers the simplistic argument that military members do not choose their boss(es).

Although the paper has an Army focus, especially in the third argument, the logic applies to officers in all services.

Military officers should not vote. This paper is designed to spark a conversation among the profession about the propriety of officers voting. However, before a discussion can commence, the reader must be disabused of an important point. This paper *does not suggest* a policy to restrict an officer's right to vote. Rather, it suggests a professional norm that officers voluntarily abstain from voting in federal elections—elections for congress and the president. This treatment is limited to officers and federal elections because of the senior-subordinate relationships between military officers and elected and appointed political leaders. The counter-arguments to this position are many, but this paper does not address them all; the profession is encouraged to discuss the following's merits.

Army officers do vote and care deeply about voting. Heidi Urben conducted a groundbreaking, Army-supported survey to determine the Army's voting proclivities. She found that 81% of officers self-reported as to voting in the 2008 presidential election compared to 64% or 76%, depending on the survey, of Americans having voted.¹ Accepting that the level of voting in self-report surveys is inflated because respondents exhibit a social-desirability response bias, officers still turnout at higher levels than the general electorate.² Widening the aperture to the military writ large, the Federal Voting Assistance Program (FVAP) finds that turnout has been increasing over time from 53% in 1996 to 73% in 2004. Extrapolating, one can conclude that the 81% turnout of officer-voters in 2008 is completely feasible. Indeed, officers in 2008 may have outvoted their civilian counterparts by up to 23 percentage points.³ Regardless of actual turnout, 93% of officers surveyed by Urben agreed with the statement that members of the military should vote.⁴ Furthermore, nearly 80% of officers indicated they actually encouraged others in the military to vote with the percentage rising with rank (and presumably influence).⁵ Finally, and most disconcerting, 27% of officers reported that another officer tried to influence their

actual vote choice at the ballot box.⁶ Clearly, voting in federal elections is common and important among Army officers. But, should it be?

When first posed with the idea of voting abstinence, the most common reaction is a more colorful version of, “That’s crazy!” A senior official at the FVAP told the author several years ago, paraphrased, “I’ve heard about that idea, but I’ve never actually seen it in writing.” This is that paper.

A recent article on Army.mil, written by an employee of the Department of Defense’s Army News, seemingly written to encourage military voting in the 2014 mid-term elections, argued that if the nearly 2 million military members voted, they could affect the outcomes.⁷ Although the nature of the American single-member-district, non-transferrable vote electoral system combined with the partisan and ideological distribution of military members makes affecting electoral outcomes extremely unlikely, the argument raises the question, “Should they?” Is it proper for the military to affect or attempt to affect federal election outcomes?

No. Taking action to affect electoral outcomes breaks Marybeth Ulrich’s first rule of the profession, “...do no harm to the state’s democratic institutions.”⁸

This paper combines several disparate literatures to argue that military officers should not vote in federal elections-- elections for congress and the president. First, the paper considers the Army profession literature, namely the role of the Army officer to develop expert knowledge, advise civilian decision makers on military affairs, and execute the civilian decision. Second, the paper addresses voting using the principal-agent framework and concomitant dilemmas, that is, the challenges arising because the principal (the boss) lacks the time and resources to closely monitor the activities of the agents (the subordinates). Third, the paper weaves together the political science literature explaining why individuals choose to vote with the Army Values.

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Role of the military officer

The literature on the military profession is quite unanimous on the role of the officer in politics, and the Hatch Act provides specific guidance on allowable and unallowable political activities. The literature agrees that military officers should be politically aware—they should understand how politics affects the military and broader policy—but the military should remain non-partisan and apolitical. GEN(R) Barry McCaffery summarizes, “The senior military leadership must be objective, expert, and determinedly nonpartisan”⁹ and, “Senior uniformed leaders, however, must be viewed by the public and senior civilian leaders as politically neutral and blind to partisan consideration.”¹⁰ The nuance of these quotes is important—military officers must *be* nonpartisan but also must *be perceived* as nonpartisan. Richard Kohn explains similarly, “To function as the neutral servant of the state, the military must be seen not simply as nonpartisan but as “un-partisan”: above and beyond, and oblivious to partisan politics. Discussion of partisan politics erodes professionalism because it politicizes. Voting, if pursued, should be an intensely private matter.”¹¹ As Urben’s data shows, officer voting behavior is neither un-partisan nor intensely private. The following will argue that abstaining from voting will help limit perceptions of partisanship and strengthen the civil-military relationship.

The literature is also rather unanimous on what officers *do*. Following in the tradition of Samuel Huntington, Don Snider suggests three responsibilities or functions of military leaders: representative, advisory, and executive. First, military leaders must *represent* military security by developing expert knowledge in the creation, maintenance, and use of the armed forces. Second, military leaders *advise* civilian leaders, without advocating for a policy decision, on the

costs and benefits of employing the armed forces. Third, military leaders must implement, or *execute*, the decisions of civilian leaders regardless if the decision runs counter to the military's advice or interests.¹² The following section will show how voting can create conflicts within the military's responsibilities to *advise* and *execute*.

