Tradition and hierarchy prevent our armed forces from responding to new challenges . . .

DEMOS

Out of Step

The case for change in the British armed forces

Timothy Edmunds
Anthony Forster

About Demos

Who we are
Demos is the think tank for everyday democracy. We believe everyone should be able to make personal choices in their daily lives that contribute to the common good. Our aim is to put this democratic idea into practice by working with organisations in ways that make them more effective and legitimate.

What we work on
We focus on seven areas: public services; science and technology; cities and public space; people and communities; families and care; arts and culture; and global security.

Who we work with
Our partners include policy-makers, companies, public service providers and social entrepreneurs. Demos is not linked to any party but we work with politicians across political divides. Our international network – which extends across Eastern Europe, Scandinavia, Australia, Brazil, India and China – provides a global perspective and enables us to work across borders.

How we work
Demos knows the importance of learning from experience. We test and improve our ideas in practice by working with people who can make change happen. Our collaborative approach means that our partners share in the creation and ownership of new ideas.

What we offer
We analyse social and political change, which we connect to innovation and learning in organisations. We help our partners show thought leadership and respond to emerging policy challenges.

How we communicate
As an independent voice, we can create debates that lead to real change. We use the media, public events, workshops and publications to communicate our ideas. All our books can be downloaded free from the Demos website.

www.demos.co.uk

First published in 2007
© Demos
Some rights reserved – see copyright licence for details

ISBN 978 1 84180 189 6
Copy edited by Julie Pickard, London
Typeset by utimestwo, Collingtree, Northants
Printed by IPrint, Leicester

For further information and
subscription details please contact:

Demos
Magdalen House
136 Tooley Street
London SE1 2TU

telephone: 0845 458 5949
email: hello@demos.co.uk
web: www.demos.co.uk

Out of Step

The case for change in the British armed forces

Timothy Edmunds
Anthony Forster

DEMOS

DEMOS

Open access. Some rights reserved.

As the publisher of this work, Demos has an open access policy which enables anyone to access our content electronically without charge.

We want to encourage the circulation of our work as widely as possible without affecting the ownership of the copyright, which remains with the copyright holder.

Users are welcome to download, save, perform or distribute this work electronically or in any other format, including in foreign language translation, without written permission subject to the conditions set out in the Demos open access licence which you can read at the back of this publication.

Please read and consider the full licence. The following are some of the conditions imposed by the licence:

- Demos and the author(s) are credited
- The Demos website address (www.demos.co.uk) is published together with a copy of this policy statement in a prominent position
- The text is not altered and is used in full (the use of extracts under existing fair usage rights is not affected by this condition)
- The work is not resold
- A copy of the work or link to its use online is sent to the address below for our archive.

Copyright Department
Demos
Magdalen House
136 Tooley Street
London
SE1 2TU
United Kingdom

copyright@demos.co.uk

You are welcome to ask for permission to use this work for purposes other than those covered by the Demos open access licence.

creative commons

Demos gratefully acknowledges the work of Lawrence Lessig and Creative Commons which inspired our approach to copyright. The Demos circulation licence is adapted from the 'attribution/no derivatives/non-commercial' version of the Creative Commons licence.

To find out more about Creative Commons licences go to www.creativecommons.org

Contents

	Acknowledgements	7
	About the authors	9
	Preface	11
	Main recommendations	13
1.	Introduction	16
2.	A new security paradigm	22
3.	Options for change	30
4.	The military in society	47
5.	Duty of care	66
6.	Conclusion	79
	Notes	84

Acknowledgements

We are grateful to all the speakers and participants in our two Demos workshops on the future of the British armed forces, whose valuable contributions helped to shape the analysis and conclusions of this pamphlet.[1]

We would like to thank all those who offered feedback on the pamphlet, particularly David Burrill, William Forster, John Gearson and Hew Strachan for their valuable comments. Special thanks are due to Charlie Edwards and the staff at Demos who supported our research and contributed at various stages of the project. Any errors and uncertainties of course remain our own.

Timothy Edmunds
Anthony Forster
November 2007

About the authors

Dr Timothy Edmunds is a senior lecturer in the Department of Politics at the University of Bristol. His current research explores changing military–society relations in the UK and Europe; and security sector reform as a component of democratisation and peace-building, with particular focus on the Western Balkans. He has published widely on these issues in academic journals including *Europe-Asia Studies*, *International Affairs*, *Survival* and *Armed Forces & Society*. He is author of *Security Sector Reform in Transforming Societies* (Manchester University Press, 2007) and *Defence Reform in Croatia and Serbia-Montenegro*, Adelphi Paper 360 (International Institute for Strategic Studies, 2003).

Professor Anthony Forster is Executive Dean of Social Sciences and Health at Durham University and Honorary Professor in the School of Government and International Affairs at Durham. His current research focuses on British and European foreign and security policy and British military politics. He has recently published an article in *International Affairs* on governance and the British armed forces (2006), a monograph entitled *Armed Forces and Society in Europe* (Palgrave, 2006) and with Andrew Cottey is author of *Reshaping Defence Diplomacy: New roles for military cooperation and assistance*, Adelphi Paper (International Institute for Strategic Studies, 2004).

Preface

Charlie Edwards

The debate surrounding the future of the British armed forces is vociferous and very public. Inevitably at such a turbulent time at home passions are running high. This pamphlet aims to provide an independent analysis of the current situation building on two successful workshops in the first half of 2007 and a series of interviews with serving and retired personnel, policy-makers, non-governmental organisations and academics.

The United Kingdom is rightly proud of its armed forces. The three services enjoy a high approval rating from the public. Eighty-seven per cent of those surveyed for one polling company agreed that the British armed forces were 'among the best in the world' with 64 per cent having a 'very favourable' or 'mainly favourable' view of them. The majority also felt that the armed forces were doing a good job and were broadly supportive of their global role.

And yet all is not well. According to senior military officers the British armed forces face a generation of conflict[2] while British casualty rates in Afghanistan and Iraq are close to passing the number sustained by units in the Second World War. Overstretch and under-resourcing are now a matter of fact. Dissatisfaction among service personnel has led to unprecedented numbers leaving early; and in key areas the services are struggling to meet their recruitment and retention targets.

While support is crucial for morale it can also prevent the more

sensitive issues of reforming the armed forces being raised by politicians and the wider public. Ministers and senior civil servants need to be challenged more often in public on issues of policy and procurement while service chiefs should be more forthright in questioning the decisions of government in private. Criticising defence policy is not a hobby to be pursued in retirement but a key part of democratic government.

This pamphlet is part of a very current debate about the future of the armed forces. Fundamentally, however, it moves beyond thinking about the three services to thinking of UK Defence, as a whole, and what that means in practical and realistic terms. The recommendations identified in the pamphlet reflect the scale and nature of the challenges facing the armed forces. None present an insurmountable challenge to the government or to the armed forces but all of them require political will and leadership from senior commanders.

Charlie Edwards is head of the Security Programme at Demos

Main recommendations

Recommendation 1: **There needs to be a wider debate and much greater public understanding about the type of complex missions that our armed forces fight, the contribution of British armed forces to our security and the risks they face on our behalf.** Society's support for the armed forces cannot be taken for granted, and service men and women need to feel valued and respected.

Recommendation 2: National security priorities have changed considerably in recent years. But national defence and security policies have yet to catch up. We welcome the publication of a National Security Strategy but this must be supported by a National Security Secretariat based in the Cabinet Office to integrate and coordinate all levels of UK security policy. **In light of the present and future security environment the UK government should instigate a review of the role of the armed forces and the organisation of the Ministry of Defence in protecting national security.**

Recommendation 3: The Military Covenant – the contract between the nation and service personnel and their families who make personal sacrifices in return for fair treatment and commensurate terms and conditions of service – has been damaged almost beyond repair. **A new civil–military compact is necessary – first, to restore the Military Covenant between the Army and the nation; and second, the Military Covenant must be a tri-service (rather than Army) pledge between the government (on behalf of its citizens), the military as an employer and individual service personnel.**

Recommendation 4: Current UK defence policy is based around a doctrine of expeditionary operations. These have proven more organisationally demanding than originally assumed and their contribution to UK security is contestable. **There needs to be wider public debate about the costs and benefits of these missions to our security.**

Recommendation 5: In our view the armed forces' domestic roles need to be incorporated more explicitly into Defence Planning Assumptions. Priority should be attached to the maintenance of a 'general capacity for emergency action' on which the civil authorities can reliably depend, including a counter-terrorism role. **Training for national disasters, counter-terrorism and the protection of the UK must be a priority for our armed forces.**

Recommendation 6: Defence planners have been preoccupied with the acquisition of expensive, high-tech military equipment, which has diverted resources away from where they are really needed in the defence structure – specifically in areas such as pay and terms and conditions of service, recruitment and training, and the welfare support (including housing) of the armed forces. Without service men and women who are well trained, highly motivated and willing to serve, there is no future for our armed forces. **We believe that while high-tech equipment is important more attention and resources should be channelled to the human dimension of armed forces.**

Recommendation 7: Land forces (both regular and Territorial Army) dominate in current deployments, and increasingly the role of the Royal Navy and RAF is to support Army operations. This needs to be recognised in defence planning, the resource allocation process and command structures. Initiatives such as the Joint Helicopter Command point the way forward in this regard. **The armed forces cannot be expected to 'do everything', and the government should not shy away from reducing capacity in those areas – such as anti-submarine warfare or high-level interceptors – that are of marginal relevance to the current security environment.**

Recommendation 8: The capacity of the British military to control

the 'defence space' is shrinking and increasingly penetrated by legal interventions and individual and societal demands. This has weakened the authority of senior commanders and the armed forces are less amenable to traditional forms of organisation, hierarchy and regulation. Appropriate adaptation is possible but it will require a more open-minded and flexible approach from senior military commanders. **Service chiefs need to work out what is fundamental to the operation of the services and what is simply custom and practice, and use this knowledge as a progressive tool to shape change. The Future Army Structure is one such example but it is only the beginning of a wider set of reforms that are needed.**

1. Introduction

> *I deeply regret and am saddened by each and every casualty and loss of life. Our armed forces deserve all our praise for the courage and dedication they show.*
>
> Gordon Brown in a letter to Sir Menzies Campbell[3]

British armed forces are currently more active than they have been for decades. Service personnel are serving with distinction in demanding operational environments across the world, including in active combat in Iraq and Afghanistan. The performance of UK military personnel in these theatres has been exceptional, and in general supports the widely held view that British soldiers, sailors, and air men and women remain among the best and most capable in the world. However, senior military figures have been vocal in warning of overstretch and under-resourcing; dissatisfaction among service personnel is high, with many leaving early; and in key areas the services are struggling to meet their recruitment and retention targets.

These problems are not just a consequence of the armed forces' current deployments – though these have exposed and exacerbated the current predicament. Instead, they are the result of a long-standing series of contradictions and compromises that have lain at the heart of British defence policy since the end of the Cold War. These exist within and across four critical areas. First, the context in

which the armed forces are operating, notably issues of *contextual ambiguity*, *operational flexibility* and *organisational diversity*, have placed severe demands on the UK armed forces and look likely to persist for several decades.