Adverse Selection and Moral Hazard

The principal-agent framework of the civil-military relationship, or what Peter Feaver espouses as the "Agency Theory," is especially instructive with respect to officers voting.¹³

Economists use the principal-agent framework to describe the relationships between the employer (the principal) and the worker (the agent). The principal desires to hire diligent employees who do not spend their time doing other things (shirking). The potential employee wants to be hired and is therefore incentivized to appear more diligent than might be true. This presents the employer with an adverse selection problem—the employer cannot be certain a hiring decision is a good one. Once hired, the employee desires to work as little as possible while sending signals to the employer that the work is acceptable. Hence the employer is also faced with the moral hazard problem—the principal cannot sufficiently monitor the actions of the agent making it possible for the employee to act inappropriately if the employee and employer's interests are not closely aligned. The existence of moral hazard allows the employee to shirk through laziness or outright disobedience.

The problems associated with the principal-agent framework exist in the civil-military arena, but are slightly more complicated (and potentially more grave) than the purely economic employer-employee relationship. In the civil-military context, the principals are federally elected leaders and their civilian appointees, while the agent is the military. "The civilian principal contracts with the military agent to develop the ability to use force in defense of the

civilian's interest. Once the contract is established, the civilian principal seeks to ensure that the military agent does what civilians want while minimizing the dangers associated with delegating power."¹⁴ However, the preferences/interests of the civilian leaders and the military leaders may not align. Therefore, the military has both the incentive and the ability to shirk.¹⁵ That said, the differences of interests are less about ends—the security of the state—but more about ways and means—how best to provide that security.¹⁶

The idea of shirking is especially abhorrent to officers—the supposition that officers can be lazy or insubordinate contradicts officers' professional self-identity. But, officers can, and likely do, shirk in other ways, especially within their professional requirement to provide military advice to civilian policy makers. When faced with civilian policy leanings contrary to the military's preferences, officers can shirk by inflating the costs of military (in)action in an attempt to quash policy options. Officers can shirk by leaking information or advisory discussions to the press or other opinion leaders. Officers can shirk by “slow-rolling” a policy through bureaucratic morass. Officers can shirk through a public resignation in protest of policy. At the most extreme, but the most unlikely in the United States, officers can shirk by staging a coup.¹⁷

The responsibility to overcome the problems associated with civil-military relations certainly falls on both the civilian and military establishments. Officers' voting abstention is one of many ways the military establishment can decrease civilian concerns of adverse selection, moral hazard, and shirking. An accepted professional norm that officers do not vote sends a loud signal to the civilian leadership that the military is truly nonpartisan and apolitical. Granted, voting abstention will not remove all concerns, but abstention can certainly help. Combined with

the following analysis about why people do vote, it becomes clear that officers abstaining is healthy for the civil-military relationship and hence, the republic.

Why do people vote? The paradox of voting.

When people wonder why relatively few Americans vote, political scientists, especially those with a rational actor background, wonder why so many *do* vote. This section reviews the political science literature about American voter turnout and compares those findings with the “Army Values,” especially duty and selfless service. Political science informs that voting is actually a selfish, or consumptive to use the political science term, activity.

At its core, rational actor models posit that people do things when the benefits outweigh the costs. Applied to the decision to vote we have: VOTE if $pB > C$ where p is the probability that one’s vote decides the election, B is the benefit one receives from seeing his candidate win the election, and C represents the costs of voting. The p term is essentially zero in federal elections because the level of expected turnout combined with the American electoral system makes the probability of one single voter deciding the electoral outcome utterly improbable. The value of B also approaches zero because most government policies are collective goods, and the ability of one electoral victor to single-handedly deliver policy is small. Therefore, the equation becomes, VOTE if $0 > C$. Obviously there are costs to voting: informational costs of determining for whom to vote, time and financial costs with registering to vote, and the opportunity and financial costs of travelling to the election center or casting an absentee ballot. Although small, the costs are greater than zero. Hence the paradox of voting—if voting is all cost and no benefit, why do people actually vote? Political science offers some theories.¹⁸

Voting is a consumptive act, i.e. people “get something out of it” beyond determining the electoral outcome and subsequent policy benefit. The previous equation changes to:

VOTE if $pB + D > C$ where D can represent several things, among them, “civic Duty.” People vote because a feeling of civic obligation to uphold and advance democracy. The personal satisfaction one feels by doing one’s duty is certainly healthy for sustaining a democracy, but beyond the civic duties of military officers. Upon volunteering to join the military and upon the privilege of commissioning, an officer’s civic duty changes. Duty becomes service to the nation by defending the Constitution, which includes fealty to civilian leadership; officers’ civic duty becomes *represent-advise-execute*. Thus, officers’ voting in federal elections runs somewhat counter to the Army Values. The consumptive theories of voting conclude that voting is a selfish act divorced from a dutiful desire to advance democracy or even achieve policy outcomes. Rather, voting is a selfish act to feel better about oneself. Even if officers do vote based on a sense of civic duty, voting remains contrary to professional officers’ foremost duty—“...do no harm to the state’s democratic institutions.” In light of the principal-agent framework of civil-military relations, voting can be harmful.