Second, the apparent unwillingness of successive British governments and society to fund appropriate equipment, to pay for the rising personnel and housing costs and to fund the operating and running costs of military operations has had predictable and damaging consequences. Third, the relationship between our armed forces and the society they come from is being challenged in a number of important ways. Finally, the emergence of fundamental tensions in the chain of command is testing and challenging traditional military customs and practice. In combination the challenges faced by the British armed forces are the greatest since the ending of conscription in 1962.

Each of the challenges outlined above would be a test for any government or military. The significance of the challenges has been amplified, however, by the number and types of operations the armed forces are currently deployed on, while simultaneously being criticised by politicians and non-governmental organisations, at home and in theatres or war and by former senior military officers and society more broadly. These often legitimate criticisms have led, in part, to a sense of vulnerability among the armed forces and furthermore have raised questions over the nature of their current and future roles.

This sense of vulnerability is further perpetuated by an information revolution that has powerfully influenced expectations around the globe. Twenty-four-hour news, seven days a week has shortened time horizons, and the UK government and armed forces have increasingly found it more difficult to request time to deliberate on complex decisions when television and online media report the latest unfolding military tactic or tragedy minute by minute.[4]

All these challenges contribute in different ways and to varying degrees to the erosion of effective governance of the armed forces – the manner and process by which democratic civilian governmental

authority is exercised in the management of the armed forces; the capacity of the government to design, formulate and implement defence and security policies; and the ability of the armed forces themselves to regulate their professional space and to discharge their military obligations.[5] Key elements of our analysis are:

1. Elected politicians, the military chain of command and individual citizens need to acknowledge the scale of the changes, tensions and challenges facing men and women willing to lay down their lives in the service of their country. Unless these issues are addressed the armed forces will be either unwilling or unable to undertake all the tasks placed on them by the nation and be a force to be reckoned with.
2. There needs to be a wider debate and much greater public understanding about the type of complex combat and 'humanitarian' missions that our armed forces should be prepared to fight. These operations have proved more demanding than current defence policy assumes, while their contribution to UK security is complex, long term and contestable. We therefore support Demos's earlier 2007 call for a National Security Strategy to reflect on the appropriate role and contribution of the armed forces to UK security. This must emerge from an inclusive public debate on national security. It cannot occur in a 'room without windows' among a closed defence establishment but must engage with society in an open and accessible way.
3. We have to accept that the mantra of foreign policy led defence is empty rhetoric if insufficient financial and material resources are made available to deliver foreign policy ambitions; if Defence Planning Assumptions are erroneous; and if there is little public understanding of the military and its duties and more British citizens are unwilling to serve their country.

4 Domestic and foreign policy led defence are interconnected, with current UK defence policy premised on the armed forces being able to meet threats (or potential threats) to the UK through operations and deployments abroad. This relationship needs to be examined more closely, in three ways: first, with regard to the underlying utility of this expeditionary doctrine for addressing threats to UK security; second, in relation to the potential for overseas operations to exacerbate security problems at home; and, finally, with regard to the appropriate role for the armed forces in defence and civil-emergency planning. These concerns and interrelationships should be recognised in the new National Security Strategy and coordinated through a new National Security Secretariat based in the Cabinet Office.

5 Defence planners have been preoccupied with the acquisition of expensive, high-tech military equipment. This has diverted resources away from where they are really needed in the force structure – specifically in areas such as welfare support including housing, recruitment and training of the armed forces – exacerbating existing problems of organisational overstretch. Moreover, the long planning cycle for the introduction of new defence equipment is a constraint on the rapid purchase and introduction of kit necessary for the 'here and now'. The armed forces cannot rely solely on Urgent Operational Requirements while major projects work their way slowly through the procurement process.

6 The Military Covenant is damaged almost beyond repair. This is the contract between the nation and Army personnel and their families who make personal sacrifices and forgo some of the rights enjoyed by those outside the armed forces, in return for fair treatment and commensurate terms and conditions of service.[6] First, a new civil–military compact is necessary to repair the

Military Covenant between service personnel and the nation; and, second, the Military Covenant must be a tri-service (rather than Army) pledge between the government (on behalf of its citizens), the military as an employer and individual service personnel. This must be a 'copper-bottom' commitment to those willing to lay down their lives and must include acceptance that the Military Covenant does not end with active duty but is a commitment for life.

7 The armed forces are becoming less uniformed in two senses: first, the armed forces are becoming less homogeneous with all that this implies; and second, the growth of private contractors and the partnerships with private military and security companies is blurring the distinctions between 'insiders' and those who are members of 'outsider groups'. This has raised fundamental issues about what actually constitutes 'the armed forces', while the blurring of the boundaries of service leads to questions over the rights and obligations that should apply to those in uniformed and non-uniformed roles.

8 The capacity of the British military to control the 'defence space' is shrinking and increasingly penetrated by legal interventions and individual and societal demands. This leaves senior commanders as 'weakened gatekeepers', and the armed forces no longer so amenable to traditional forms of organisation, hierarchy and regulation. Appropriate adaptation is possible but it will require a more open-minded and flexible approach from senior military commanders. Service chiefs need to work out what is fundamental to the operation of the services and what is simply custom and practice, and use this knowledge as a progressive tool to shape change. The Future Army Structure is one such example but it is only the beginning of a wider set of reforms that are needed.

9 The Ministry of Defence (MoD) needs to adapt to the twenty-first-century security environment. A number of political and military commentators have noted the need for a change in the culture in the MoD, reform of the chiefs of staff organisation and of the civilian support structures.[7] The civilian component is now larger than the military, and Army staff outnumbers the other two services combined.[8] Moreover, there are concerns that the three chiefs of staff have effectively lost both the ability to lead and to be accountable for their services.[9] 'If Ministers must accept ultimate responsibility, uniformed officers and civil servants must share it. Stronger and more uniformed leadership is needed together with more effective civilian management.'[10]

2. A new security paradigm

> *We cannot dictate the geographic areas where our interests may be engaged . . . in future we may be engaged across a different and potentially wider canvas than we perhaps envisaged even at the time of the* Strategic Defence Review.
>
> Geoff Hoon, Secretary of State of Defence
> King's College London, 5 December 2001

The current crisis in the British armed forces has its roots – in part – in the changed security environment of the post-Cold War era. The Cold War had at least two important implications for military organisation in the UK. First, it was premised on the basis of a substantial and identifiable military threat to the UK itself. This provided a clear rationale to the British public for military organisation and defence spending. Second, it encouraged a particular type of force structure in the armed forces themselves. In the event of an East–West clash, they could expect to be facing broadly equivalent military opponents in a direct military confrontation and needed to be organised and equipped accordingly.[11]

Despite this increasingly important focus on Europe, UK armed forces retained a strong tradition of overseas operations too. These roles gave them a range of different operational experiences during the Cold War period, including expeditionary war fighting, peace-

keeping and counter-insurgency missions. Even so, by the mid 1980s it was the East–West confrontation that had increasingly come to dominate military organisation in the UK. By 1988, the armed forces were primarily organised for large-scale war fighting in continental Europe and the North Atlantic, with much of the Army and RAF deployed in West Germany. Other operations, such as deployments to Northern Ireland, were undertaken within these conventional force structures.

Responding to change

Initially at least, the end of the Cold War brought with it widespread societal and political expectations of a 'peace dividend' in the UK armed forces. This was reflected in the government's first two attempts at defence reorganisation. The Options for Change restructuring programme of 1990 reduced the total manpower of the armed forces by around 18 per cent, significantly reduced the UK military presence in Germany and withdrew older equipment from service. This was followed by the Frontline First defence cost study of 1994. This introduced further cuts in defence manpower, infrastructure and administration, alongside the confirmation of a number of procurement projects aimed at frontline forces.

Both Options for Change and Frontline First were essentially legacy documents, aimed at delivering on the peace dividend and eliminating the most obviously expendable features of the Cold War force structure. Between 1990 and 1998 defence expenditure fell by some 23 per cent in real terms, while the armed forces were cut by nearly a third.[12] Yet at the same time the range and diversity of UK military commitments proliferated considerably.[13] It was not until 1998 that the new Labour government published its full *Strategic Defence Review* (SDR) aimed at providing a more comprehensive assessment of the armed forces' role and position in the post-Cold War security environment.

The 1998 SDR was self-consciously foreign policy led. It aimed to restructure the armed forces to provide capability in support of four broad foreign policy goals, including contributing to international

security and 'spreading the values of human rights, civil liberties and democracy'.[14] It was also explicit in recognising that the UK no longer faced a direct military threat. Instead, it argued that 'the risks to international stability seemed as likely to come from other factors: ethnic and religious conflict, population and environmental pressures; competition for scarce resources; drugs, terrorism and crime'.[15] It also was explicit in its view that the UK armed forces could and should operate as a 'force for good' in the world, contributing to the prevention and management of international crises and humanitarian disasters, and helping to check 'the aggression of dictators'.[16]

Finally, the SDR was essentially expeditionary in nature. Rather than defend against threats from abroad, it argued that 'the need is increasingly to help prevent or shape crises further away and, if necessary, to deploy military forces rapidly before they get out of hand'.[17] The armed forces themselves were to be restructured 'to produce greater flexibility and deployability', with an emphasis on force projection and strategic mobility.[18] It envisaged smaller, more agile armed forces that could be deployed and sustained in complex operations overseas.

Even so, the self-professed radicalism of the review was tempered in a number of important ways. Major procurement projects with their origins in the Cold War (such as the Eurofighter Typhoon) – were ring-fenced, as was the UK's Trident nuclear deterrent.[19] Neither was the SDR accompanied by any new resources for defence. In fact, by its own admission the expenditure plans announced in the SDR amounted in real terms to a decrease in the defence budget.[20] As the defence academic Colin McInnes has observed, the SDR 'reshuffled the pack' to provide a more focused force structure, but did not alter the general direction of defence policy that had been established in the immediate aftermath of the Cold War.[21]

In short, the SDR remained an essentially reactive document with an emphasis on traditional and inter-state conflicts. Its recommendations were largely a response to the immediate security demands of the early Cold War period – particularly the first Gulf

War and the conflicts in the former Yugoslavia. These challenges were considered to be 'containable and potentially resolvable within a state-centric framework and the national and international security arrangements developed during the Cold War'.[22]

A new security paradigm

The 9/11 terrorist attacks of 2001 provided a fundamental challenge to these core assumptions. 9/11 and subsequent incidents such as the London bombings of July 2005 exposed the vulnerabilities of western societies to new forms of terrorism. The attacks were the catalyst for the development of new military priorities and responses to those previously outlined in the SDR.

Alongside a significant real-term increase in the defence budget of 1.4 per cent, the government produced three further defence policy documents. These were a *New chapter* for the SDR, published in 2002, a new *Defence white paper* in 2003, and an accompanying document on force restructuring subtitled *Future capabilities* in 2004.[23] At heart, these documents reinforce the conclusions of the SDR. They remain largely foreign policy led and continue to prioritise the security and stability of Europe and the maintenance of the trans-Atlantic relationship, for example. They retain and strengthen the SDR's emphasis on flexible military forces and expeditionary warfare and continue to leave previously ring-fenced projects in place.

However, both the *New chapter* and the *Defence white paper* are explicit in their view that the 9/11 attacks had transformed the nature of the UK's security environment. Thus, the *Defence white paper* asserts that 'international terrorism and the proliferation of WMD represent the most direct threats to our peace and security'.[24] For its part, the *New chapter* recognises that '. . . whereas the SDR saw these potential asymmetric threats as one of a range of tactics that an adversary may use, the attacks on the US on 11 September have shown that such action has the potential for strategic effect'.[25]

The role of the armed forces in the *Defence white paper* is outlined as being to be able '. . . to prevent, coerce, disrupt or destroy international terrorists or the regimes that harbour them . . .'. This in turn

requires 'a clear focus on projecting force, further afield and even more quickly than has previously been the case'.[26] The armed forces are also expected to contribute to conflict prevention and stabilisation in weak and failing states, which are seen to contribute to the root causes of regional and global insecurity and to 'provide potential havens and sources of support for terrorist groups'.[27]

All three documents envisage a higher tempo of operations than outlined in the SDR, taking place across a wider geographical area.[28] The *Defence white paper* assumes that 'in the most demanding operations we will be operating alongside the US and other allies' and so 'will not need to generate large-scale capabilities across the . . . [whole military] spectrum'. Instead, the aim is 'to lead or be the framework nation for European (and other coalition) operations where the US is not engaged'.[29] US involvement is taken as a given in complex and large-scale operations, and under these circumstances, the role of UK armed forces is to 'maximise our ability to influence at all levels the planning, execution and management of the operation and its aftermath, in support of our wider security policy objectives'.[30]

The *Future capabilities* document goes on to outline the structural changes needed across the armed forces to implement this vision. These broadly aim to reduce the overall size of the armed forces and phase out obsolete equipment. Instead resources are to be concentrated on those capabilities most suited for expeditionary warfare. These include the introduction of the two new large aircraft carriers for the Navy, a shift to 'medium-weight' forces for the Army, and the strengthening of strategic airlift and helicopter capacities for the RAF.[31]

All three documents place a new emphasis on the *proactive* engagement with potential security threats to the UK. Thus, in his introduction to the *New chapter*, then-Defence Secretary Geoff Hoon notes that 'it is much better to engage our enemies in their backyard than ours, at a time and place of our choosing', while the *Defence white paper* talks of 'proactive military intervention' and the need to 'be realistic about the limitations of the UN'.[32] While this falls short of an explicit policy of pre-emption, it does represent a significant

departure from the more reactive assumptions of the SDR. It also takes at face value the doctrinal assumptions that underpin the expeditionary approach, namely that the proactive application of military force abroad promotes international stability and security, and in so doing contributes directly to the security of the UK itself.

Forces for change

These changes in UK defence and security policy have had at least three implications for the country's armed forces. First, the new roles outlined for the armed forces are characterised by greater *contextual ambiguity* than in the past. During the Cold War a very direct relationship could be drawn between the threat posed by the Soviet Union and its allies and the security of the British homeland. The armed forces' tasks in the contemporary security environment are generally more indirect or long term. They aim either to prevent direct threats before they arise or to curtail the knock-on effects of regional instability. These kinds of missions also represent a shift from what we call 'campaign wars' to 'iterative wars'. In the former, military action is premised around reaching a clear and identifiable victory point – in most cases the defeat of an opponent's military forces. The latter concerns the long-term management of conflict and instability and is likely to be far more ambiguous and complex in both outcome and prosecution.

In this context, the principle of self-defence as a determinant for legitimating military action is more difficult to establish than in the past, particularly given the preference for 'proactive' military action discussed above. This in turn raises questions about the legality of certain military actions under international law, with potentially important repercussions for UK military personnel that will be discussed in greater detail below. It also means that societal support for the armed forces' operational deployments or for higher levels of defence spending may be harder to sustain. At the very least it can no longer be seen as automatic or self-evident, but is likely to require sustained political persuasion and leadership.[33]

Second, the new security environment has necessitated greater

operational flexibility on the part of the armed forces themselves. New roles have broadened the range of tasks that military personnel may be asked to fulfil. As well as combat operations against military or insurgent opponents, the armed forces can expect to undertake policing or peacekeeping missions in conflict or post-conflict societies. They can also be used to fulfil other 'civilian' tasks such as the reconstruction of infrastructure or the delivery of humanitarian aid. In some cases as in Iraq since 2003 or Afghanistan since 2001 they were expected to do all of them at once, often in close proximity.[34]

The more proactive strategy that has emerged since 2001 has also led to a much-increased tempo of operations, with the armed services being deployed more frequently and in a larger number of theatres than before. This means that the MoD's own 'harmony guidelines' are regularly breached. 'Harmony guidelines' aim to ensure that only 20 per cent of Army personnel are on operational tours of duty with no less than 24 months between deployments. This is a key element of the MoD's duty of care to ensure an appropriate balance between time on deployment and time at home.

This combination of multiple roles and a high operational tempo requires high levels of skill and professionalism from the armed forces. It also necessitates flexible force structures and equipment capabilities in order to allow personnel to be deployed and sustained away from home for considerable periods of time. These factors all mean that expeditionary warfare is an expensive and organisationally demanding capability to acquire and implement in practice.

Finally, the new security environment engenders greater *organisational diversity* of response. Indeed, the armed forces must increasingly share responsibility for delivering UK security with a broad range of actors. For example, the primary duty of protecting the UK from terrorist attack falls to other agencies such as the police and MI5, the Security Service. Similarly, armed forces are rarely the sole organisation operating in the field during post-conflict reconstruction. They are likely to be joined by a host of other non-uniformed actors including development agencies, non-governmental organisations and private military/security companies.

Most contemporary military operations are also multinational in nature, so UK armed forces can expect to find themselves working alongside allied forces. This organisational diversity introduces complexity into the operational environment and necessitates new strategies for coordination and collaboration between actors.

In practice, this combination of *contextual ambiguity*, *operational flexibility* and *organisational diversity* has placed a series of severe demands on UK armed forces. This has led to accusations of overstretch and crisis from many corners, including from within the armed forces themselves. How far then is the expeditionary model outlined in UK defence policy actually sustainable? Does operational experience since the 1998 SDR tell us anything about the demands and constraints of the model in practice? And what are the implications of these conclusions, both for the armed services themselves and for the future of civil–military governance in the UK?

3. Options for change

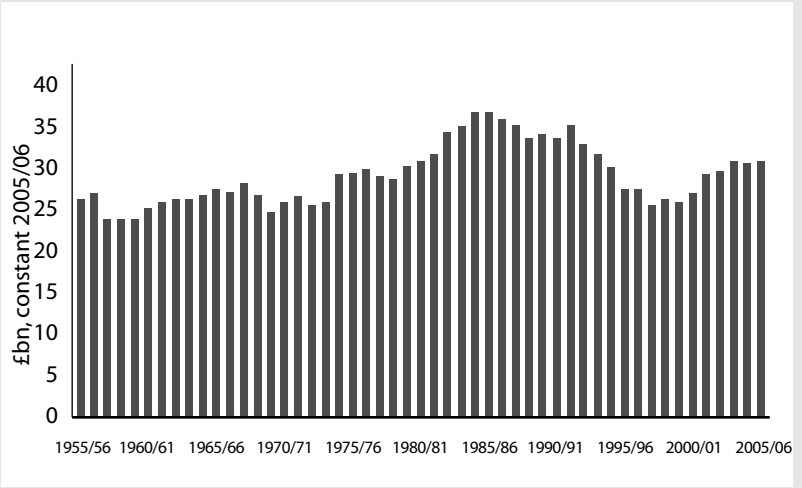
> *We believe that, if it is to be our policy to maintain such a range of capabilities, it follows that we must be prepared to pay for them. If we are to add a chapter to the SDR, we must add the money to pay for it.*
>
> House of Commons Select Committee on Defence
> Defence 2nd Report, 12 Dec 2001

The impact of the expeditionary model on the UK armed forces has been consistently underestimated. Defence planners have found it difficult to acknowledge the scale of the organisational and operational challenges it entails in practice while foreign policy ambitions have not been accompanied by the requisite financial and material resources to deliver on them. Neither are they likely to be. Much of the focus has been on expensive, high-tech equipment programmes, of questionable relevance to the current and future security environment. This in turn has introduced inflexibility into the procurement cycle and led to a weakening of military training and infrastructure.

Bangs for UK buck

UK defence spending levels have not matched the military ambitions outlined in the SDR and elsewhere. Until the increase in the defence budget was announced alongside the *New chapter* of the SDR in 2002

Figure 1. UK defence expenditure



Source: Ministry of Defence

the overall pattern of UK defence spending was one of long-term decline. The cuts of the post-Cold War period reduced the defence budget from between 4 and 5 per cent of GDP for most of the 1980s to 2.8 per cent in 1996/97. Defence spending was then stabilised in real terms, but continued to fall as a proportion of GDP as economic growth remained positive.[35] This was in contrast with other areas of government spending, all of which saw their budgets increase as a proportion of GDP over the same period. More recently, defence spending has increased again, but by a relatively small amount and will not fundamentally change the armed forces' current constrained financial circumstances (see figure 1).

There are a number of factors that make the current financial situation particularly severe for UK armed forces in this regard, to the point where traditional strategies for ameliorating the costs of defence may no longer be sustainable. These are present in each of the

main three areas of defence spending: equipment, personnel, and operations and running costs.

Since the end of the Cold War the UK's defence procurement priorities have been dominated by a number of major procurement programmes. These include Typhoon for the RAF, the Royal Navy's CVF carriers and Type-45 destroyers, and the Joint Combat Aircraft, not to mention the planned development of a successor to the Trident nuclear weapons system. These programmes represent the cutting edge of military technology. Yet their very complexity and expense puts a strain on the defence budget, while their decades' long time-scale of development introduces a debilitating rigidity into the procurement process.

Past UK governments have attempted to get round this problem by trying to introduce greater efficiency and cost effectiveness into the procurement process itself.[36] They have also sought economies of scale by developing major new equipment purchases in collaboration with (primarily European) allies. There is certainly the potential to make savings through these measures. However, while 'smarter' procurement may introduce some savings and reduce inefficiency, it can do little to reduce the rising costs and complexity of military technology. Similarly, fragmentation and diversity in the European defence market means that the economies of scale achievable through defence collaboration are currently limited, particularly in contrast with a genuine single defence market such as that of the United States.[37]

A second and related economic constraint on expeditionary warfare concerns rising personnel costs. As Keith Hartley notes, personnel costs in the armed forces are closely tied to the health of the wider economy. As wage costs and salaries rise in the civil sector, the armed forces must also pay more in order to compete effectively in the jobs market.[38] The operational complexity and frequency of the armed forces' current deployments have also placed ever increasing demands on highly skilled, technologically proficient personnel, with skills that are in demand elsewhere in the economy.[39] This reinforces the need to be able to offer competitive salaries to

attract and retain suitably qualified personnel, which adds a further inflationary pressure into the armed forces' personnel costs.

Finally, these budgetary pressures are all occurring at a time when the armed forces are more active than they have been for decades. In early 2007, for example, over 7000 service personnel were deployed to Iraq, 6000 to Afghanistan, 820 to Kosovo, 290 to other UN missions and 5000 to Northern Ireland (Operation Helvetic), as well as those sent on 'non-operational missions' such as those in the Falklands and Cyprus.[40] These multiple deployments represent a considerably more demanding commitment than that envisaged in the MoD's Defence Planning Assumptions. This is in relation to both the scale of the deployments – which are considerably larger than the Defence Planning Assumption guidelines – and to the nature of the missions themselves, which in Iraq and Afghanistan have involved intensive and sustained combat.