Another explanation for voter turnout is “minimax regret,” or taking action to minimize regret in a worst-case scenario. In terms of voting, this means voting for a candidate so that if the preferred candidate loses, the voter still has the satisfaction of “doing his part,” thereby minimizing the regret of that candidate’s loss. Conversely, the voter feels elation if his candidate wins for having helped in the victory.¹⁹ Again, however, this is a selfish reason for voting—the vote is not to advance democracy, but rather to satisfy personal emotions—thus, another understanding of the selfish “ D ” term.

The group-based models of turnout best apply to the military. These models suggest that individuals do not vote for purely individual reasons, but rather to be part of a larger group. Groups can receive more benefits than individuals because collective goods policies most often

implemented by government can advance the interests of the groups.²⁰ The descriptive data presented earlier seems to support these models. Officers vote at higher levels than the general electorate; officers think it's important that other military members vote; officers encourage others to vote; and officers try (albeit to a small degree) to influence military voter preferences. These models and the data are especially troubling for the civil-military relationship.

Let us assume that 1) officers effectively increase military voter turnout, 2) the vote choice among the military is homogeneous, and 3) military voters are pooled in districts and states to such a large extent that they can influence the electoral outcome. As asked earlier, is such a scenario proper; is it proper for the military to determine a federal election? In terms of the principal-agent framework and the Army Values of selfless service and duty, it is not. If these assumptions hold, officers and the greater military are behaving like an interest group ostensibly to influence policy that affects the military.²¹ In such a scenario the military increases the civilian leadership's concerns of adverse selection and moral hazard. Voting, therefore, can decrease trust between the military and its political leaders. Even if the assumptions do not hold, which is likely the case, a professional norm that voting is an officers' duty can still cause disquiet among the civilian leadership.

A common and understandable counter-argument to the above, primarily by junior officers, is, "I'm not in a position to advise civilian leaders; I will stop voting if and when I am." Political science informs us otherwise. The "Learning" models of voting turnout posit that voting is backwards looking and habit-forming. Rather than voting by looking to future benefits, voters turnout based on past experiences. They relate their voting actions to outcomes; voting for the winner positively reinforces future turnout while voting for the losing candidate negatively reinforces future turnout.²²

An Army colonel shared a story of his time on the joint staff during an election year. At a morning “stand-up” meeting during an election cycle, the general and flag officers said, paraphrasing, “I’m not voting in this election—not in my current position.” These sentiments imply these officers have voted in the past and will vote again in the future if holding a non-advisory position.

Maybe military officers can overcome the habit of voting in light of their positions, but maybe they cannot. Regardless, as stated earlier, officers who can say, “I have never voted,” sends a strong signal to the civilian leadership that the profession is non-partisan and apolitical. “I have never voted” is a much stronger signal than, “I’m not voting in *this* election.”

Choosing the bosses

Finally, the military does not pick its bosses. When American civilians vote they are the principals choosing agents (elected officials) to represent their interests in government. In contrast, when officers vote they are choosing their principals for whom those very officers will become the agents. Such an arrangement runs counter to the civil-military relationship. While it is arguable that the military works for the American people, i.e. the military are agents for the people as principals, in the American political system the military works for the people *through* the elected officials.

Conclusion

This paper analyzed officers’ decision to vote based upon 1) officers’ role to build expert knowledge, provide military advice to civilian leaders, and execute the civilian policy decision; 2) the principal-agent framework; 3) the political science literature on why individuals do vote; and 4) the power relationships among the citizenry, the military, and elected officials. The purpose of this paper is to generate professional discussion among the profession. Therefore, it

intentionally does not address the many counter-arguments to abstaining from voting.

Furthermore, it does not discuss the propriety of voting of the entire military, nor the propriety of absentee voting, nor the propriety of voting by members of the Reserves and National Guard, nor the propriety of voting in sub-national elections. Professional discussion and debate about these permutations is certainly warranted. Officers voting federal elections might be acceptable.

Officers' voting without first considering the profession and the affect on the civil-military relationship is unacceptable.

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 2. *Ibid*, 89.
 3. *Ibid*, 89.
 4. *Ibid*, 90.
 5. *Ibid*, 92.
 6. *Ibid*, 99.
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 11. Richard H. Kohn, "Building Trust: Civil-Military Behaviors for Effective National Security" in *American Civil-Military Relations: The Soldier and the State in a New Era*, by eds. Suzanne C. Nielsen and Don M. Snider (Baltimore: The Johns Hopkins University Press, 2009): 278.
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 13. Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University Press, 2003), 55.
 14. *Ibid*, 57.
 15. *Ibid*, 57.
 16. *Ibid*, 59.
 17. *Ibid*, 68.
 18. Benny Geys, "Rational Theories of Voter Turnout: A Review," *Political Studies Review* 4 (2006): 17-18. Geys provides a succinct literature review of the voter turnout theories. Those desiring a deeper understanding of the theories should follow Geys' citations to the original authors.
 19. *Ibid*, 21-22.
 20. *Ibid*, 23-24.

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21. Richard H. Kohn, "The Erosion of Civilian Control of the Military," *Naval War College Review* (Summer 2002): 9.
 22. Geys, 26-27.

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