The cost of operations has also exceeded the government's own forecasts. Thus, in March 2007 the House of Commons Defence Committee reported that the estimated cost of the Iraq mission for 2006/07 had risen from £860 million to £1002 million, while in Afghanistan it had risen from £540 million to £770 million.[41] This level of operational over-commitment is part of a consistent pattern rather than an anomaly. Indeed, the National Audit Office observes that the armed forces have been operating 'at or above the most demanding combination of operations envisaged by the [Defence Planning Assumptions]' since 2001 at least.[42] Indeed in his first interview as Chief of General Staff in September 2006, General Sir Richard Dannatt claimed that the Army was 'running hot' and only 'just' able to cope and subsequently called for a national debate on the resources allocated to defence.[43]

This combination of equipment, personnel and operational costs has led to a situation of severe financial overstretch in the armed forces. In response the armed forces have been forced into cost-cutting measures to balance the books and channel resources to operational tasks. These have included cuts in the repair budget for some equipment, base closures, the cancelling or scaling back of some

military exercises and training, and a recruitment freeze in the Territorial Army (TA).[44] In Iraq and Afghanistan there have been multiple reports of equipment shortages on the frontline, particularly with regard to resources such as helicopters,[45] while medics were reported to have been forced to buy their own supplies of medical dressings.[46]

The relentless number of operations the armed forces have been required to deploy since the end of the Cold War has seen investment in people and infrastructure increasingly sacrificed to the altar of equipment and operations. General Sir Mike Jackson, recently retired head of the British Army, has admitted that 'large procurement cost overruns in the past have been rather meekly accepted to the detriment of spending on personnel and training'.[47] And while his comments also serve to highlight the inherent tensions between the three services on procurement of defence equipment, Jackson's conclusions are reinforced by a recent spate of controversies in the defence sector which demonstrate just how stretched the armed forces have become in many of these areas. These include the state of military housing, with as many as 19,000 family homes – over 40 per cent of the total – being identified as below standard by the National Audit Office in 2007;[48] criticism of the Ministry of Defence for their apparent failure to provide proper care for service personnel injured in Iraq and Afghanistan;[49] cuts in training and military exercises;[50] and turn-around times between deployments that significantly exceed the MoD's 'harmony guidelines'.

The current situation is deeply worrying given the demands that current operations place on armed forces personnel. We concur with Brigadier Lamont Kirkland, of the Development, Concepts and Doctrine Centre, in his view of the overriding importance of the 'human dimension' in the conflicts in which the armed forces are currently engaged. In particular, that while technology may be important in some areas it is unlikely to be decisive in the present operational environment.[51]

One apparently straightforward answer to this problem would simply be to spend more on defence. Certainly, there have been calls

from some sections of the press and elsewhere for the government to do exactly that. Lord Guthrie, a former Chief of Defence Staff, argued in February 2007 that in his view the armed forces remained chronically underfunded, adding that 'currently the sums do not add up'.

The government does appear to have accepted the need for higher defence spending. It introduced a 1.4 per cent real terms rise in defence spending in its 2004 spending review, and a further 1.5 per cent increase (to 2010/11) in 2007.[52] Some of these resources are to be allocated to areas such as improving military housing (where there is a need to spend approximately £5 billion over the next decade to bring service accommodation up to standard), but a significant proportion remains committed to new equipment programmes, including the Navy's large carriers and a replacement for Trident.[53]

Even so, little short of a step change in the amount of money the government spends on the armed forces will be able to counter the pressures of major new equipment purchases, defence inflation and rising personnel costs. And this kind of increase seems highly unlikely in the current political climate. As Hartley notes, historically in the UK 'substantial and sustained increase in defence spending . . . can usually only occur in response to significant threat, eg rearmament prior to World War II and the Korean War'.[54] Despite the 9/11 and July 2005 attacks, the armed forces have had very limited access to counter-terrorism funding and increases in the defence budget have not been large enough to represent a transformation in their financial circumstances in relation to the current expectations placed on them.

More widely, there appears to be little public appetite for spending much more in support of the armed forces' current role. Recent Ipsos MORI data for example shows that only a minority of the British public (33 per cent) believes that the UK spends too little on defence. In contrast, 45 per cent thought that the current defence budget was 'the right amount'; while 8 per cent thought it was too much.[55]

But these broadly supportive figures do not tell the whole story, with defence faring much less well when compared with other areas of state spending. So for example, among those polled by Ipsos

MORI, increasing expenditure on defence was a lower priority than spending in other areas, including the NHS, education and schools, the police and even development aid for the third world.[56] This data is broadly reflective of other studies and suggests that finding popular support for a greatly increased defence budget in practice may be a very difficult task.

Some would argue that it is precisely the job of the government to sell such difficult but necessary spending decisions to the general public. But this will be difficult for two reasons. First, no political party has articulated a strong narrative on the role of the armed forces and an explanation of why resources should be made available to defence. 9/11, the July 2005 bombings in London and operations in Afghanistan may highlight a strong case for spending more money on defence but political parties have not explained – nor indeed fully justified – the connections between operations abroad and UK security sufficiently well or in depth to the wider public. So much so that today no political party is seen as having 'the best policy on defence'. This is not solely a problem of perception; rather it illustrates the disconnect between the armed forces and the British political elite (see figure 2).

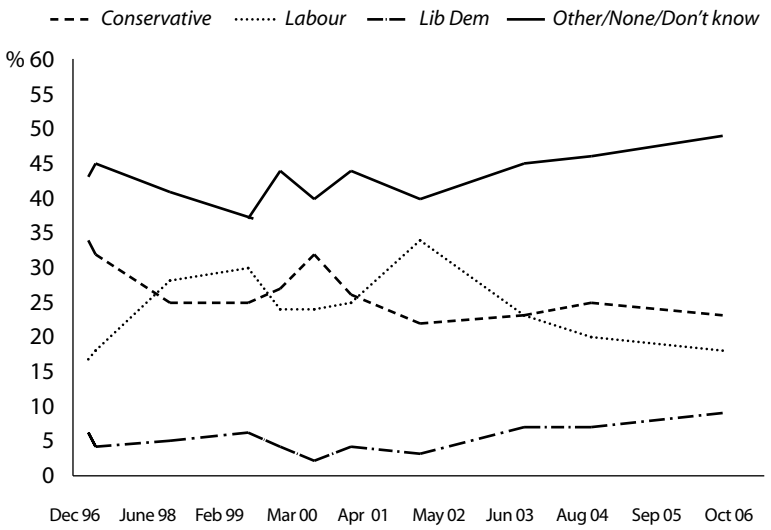
Second, the current political climate is not particularly conducive to such defence activism. The Treasury reportedly regards the MoD as 'one of the most "financially wasteful" departments within the government',[57] while the overall direction of government policy under Gordon Brown is to reduce spending in the public sector. In this context, the kind of major increases in defence spending discussed above appear neither viable nor realistic. It thus seems likely that any solution to the armed forces' problems will have to take place within broadly similar spending parameters to those of today.

What is defence for?

If significant increases in defence spending are unrealistic, then defence planners will need to look for other solutions to help resource the government's military activism. This is a necessity if the armed forces are to emerge from the current crisis and remain fit for

Figure 2. Best party on key issues: defence

Q I am going to read out a list of problems facing people today. I would like you to tell me whether you think the Conservative party, the Labour party or the Liberal Democrats has the best policies on each problem.



Base: representative sample of at least 1000 British adults age 18+ each month, interviewed face-to-face in home

Source: Ipsos MORI

purpose for the twenty-first century. However, if they are to be effective over the long term, any such solutions will require a fundamental reassessment of what the armed forces are for, how they are organised, and how they are best equipped for their mission. This in turn will require a serious and critical reflection on the continued sustainability of some of the 'sacred cows' of the British defence establishment.

This is a step that successive governments (and senior commanders) have been unwilling to take. Instead, defence planners have

sought to navigate the contradictions of the UK defence sector through reorganising existing force structures and attempting to introduce 'efficiency gains' into the armed forces themselves. This indeed is one of the main goals of the *Future capabilities* document of 2004. This introduces major cutbacks and efficiencies in areas seen to be less relevant to the current operational environment – such as RAF combat squadrons – while strengthening those capacities that best facilitate expeditionary warfare such as the procurement of helicopters for instance.

However, the UK government's approach to reform has not seriously addressed the difficult organisational dilemmas that lie at the heart of the armed forces' current crisis. While the current programme of military reorganisation in the UK has been important it continues to represent a compromise solution, one whose ambitious goals have not been matched by long-term solutions to the underlying problems facing the armed forces. This situation is not simply a product of Iraq and Afghanistan, though both of these operations have helped to expose and exacerbate the dilemmas at the heart of British defence policy. Instead, it stems from an unresolved question of what the mission of the armed forces is in the twenty-first century, what they can realistically be expected to accomplish given the various constraints they currently face, how they should be best equipped to do so, and what the organisational implications of this will be for the three armed forces themselves.

Current defence policy prioritises expeditionary capacities, for both war-fighting and peacekeeping purposes. Yet it does so primarily on the basis of the military experiences of the 1990s. These included the 1991 Gulf War as well as peacekeeping operations in the former Yugoslavia and elsewhere. While demanding in their own ways, these conflicts have not proven to be representative of the kinds of environments in which the armed forces have been operating since 2001. Indeed, here we again agree with Kirkland's assertion that 'the relatively low levels of violence involved in 10 years of Balkan peacekeeping was an aberration rather than a defining trend' for UK defence policy.[58]

More recent operations have proven to be more violent, complex and ambiguous, characterised by *operational complexity* and *organisational diversity*. These missions have been much more demanding than most of their predecessors in the 1990s, both in terms of manpower and also in relation to what they ask of military personnel. They have also been dominated by the Army, with the primary requirement being for infantry forces able to be employed in a variety of roles, from policing to counter-insurgency. Air and maritime forces have certainly had a role to play in supporting these operations – through the provision of air and sea lift capabilities or air strikes for example – but their role remains ultimately determined by the requirements of the soldiers on the ground.

In our view, this situation is not simply an anomaly associated with the armed forces' current deployments in Iraq and Afghanistan, but is an accurate picture of what the expeditionary warfare model more broadly defined actually means in practice. It is the high and specific demands of this kind of operation that current defence policy and resource provision underestimates, and which has led to the current overstretch in the UK defence sector.

The organisational requirements of the conflicts in which the armed forces are currently engaged have been consistently downplayed relative to wider defence planning goals. Regrettably these have tried to maintain the three services and their prestige procurement projects, within the context of high-intensity expeditionary warfare. This bias has been most apparent in the rapacious equipment demands required by this role. For example, many of the procurement decisions outlined in *Future capabilities* are premised on providing the armed forces with some of the most advanced military technology available, in order to prepare them for a potential 'worst case' scenario of a conflict with a technologically equivalent opponent.

However, the equipment demands of recent missions have not been for more cutting-edge technology, but on the rapid introduction of less advanced equipment.[59] Indeed, in the present security environment, land forces – and the operational requirement for

'boots on the ground' – require a greater focus and priority on the needs of the Army over the needs of the other two services. Initiatives such as the Joint Helicopter Command – which brings together the battlefield helicopters of all three services under one command, subordinated to British Army Land Command – increasingly reflect the type of organisational demands of current operations, and the predominant role of the Army in service hierarchy.

The argument here is not that the days of large-scale war fighting are gone forever. The global security environment is, by its very nature, unpredictable and there is no guarantee that the threats of a decade or two decades' time will be the same as today. But in our view, there are at least three reasons why we should be wary of allowing such assumptions to unduly influence the future of UK defence planning.

First, the current budgetary shortfall and overstretch in the British military is real and is happening now. It stems in large part from a mismatch between the ambitious roles the armed forces have been asked to fulfil and the organisational and financial constraints they face in doing so. In contrast, the high-intensity warfare requirement is premised on future predictions of the nature of the future security environment. We agree with the assessment of Colonel John Wilson in a recent editorial for the *British Army Review* that it is not that the latter is necessarily unimportant or irrelevant. But the present situation is unsustainable, and in this context hard choices do need to be made about the relative urgency and balance between the armed forces' different roles. As Wilson observes:

> *[I]f – as a nation – we choose not to [resource both current operations and high-intensity warfare capacities] then [we must] resource what is happening now and gamble, if that is what it is, on future threats. The failure to do otherwise is not just to jeopardise the physical safety of our fighting troops, but to undermine their morale.*[60]

Second, traditional ideas of complete national independence in

defence are increasingly unsustainable and unrealistic. The UK defence and security environment does not exist in a geopolitical vacuum. The British armed forces are located in multinational networks of alliances, shared interests and habits of security cooperation, incorporating the countries of NATO and the EU as well as others. Indeed, it has been many decades since the UK felt it necessary to maintain a genuinely independent capacity in all areas of defence security provision. Instead, the burden has been shared with allies, and particularly the United States.[61] It is also something that is explicitly recognised by current defence policy, which accepts that any large-scale, high-intensity military operation in which the UK is likely to be engaged, will also involve the US.

This means that any decision on the future role of the armed forces need not be an all or nothing affair. Instead, it should reflect the manner in which UK capabilities can add weight to what the government itself assumes will inevitably be multinational operations. This may well include some high-intensity war-fighting capacities in certain key areas. However, in our view it is disingenuous to suggest that this necessarily requires the armed forces to be able to do everything and prepare for every eventuality. Not only do current resource constraints militate against this, but the multinational nature of the UK security environment introduces more flexibility into the defence planning process than is often assumed.

Finally, while current defence procurement strategy has come on leaps and bounds under the guidance of Lord Drayson, it still does not represent the most effective way of meeting the armed forces' operational requirements – including those of large-scale warfare. At present, at least with regard to the most expensive equipment purchases, there is a bias towards bespoke equipment programmes, often developed indigenously (or at least involving some indigenous contribution) over long procurement cycles.

There has been a tendency for the UK armed forces to pursue 'the best for the best's sake' in their procurement requirements. The MoD's own 2005 *Defence Industrial Strategy* (DIS) is explicit in recognising the drawbacks of this approach given current resource

constraints.[62] But we believe that it does not go far enough in doing so, and there is scope for greater flexibility in this area, something which should be recognised when the strategy is updated in the near future. Our view is that the primary driver of UK procurement strategy should be the delivery of practical operational capability to the armed forces 'on the ground', and with the minimum of delay and as far as possible within cost. To deliver on this goal in future, greater consideration should be given to alternative procurement arrangements, including the purchase of pre-existing 'off the shelf' alternatives, and/or leasing arrangements such as those used for the RAF's four C-17 transport aircraft.

We recognise that there is a debate to be had about the implications of such an approach for the UK's defence industrial base. But, as with other issues such as the Trident replacement, the real question here is how much extra the government is willing to pay to retain independent defence industrial capacities in the UK, or, in the case of Trident, an independent nuclear deterrent.[63] These are ultimately wider political issues that return us again to the matter of overall defence spending levels. Either way, though, such considerations should not detract from the overriding priority of maintaining and equipping armed forces that are fit for purpose. If, as a result of budgetary constraints, it comes to a choice between the defence industrial base and the viability of the armed forces in the field, we are clear that the latter should prevail.

Defending the realm

A final organisational dilemma for the armed forces concerns the utility of the expeditionary role – broadly defined – in meeting the primary threats to UK security. In particular, there is a risk that too narrow a concentration on the expeditionary warfare mission risks undermining the armed forces' ability to maintain what the military academics Christopher Dandeker and Lawrence Freedman have called 'a general capacity for emergency action'.[64] This is a particularly significant concern given the homeland defence implications of international terrorism. Civil emergency planners are clear that in the

event of a mass-effect terrorist attack or other disaster, what they require from the armed forces is a predictable and available resource on which to draw at short notice.[65] However, the current prioritisation of expeditionary warfare – in terms of both restructuring and deployments – diverts significant resources away from homeland defence.

The *New chapter* did establish 14 new regionally located Civil Contingencies Reaction Forces – each comprising 500 military volunteers – to provide assistance to civil authorities in the event of a domestic emergency. However, doubts have been raised over their suitability for their role, in terms of appropriate training, speed of response and manning levels.[66] More widely, and in response to the recommendations of the *New chapter* in this area, the House of Commons Defence Committee expressed its concern that it had 'seen little evidence that the MoD has taken seriously the need to rethink the capacity of the armed forces to provide predictable support to the task of home defence in the event of a mass-effect terrorist attack in the UK'. It also questioned the assertion that 'overseas operations will be a more effective use of the military in fighting terrorism than home defence'.[67]

In our view, the domestic security mission for the UK armed forces is one that needs to be taken more seriously than it has been to date. This is particularly the case given the proven ability of terrorists to strike at the UK mainland, together with the clear domestic contributions that the armed forces have made in recent years – including during the foot and mouth crisis of 2001 and the summer flooding of 2007. It is also important to underline to British citizens themselves that the services are not just interested in or equipped for military adventures abroad. They have an important contribution to make at home as well.

Current operational commitments and manpower problems mean that the armed forces' capacities in this area are more limited than they might otherwise be, among both regular forces and the TA. Indeed, in a leaked memo published by a national newspaper in July 2007, General Sir Richard Dannatt, head of the Army, confessed that

the commitment of troops to operations in Iraq and Afghanistan meant that it had 'almost no capability to react to the unexpected', either at home or abroad.[68] In our view, this represents an important oversight in UK defence planning, one that exposes once again the fragility of the UK armed forces' current organisational predicament. To this end a review needs to be carried out of the roles and relationships between the regular and territorial forces, across the full range of roles of the armed forces, with particular reference to the domestic role of the regular forces.

Summary and recommendations

1 The interconnected nature of the UK security environment – and particularly the relationship and tensions between home and foreign policy led defence – needs to be better recognised at a policy level. **The government should establish a National Security Secretariat to integrate and coordinate UK security policy. There must be a national debate leading to the publication of a National Security Strategy. Following on from this, the government should implement a full defence review, to reflect seriously on what the future roles of the armed services should be, and how they should be organised and equipped to carry out these functions.**

2 The mantra of foreign policy led defence, with its focus on deploying the armed forces in an expeditionary capacity as a 'force for good' abroad – is empty rhetoric if sufficient financial and material resources are not made available to deliver on these ambitions. **In a defence review the government must either reduce the number of commitments of the armed forces, or increase the resources made available to deliver the nation's expectations.**

3 Traditional ideas of national sovereignty in defence provision are unrealistic and hinder debates on defence

reform. In this context, **the opportunities offered by burden sharing and role specialisation with European and American allies should be considered over and above present initiatives particularly in areas such as shared R&D and procurement**.

4 There needs to be a wider debate and much greater political and public understanding about the type of complex combat and 'humanitarian' missions that the armed forces should be expected to fight. Such missions are not only 'contested wars of choice', but 'iterative wars' that will last for a generation or more. **The efficacy of the armed forces' roles in these kinds of missions has to date been taken for granted, yet their contribution to UK security is far from proven. We believe that this is an issue that needs to be revisited.**

5 While we recognise that it is too late to withdraw from some existing procurement projects, for both contractual and financial reasons, **a greater emphasis should be placed on pre-existing 'off the shelf' equipment that offers cheaper, more swiftly deliverable alternatives than bespoke programmes.**

6 Land forces dominate in current deployments, and increasingly the role of the Royal Navy and RAF is to support Army operations. This needs to be recognised in defence planning and the resource allocation process. Initiatives such as the Joint Helicopter Command point the way forward in this regard. **The armed forces cannot be expected to 'do everything', and the government should not shy away from reducing capacity in those areas – such as anti-submarine warfare or high-level interceptors – that are of marginal relevance to the current security environment.**

7 The role of the armed services in UK resilience is currently underplayed. This sits ill with the significance attached to the threat of terrorism in UK defence and

security planning. The armed forces' domestic role needs to be incorporated more explicitly into the Defence Planning Assumptions. **Priority should be attached to the maintenance of a 'general capacity for emergency action' on which the civil authorities can reliably depend, with particular consideration being given to the question of manpower availability, and incorporating a proper consideration of the role, sustainability and importance of the TA in this regard.**

4. The military in society

The Royal British Legion has launched a campaign on social networking website, Facebook.com, to encourage a new generation of potential Poppy People to sign up as volunteer collectors for the Poppy Appeal in November this year.[69]

The financial and organisational challenges discussed above are underpinned by a wider set of constraints associated with the armed forces' changing relationship with the society of which they are a part. Many of these issues are generic in nature and similar to those faced by military institutions across western Europe and North America. However, in the UK case, they are further intensified by the armed forces' active engagement in multiple concurrent expeditionary operations.

Changing social expectations

The armed forces operate in an environment of changing social expectations, particularly with regard to what people expect out of a career, and the kinds of sacrifices they are willing to make for it. Our argument here is not that today's service men and women are any less willing than their predecessors to risk their lives on the battlefield. This is patently not the case, as illustrated by the bravery and commitment of British service personnel in active duty in Iraq and Afghanistan. However, there has been a change in the way that

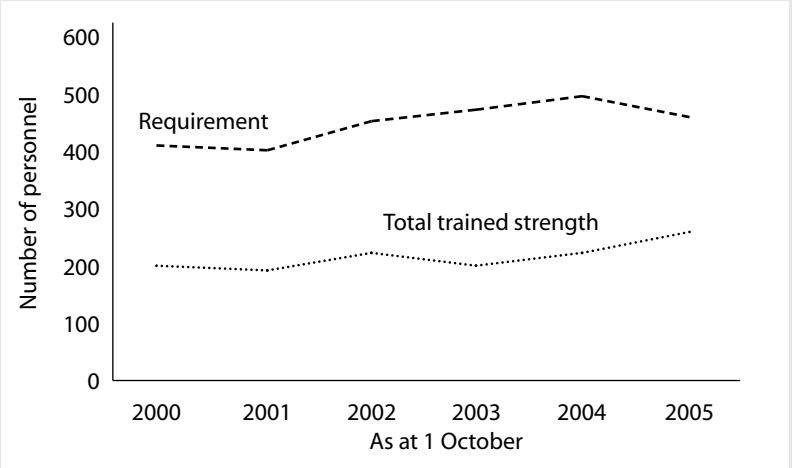
personnel relate to the institution that they work for, both in terms of what they expect it to do for them, and they for it. This includes a shift from seeing military service as a vocation to 'just a job';[70] a decline in deference, with service personnel more willing to question and challenge the organisation they work within; and an erosion of the armed forces' traditionally claimed 'right to be different' in areas such as employment rights and social diversity legislation.[71]

In this last area, the direct effect of European Union legislation, the impact of equal opportunities (gender, sexual orientation and race) and human rights legislation and the impact of health and safety laws, have within two decades significantly reduced the capacity of the armed forces to regulate themselves within an autonomous professional space. Added to this are rising expectations in areas such as career development; and increasing competition with civilian employers to recruit and retain suitable personnel.

These changes are reflective of much wider trends in society as a whole. But they pose particular challenges for the armed forces, whose role places unique demands on service personnel. These include the expectation of 'unlimited liability' – the possibility that personnel may lose their lives in the course of their jobs – and also the need for extended tours of duty away from home, often at short notice. These demands have long been an accepted part of a military career, particularly in the UK where the armed forces have a long tradition of being deployed in combat. Indeed, for many young recruits, it is precisely the 'interesting and challenging nature of the job and work . . . the active lifestyle and travel opportunities' that provide one of the main attractions of service life.[72]

However, when combined with the current high tempo of operational commitments and the erosion of military infrastructure discussed above, changing military–society relations have profound implications for the capacity of the armed forces to sustain themselves in the expeditionary role set out by the elected government. This is the case both with regard to the continued efficacy of relations *within* the armed forces but also in their capacity to recruit and retain sufficient personnel to fulfil the roles required of them.

Figure 3. Number of general practitioners throughout the armed forces



Source: Ministry of Defence

Recruitment and retention

The armed forces are currently short of service men and women. According to the Ministry of Defence, in the year to April 2007, the overall personnel shortfall increased from 5170 to 5850 personnel, with none of the three services within manning balance. The Army in particular is experiencing much more significant shortfalls in key so-called 'pinch point' trades.[73] These include those jobs that are in most demand during current operations such as ammunition technicians or vehicle mechanics for example and also those trades that require specialist skills or experience and are more difficult to recruit and train for – such as linguists, leading hands and general practitioners (see figure 3).

As the National Audit Office (NAO) points out, the armed forces have historically struggled to match their overall personnel targets

with the need to achieve 'structural balance'; that is the need to have the right numbers of qualified personnel in specific jobs and professions. They have also found it difficult to catch up with past shortfalls, as they are only funded to achieve a certain number of recruits each year.[74] However, the current operational demands and organisational context makes the present manning situation in the armed forces much more severe than in the past – and more difficult to resolve in the future.

The frequency and nature of current deployments are placing an unprecedented strain on existing service personnel. We have already noted that the armed forces have been operating above the MoD's Defence Planning Assumptions. For many, the effect of this has been to shatter the 'harmony guidelines', the amount of time service personnel can spend away from their families and the intervals that units should enjoy between operational tours. For example, in November 2006, over a third of service men and women in pinch point trades had breached the guidelines at some point during the previous 30 months.[75] Turn-around times between deployments for infantry battalions have also shortened, falling to 17 months in 2005 compared with the guideline figure of 24 months.[76] While many personnel undoubtedly welcome operational deployments as a chance to apply their skills and training in practice, this high operational tempo has at least three further negative implications.

First, more frequent deployments mean less time for other activities such as training and professional development as well as less time at home with families. The importance of these activities cannot be overstated: they inculcate existing knowledge and experience into future generations of service personnel. They are also one of the most important mechanisms through which the lessons of current military operations are learnt and passed on. Such cuts raise important questions about the armed forces' (especially the Army's) ability to learn the lessons of current operations and to set aside the necessary investment of time and personnel to renew themselves. Similarly, curtailing time spent at home with families can undermine the

continued attractiveness of a military career, particularly when compared with opportunities in the civilian sector.[77] Cutting back on these areas might well free up capacity for operations in the short term. However, the long-term impact of doing so is severe and risks undermining the ability of the armed forces to sustain and renew themselves.

Second, the nature of the armed forces' missions in Iraq and Afghanistan mean that many of today's operational deployments are to theatres of war. These are physically and psychologically demanding, and can carry a significant risk of personal injury or even death. Indeed, a 2007 report in the *Observer* suggested that almost half of frontline troops had required significant medical treatment during fighting in the summer of 2007.[78] While these risks are viewed as an inevitable part of the job by most British soldiers, they also significantly intensify the existing pressures caused by multiple deployments on service personnel and their families.

Finally, operational overstretch has knock-on effects elsewhere in the force structure. Those units not on deployment increasingly have to fill the gaps left at home, again reducing the time available for other activities. Since the early 1990s, there has also been an 'unprecedented' use of the TA and reservists in support of regular forces.[79] They have increasingly been used to 'gap' regular posts in the field, to the point where the NAO concluded that UK armed forces would be 'hard pressed' to operate without them.[80]

TA and Reserve forces have thus made an essential contribution in this way, and their use is certainly one way of making up the numbers in key pinch point trades. But they are not without problems. Understandably they are not trained as intensively or as comprehensively as regular personnel, and while there is a high regard for individuals who volunteer for operational deployments, commanders comment that they are not as immediately physically or mentally prepared for operations. More widely, the routine use of TA and Reserve forces in this way undermines their availability as a resource to draw on in times of unexpected crisis. This is particularly important point given our concerns about the armed forces' role in

aiding the civil authority during domestic emergencies. By stealth it is also transforming the relationship between the TA and regular forces – and between the TA and civil society.

Under pressure

These pressures have placed many military personnel under unprecedented strain, demonstrated by the number of service men and women who currently want to leave the forces. According to one study conducted by the Ministry of Defence in the first half of 2006, one out of every five soldiers wanted to leave the Army 'at the earliest opportunity', while more than half were 'thinking about quitting'. Thirty-eight per cent blamed 'operational commitment and over-stretch' for their dissatisfaction.[81]

Similarly, in late 2006 the National Audit Office found that '28 per cent of those personnel who had recently left pinch point trades and 38 per cent of those still serving, but intending to leave, rated "too many deployments" as an important reason for leaving'. More widely, it identified the common factors which led to service personnel leaving the forces as being 'mainly related to the impact of service life on family life, including the ability to plan ahead and work–life balance'.[82]

Many officers are understandably concerned by the need to find a second career whatever their type of commission, either in their late 20s or early 30s, or after a full career at 55 where the pension package requires most to seek additional employment to sustain their standard of living. Likewise most non-commissioned officers are required to leave the service after 22 years. This prematurely forces well-trained, experienced and committed personnel out of the armed forces and unnecessarily builds uncertainty into a military career. This element of the terms and conditions of enlistment looks increasingly outdated and ageist and is ripe for review.

Retention difficulties are also exacerbated by competition from the private sector, particularly for specialist and Special Forces personnel. In August 2007 the *Daily Telegraph* reported that the Intelligence Corps had lost around 20 per cent of its officers since 2004. Many of

these had been lured away to private security contractors who were able to offer more attractive terms and conditions than the armed forces themselves.[83]

These concerns are mirrored in the TA and Reserves, but here family and civilian employment pressures can further exacerbate problems. In particular, there appears to be a widespread view among this group that they lack the support – both in terms of pre-deployment training and also post-mobilisation assistance – available to their regular counterparts.[84] In part this may result from the fact that they deploy as individuals and on their return do not have the same access to formal and informal support structures of the regular regimental system. This perception is not likely to have been helped by the government's June 2007 decision to cut the TA's funding by £5 million over two years. As in the regular forces, these pressures have led to severe recruitment and retention problems. Indeed, their strength has declined steadily over time with the TA in particular considered to be 'significantly under-strength'.[85]

These factors are important not just because of what they say about the impact of operational overstretch, but also because they are suggestive of an increasingly conditional attitude towards military service among service personnel more widely, particularly with regard to family life. Where the armed forces do not meet service personnel's expectations of what is reasonable in these key areas, then many will prefer to leave the organisation rather than persevere under what they consider to be unsustainable conditions.

This emerging pattern of early departures from the armed forces due to operational overstretch has an impact that goes beyond the simple problem of under-manning. As the House of Commons Committee of Public Accounts has noted, the trades from which people are leaving are often specialised, requiring high degrees of skill, training and experience. In this context, departures cannot simply or easily be filled by new recruits. Early departures also represent poor value for money. Basic and specialist training for new personnel is resource intensive and represents a considerable financial investment in the future on the part of the armed forces. But if those

personnel resign before their agreed period of service is completed, then the benefits of this investment will be lost.[86]

For its part, the MoD argues that the armed forces are not yet 'overstretched' by dint of the fact that they are still able to meet their military commitments.[87] Even so, it has recognised that the Army is 'running hot' and has introduced a number of strategies to try and counter it. These include the introduction of financial incentives targeted at key pinch point trades, a £2240 tax-free allowance for everyone deployed to Iraq, Afghanistan and Bosnia and a reduction in council tax. These measures have been welcomed by the armed forces and do appear to have had some limited success in retaining people in the short term.[88] But they do little to address the underlying reasons why experienced service personnel themselves say they are leaving, and as such their utility in the long term has to be open to question.

As well as retention, the armed forces' current staffing problems reflect difficulties in recruiting new personnel. Again, this is not a new issue and military recruitment in the UK has tended to lag behind its target level for years. Recruitment difficulties are also felt unevenly across the services. So for example, the armed forces as a whole appear not to have performed too badly in meeting their overall recruitment targets over the past five years. But set against this are significant shortfalls in specific areas. These include the infantry and artillery – which fell short of their targets by 17 per cent and 27 per cent, respectively, in 2005 – and also a number of specialist trades.[89]

Many of these shortages are a consequence of past recruitment cutbacks whose impact in the force structure is only now being felt. As the House of Commons Public Accounts Committee notes, this is particularly the case in the Navy, where a lull in recruitment activity in the 1990s has today led to manning shortages at Petty Officer rank.[90] In this context, it is worrying indeed that organisational overstretch led the Army to cancel infantry training courses as late as 2004/05 – a decision which may have bought some time in the short term, but whose impact is likely to be much more negative over time.

In addition to weaknesses in and restrictions on the armed forces'

past recruitment practices, there are at least three further factors that exacerbate these difficulties.

The first of these relates to public perceptions of life in the military, and particularly to the adverse effect of recent scandals, at Deepcut Barracks and the mistreatment of prisoners in Iraq, as well as a public unease over the war in Iraq particularly. In general, the armed forces' reputation among the British public remains remarkably untarnished by these incidents.

However, research conducted by the services themselves indicates that they *have* had a more negative impact, both on the views of potential recruits and on key recruitment 'gatekeepers' such as parents.[91] So for example, the Army found that 42 per cent of parents would be less likely to encourage their children to join up because of the Iraq war, while the same figure for the RAF was 33 per cent; 27 per cent of parents were similarly 'put off' by the Deepcut events.[92] Indeed, in June 2006, Major General Andrew Ritchie, the recently retired commandant of the Royal Military Academy at Sandhurst, warned that the 'mum factor' was having a negative effect on recruitment, with 'hugely influential' parents put off by the 'real risk and danger' of the 'deeply unpopular' war in Iraq.[93]

A second obstacle to recruitment relates to the need to compete with the external job market for recruits. A military career offers some unique attractions that are not available in the same way elsewhere, including opportunities for travel and for interesting and challenging work. These are important benefits for most recruits and are at the heart of the reason why most people join the forces. Even so, a whole range of comparable civilian employers offer more favourable terms and conditions, at least during the early years of a career. So for example, according to the MoD website, a newly qualified private in the Army can expect to earn £15,677 per year,[94] compared with a starting salary of around £20,000 for police officers[95] and £20,396 for trainee fire fighters.[96]

Military personnel are also expected to work consistently long hours – often in difficult or dangerous circumstances – to the point where their hourly pay rate can actually fall below the national

minimum wage (from which the armed forces are exempt).[97] More widely, the rigidity of a military career, whereby the key aspects of a recruit's life are subordinated to and dependent on the authority of the military institution, sits uneasily with modern preferences for more flexible working arrangements and the increasing likelihood that military spouses will pursue careers of their own. The MoD has recognised this problem and is currently reviewing different career structures but without the relevant ministerial support and senior leadership – and without the institutionalised support of a professional body or trade union to lobby on behalf of service personnel themselves – there are fears that such a review may come to nothing.

Finally, a range of social and demographic factors have contributed to the current recruitment environment. Increased expectations of personal wealth creation, social mobility and wider access to higher education have further eroded the armed forces' traditional socio-economic recruitment base in the white working class. A better educated and increasingly middle-class population has proved more reluctant to embark on a military career. Of those that do join from this group, the preference has been to enter at officer level rather than serve in the ranks.[98]

Less 'uniform' armed forces?

In the face of these pressures, including changing career expectations, an erosion of their traditional recruitment base, and organisational and financial constraints, the UK's armed forces have increasingly turned to new strategies for recruitment, career development and service provision. First, they have attempted to increase recruitment from new constituencies, including women, minority ethnic groups and the Commonwealth. Second, they have introduced greater flexibility into military career structures. Finally, they have increasingly looked to private contractors for the provision of key military services, including support infrastructure and training. These changes have contributed to a less uniform defence sector in the UK, and posed a new set of challenges for military–society relations and for the armed forces themselves.

The past several decades have seen an increase in the proportion of minority ethnic groups in the UK population. Many of these groups have been suspicious of the military in the past and the armed forces have worked hard to address this, not least because they view diversifying the recruitment pool as one way to ameliorate some of the manning problems discussed above. Increasing the participation of minority ethnic groups was a key goal of the SDR, and the period between 1997 and 2006 saw their representation in the armed forces increase from 1 to 5.5 per cent. This same period also saw an increase in the proportion of women in the military – another traditionally excluded group – rising from 5.7 per cent in 1997 to 9.1 per cent in 2006.[99] These changes have been accompanied by a massive rise in the number of Commonwealth soldiers serving in UK armed forces, rising from only 430 in 2000 to over 6000 in 2007.[100]

This diversification of the recruitment base raises new organisational challenges for the military institution. These include the need to take seriously the problems of racism and other forms of discrimination. If the armed forces are to capitalise on the opportunities offered by a diversified recruitment base they need to be able to demonstrate that they really are an equal opportunities employer, open to all. To date, they have taken some important steps forward in these areas, including a number of concrete programmes aimed at promoting diversity and tackling discrimination.[101] Indeed, Sir Herman Ouseley, a former head of the Commission for Racial Equality, recently noted that the armed forces have set standards in this area 'that other sections of society should follow'.[102]

Even so, both women and minority ethnic personnel remain severely under-represented in the services, suggesting that significant sections of the UK population remain reluctant to join the armed forces. General Sir Richard Dannatt's comment in October 2006 that the British Army was fundamentally a 'Judaic-Christian' organisation can have done little to challenge these perceptions, and indicates that the armed forces themselves still have some way to go before they truly embrace the idea of diversity in the services.[103]

Similarly, Commonwealth soldiers have complained that they

continue to be the victims of racist bullying and abuse.[104] Indeed, as Christopher Dandeker and David Mason note, at heart, the under-representation of women and minority ethnic groups in the military is deeply rooted in underlying – and presently unresolved – dilemmas of UK national and social identity.[105] As a consequence, while initiatives aimed at increasing minority ethnic group participation in the armed forces may lead to important changes in the social composition of their recruitment base, a complete transformation in their attitudes to enlisting seems unlikely.

The recruitment of service personnel from other countries poses its own set of challenges. Recent debate has focused around the failure of the government to offer resettlement in the UK of Iraqi interpreters in Basra – but the delay in offering residency and citizenship to Ghurkha soldiers after a lifetime of service – or pensions equivalent to those offered to UK service personnel – raises similar issues. The creation of a Commonwealth Soldiers' Union to represent this group of service personnel, and a willingness to resort to the law courts will ensure that these issues cannot be buried or ignored.

The use of civilian Iraqi employees in support of UK operations also points to another way in which the traditional uniformity of the armed forces is changing. Indeed, since the beginning of the 1990s, there has been a huge increase in the use of private and locally employed contractors to fulfil roles for and within the defence sector that might previously have been handled by the armed forces themselves. The scope of these activities has expanded over time, to the point where today private, non-uniform contractors are integral to UK military organisation and operations, including in areas such as military logistics, education and training.[106] The government has also made extensive use of private finance initiatives (PFIs) to fund capital projects in the defence sector. These include such major facilities as the Joint Services Command and Staff College at Shrivenham – the 30-year contract for which is held by a consortium of the private companies including Laing and Serco.[107]

The extent of these activities is such that in many areas they are

increasingly blurring the line between uniformed personnel and their non-uniformed counterparts. And while the government maintains that there is a distinction between combat roles, which remain the prerogative of the armed forces, and combat support, which may be carried out by private companies, in practice the distinction is weakening.[108]

This conclusion is supported by the increasing use of the 'sponsored reservists' as a mechanism to integrate private contractors into frontline roles. Introduced in the Reserve Forces Act in 1996, the sponsored reservist concept allows private companies to incorporate their employees into the military reserve. In this way they can be trained and called out to carry out contracted tasks as non-uniformed members of the armed forces. Sponsored reservists have been used in a number of capacities in the UK armed forces, including as part of the Heavy Equipment Transporter (HET) programme and the Navy's Strategic Sealift Capability.[109]

The regular armed forces now operate hand in glove with a range of different private actors and service providers, in a variety of different tasks and across a range of environments, including combat operations. In this context, the private sector is fast emerging as what we term a 'fourth service' of the British armed forces. Yet this in turn raises major questions about what military 'service' actually means today; how new private actors should be regulated; and what obligations should be made to those personnel who – while not necessarily members of the regular armed forces – are also willing to lay down their lives for this country. Further consideration should be given to how the concept of a 'fourth service' fits into the traditional Military Covenant between the nation and its armed forces.

Finally, as a response to the need to improve retention, the armed forces have been forced to introduce some flexibility into what across all three services has been a very rigid career structure. Ex-service personnel are now actively being encouraged to re-enlist, even quite a significant period of time after their resignation. There has also been a specific response to personnel leaving two British Special Forces units, the Special Air Service regiment and the Special Boat Squadron,

often to join private military contractors with significantly higher salaries for similar work.[110] These units reportedly now permit a 'sabbatical' period outside these units, to prevent permanent resignations that leave their own units understaffed.[111] This type of flexibility is to be welcomed, but as with targeted financial incentives, it does little to address the major reasons why service personnel are choosing to leave the forces.

Legitimacy and wars of 'contested choice'

A final pressing issue for military–society relations in Britain relates to the wider social legitimacy of the expeditionary role itself. The wars the armed forces are currently fighting appear distant to most people and rarely impact on their everyday lives. We have already noted that the contextual ambiguity of many expeditionary operations makes the link between the armed forces and national defence more complex and indirect than it was during the Cold War period. This in turn leads to a series of dilemmas about how UK armed forces maintain and sustain legitimacy and public support in the era of what Dandeker has called 'wars of contested choice'.[112]

The first point to make here is that for all the discussion of organisational overstretch and contextual ambiguity, the armed forces remain a popular institution in British society. According to Ipsos MORI data from 2006, for example, 87 per cent of those surveyed agreed that the British armed forces were 'among the best in the world' with 64 per cent having a 'very favourable' or 'mainly favourable' view of them. The majority also felt that the armed forces were doing a good job and were broadly supportive of their global role. Indeed, 60 per cent of those surveyed believed that their most important priority should be to 'make the world a safer place'. More widely, the British were generally much more willing to contemplate the use of force in international affairs than other Europeans and are of the consistent view that the UK needs to maintain 'strong armed forces'.[113]

This data paints a picture of strong latent support for the armed forces in the UK. To date this has allowed them to largely shrug off

wider criticism of controversial activities and scandals in which they have been involved. So for example, though the British public remains uneasy about the UK's involvement in conflicts in Iraq and to a lesser extent Afghanistan, these are seen to be the primary responsibility of politicians rather than the armed forces. Scandals *within* the armed forces are similarly dismissed. Bullying for example is generally seen as 'inevitable' or 'par for the course' in the Army, while the beating of Iraqi prisoners by British soldiers tended to be blamed on 'rogue elements' or 'media manipulation' rather than the armed forces themselves.[114]

These findings indicate a robust foundation of public support for the armed forces in British society. However, there are at least two important provisos to this broadly supportive picture. First, it is important to draw a distinction between general support for the armed forces, and a willingness to make financial sacrifices or personal commitments on their behalf. As we have seen, the British public consistently prioritise spending in areas such as health and education over and above defence. Similarly, the popularity of the armed forces does not translate into a willingness to enlist or for key 'gatekeepers' to encourage their charges to do so. Indeed, while internal scandals or the unpopularity of the Iraq war may not have had a *direct* impact on the popularity of the armed forces in British society, they do appear to have had a more *indirect* negative effect in areas such as their ability to recruit new personnel.

Second, there is a continuing concern among senior military commanders and others that public support for the military – and their active role in global security – is neither unassailable nor inevitable. It could yet be tested by a genuine military disaster involving mass British casualties, or indeed by a really devastating scandal involving the armed forces.[115] Fortunately these questions remain unanswered at present. However, the underlying point is that the high public standing of the armed forces cannot be taken for granted: it is dependent on the extent to which their role, conduct and performance fulfils the expectations of the public at large.

More widely, continuing instability and violence in both Iraq and

Afghanistan have led to fundamental questions over the utility of military operations in managing insecurity overseas. Thus, in their 2007 report, *UK Operations in Afghanistan*, the House of Commons Defence Committee noted that in its view the demands of the intervention had been consistently underestimated by those countries contributing troops to it. It specifically cited one witness who described the range of objectives being pursued by International Security Assistance Forces as being 'overly ambitious and lacking coherence', including 'counter-insurgency, counter-terrorism, counter-narcotics, state building, development and democratisation'. It went on to observe that success in Afghanistan 'will require a sustained military and financial commitment . . . considerably greater than the international community is at present willing to acknowledge, let alone make'.[116]

The wisdom and conduct of the war in Iraq has also been widely questioned, both in terms of its effectiveness in delivering stability and security to the Gulf region, and also in terms of its role in exacerbating the terrorist threat to the UK at home. Indeed, as Paul Wilkinson notes, while nobody suggests that the Iraq conflict is the sole cause of Al-Qaeda terrorism, it is widely accepted on both sides of the Atlantic that such groups have used it to 'boost [their] propaganda, recruitment and fundraising, and to excite even greater enmity between the USA and the Islamic world'.[117]

Even leaving the difficult examples of Iraq and Afghanistan to one side, the track record of military intervention since the end of the Cold War has been mixed, including in those cases that the UK government considers to be success stories. Thus, for example, despite years of engagement and billions of euros invested in Bosnia and Kosovo, many sceptics argue that intervention has proved unable to solve the underlying causes of conflict in these societies. Instead, it has helped to maintain the status quo, and in so doing entrench existing divisions and instabilities.[118]

It is beyond the scope of this pamphlet to argue the case for or against military intervention as a tool of British foreign and security policy. That should come as part of the National Security Strategy

and Defence Review processes that we call for elsewhere in this document. However, we consider that in the light of recent experience, it *is* appropriate to reflect on the role of the armed forces in this milieu and its wider ramifications for military–society relations. The iterative and contested nature of current expeditionary operations makes managing the armed forces' legitimacy in society increasingly complex and difficult. Popular disquiet over the UK's role in Iraq and elsewhere compounds existing pressures in areas like defence spending, recruitment and retention. It makes the demands of expeditionary warfare – whether financial, organisational or societal – more difficult to bear, and politically much more difficult to sell.

Summary and recommendations

1 Service personnel are crucial to the future of UK armed forces. Yet recent trends paint a worrying picture in this regard. Service men and women are leaving at the fastest rate in years, while the armed forces have struggled to recruit adequate numbers of personnel in key areas such as the infantry and pinch point professions. Wider socio-economic changes are having an impact too. These include changing attitudes to careers, a decline in the armed services' traditional social bases for recruitment and the emergence of new ones, and increasing competition from the private sector – both civilian and military. **The armed forces can no longer rest on tradition and assumptions when it comes to manning the force structure. Instead they need to revaluate how best to work within this new environment.**

2 Terms and conditions in the armed services continue to compare unfavourably with employers such as the police or fire service, a situation which can be found in the TA as well. Recent initiatives such as the Operational Allowance and bonus payments for pinch point trades are to be welcomed. **However, the government should aim to**

make military wages equivalent to comparable trades and professions elsewhere in the economy and undertake a comprehensive review of the armed forces' terms and conditions of service benchmarked against the civilian sector.

3 The high tempo of current operations has led to cutbacks in training and professional development. It also leads to less time at home with families. These are false economies. They devalue personnel and mortgage the future development of the armed forces to the operational demands of the present. **Cuts in training and development should be minimised, while current 'harmony guidelines' need to be respected.**

4 New recruitment represents the future of the armed services, yet it has suffered in the current environment of organisational overstretch. It is crucial that new efforts – and new resources – be channelled into this area. This might take the form of new initiatives such as enhanced engagement with potential new recruitment constituencies such as women, minority ethnic groups and the Commonwealth. This is an area where UK armed forces have had some notable successes to date. However, this strategy also poses new practical challenges in areas such as discrimination and equal opportunities. We argue that it must be accompanied by a more inclusive institutional identity for the armed services than has been the case in the past. **Recruitment and retention issues need to be assigned a higher priority in the defence planning process. The MoD should instigate a comprehensive review of the armed forces' current recruitment and retention strategy.**

5 **Private and locally employed contractors are increasingly closely integrated with the uniformed armed services, fulfilling a wide variety of roles in a range of different environments, including the**

operational. This is blurring the distinctions between 'insiders' and those who are part of 'outsider groups' in the armed forces, and leading to new relationships such as the Sponsored Reservists concept. Within this context a less homogenous, more fragmented force structure requires a major re-think about what 'service' means and what obligations should be made to those personnel who are also willing to lay down their lives for this country.

6 Wider opportunities for personal career development are now in place across all three services. But this is rather backwards-looking, designed to prevent premature voluntary retirement and aimed at recruiting ex-service personnel who have resigned. A more innovative approach must be introduced, for example through **'gap periods' for service personnel who have served six years or more to develop a skill or trade, to undertake a short period of education or an external secondment and a more flexible approach to retirement periods for serving personnel**.

5. Duty of care

> *The federation's mission shall be to represent, foster and promote the professional, welfare, and other legitimate interests of all members of the federation in their capacity as serving or retired personnel of the fighting services of the United Kingdom, and in so doing help to maximise operational efficiency and improve the retention of trained personnel.*
>
> Point 3, 10-Point Plan, British Armed Forces Federation

The changing social context in which the armed forces find themselves has also had an important impact within the services themselves. Traditional structures of military authority and hierarchy have been increasingly penetrated by legal interventions and newly articulated individual and societal demands. These have undermined the armed forces' long-standing claims to exceptionalism in areas such as equal opportunities and social diversity legislation, and posed new challenges of internal governance for both the service chiefs and the MoD.

The impact of international law on military governance

One of the major issues affecting traditional military structures of authority has been a steady flow of challenges to military law and its different legal procedures, standards of evidence and punishment. The effect has been to question the centrality of military law in upholding the ethos and professional conduct of the armed forces as

a self-regulating body, subject to regulations distinct from those governing the rest of society.

Key landmark rulings have required the lifting of the formal exclusion from the armed forces of people on grounds of their sexual orientation (1999), while rulings followed by a series of test cases on the Equal Treatment Directive (1976) have required employers not to discriminate on grounds of gender. The 1998 Human Rights Act and the 2000 Charter of Fundamental Rights of the EU is already having an impact on the employment practices of the armed forces. Likewise the International Criminal Court at The Hague, which came into existence in July 2002 and to which the UK is a signatory, adds a new extra-territorial legal reference point. This both empowers and constrains service personnel in the conduct of military operations.

In the UK for example the practice of making pregnant women serving in the armed forces redundant was challenged and made unlawful in 1993 and the ban on homosexuals serving in the armed forces was only lifted by the MoD in 2000 after a European Court of Human Rights case brought by four ex-service personnel sacked for being homosexual. Moreover, since the UK operates in a European legal regime, the actions of other governments in relation to their armed forces are an important reference point creating precedence to draw on. In Germany the restriction on women serving in all branches of the armed forces was lifted in 2000 as a result of a European Court of Justice ruling (Court sentence of 11 January 2000, Tanja Kreil, Case C285/98) based on the principle of the equal treatment of men and women – and it is a question of 'when rather than if' before current British restrictions will have to change too.

This new raft of international law will not lead to the complete end of military exceptionalism.[119] However, the military law expert Ian Leigh argues that since military law constrains fundamental human rights and creates offences that do not exist in civil law, this does require much greater transparency in establishing the grounds for exceptionalism, greater consistency in the application of distinctive rules, and decisions must be proportionate.[120]

All of these criteria are easy to state, but in practice very difficult to

implement. Where the European Courts have been drawn into the military sphere, they have generally granted a margin of appreciation to a state to limit the rights of service personnel. However, where the explanation for exceptionalism is tradition, custom and practice it has become increasingly difficult for individual states to retain such practices without objective evidence, and – perhaps as important for service men and women – it has created a new language of rights and an external authority as an independent court of appeal.

In the British armed forces the creation of the concept of 'operational effectiveness' has become the key reference point for determining what senior military commanders are willing to accede to, and what initiatives they want to oppose.[121] Senior commanders need to think harder about what is fundamental to the service and what is simply inherited custom and practice that can be modified without damage to the armed forces.

Social relations and off-duty conduct

Service personnel and their representatives are also increasingly questioning the centrality of military law with regard to social relations and 'off-duty' behaviour.[122] The MoD continues to expect higher moral standards from service personnel than from other professionals. The need to clarify the position both in relation to EU sex discrimination legislation and to take into account the rights of non-married couples led to the 2000 Armed Forces Code of Social Conduct, which sets out standards of sexual conduct, regulates behaviour between service personnel and establishes military offences. Notwithstanding this, challenges in this area have been mounted on the grounds that profoundly different moral obligations are not necessary for functional effectiveness and, as noted above, that other European armies manage with less draconian regulation of the social conduct of service personnel.[123]

Social relations and off-duty conduct are therefore an increasingly contested area of military governance with new campaigns emerging all the time. In chapter 4 we noted that the British Army was described by the current Chief of the General Staff as fundamentally

'Judaic-Christian' and this too has been the subject of dispute. See for example the campaign by Pagans to challenge the imposition of Christian acts of worship. This is challenging years of close links between the Established Church and the armed forces and directly contests the notion of the British Army being a Christian Army.[124]

In what the armed forces consider the most contentious issues, the UK armed forces have preferred to back down on or discharge service personnel rather than prosecute them and run the risk of overturning what the MoD considers key points of military law. For example in a case in 1999 the MoD preferred to allow a serving officer who had a sex change to remain in service, rather than face a legal challenge to any decision to force her resignation.[125] Once again, senior commanders have been reactive, investing too much effort in responding to criticism and developing reasons why they cannot do things, rather than listening to what service personnel are telling them, and positioning the armed forces for life in the twenty-first century.

Duty of care

Over the last two decades societal concerns about duty-of-care responsibilities have also become particularly pressing – alongside growing legal rights and protection. Unsurprisingly employment practices in the armed forces have come under pressure from EU health and safety legislation, especially as regards the duty of care and other employer obligations. Crown prerogative ensured until 1989 that the armed forces were immune from prosecution either by employees or external agencies such as the Health and Safety Executive. However, since this date British armed forces have been subject to the law, in common with all other employers. Many (although by no means all) see the military profession as 'just a job' and the military as 'just an employer'.[126] This places the MoD in a much more complicated position than in the past: the military occupation as its *raison d'être* seeks to place its employees in situations of danger and this needs to be reconciled with the twin developments of growing expectations of employees and enhanced legal rights of protection.

As noted above, as Britain's armed forces have become more diverse in terms of gender, ethnicity and sexual orientation, commanders have been keen to stave off any legal challenge concerning questionable employment practices and to close the gap between official polices and the realities of military service. In 2000 it launched 'The values and standards of the British Army' as a guide to establish professional standards across the Army in relation to a range of issues including equality and diversity.[127]

However, in June 2005 the MoD signed an agreement 'Preventing and dealing effectively with sexual harassment in the armed forces' with the Equal Opportunities Commission (EOC). On the basis of this, the EOC suspended a formal investigation into the MoD and the armed forces. Despite this, only limited progress has been made. In 2006 it was reported in an MoD survey that almost every woman had experienced or witnessed sexual harassment, with half reporting behaviour as offensive and one in seven describing it as 'particularly upsetting'.[128] In September 2006, the MoD lost a sexual harassment case brought by a Navy chaplain, concerning the use and display of extreme pornographic images on board a warship. The Admiralty admitted that 'lessons have been learned and a number of actions are being taken, including a review of the regulations on pornography'.[129]

Challenging the authorities

Other challenges to old hierarchical structures of authority have come in various forms. Service personnel are themselves less willing to 'keep quiet' and more willing to challenge authority and press for 'test' cases. This can in part be attributed to the decline in deference, which has affected members of the armed forces in the same way as it has wider society, and an unwillingness to accept without question the authority of the MoD. There are three dimensions to this. First, service personnel have themselves been willing to directly challenge authority. For example, Flight Lieutenant Malcolm Kendall-Smith challenged the legality of the 2003 war in Iraq. He could have claimed conscientious objection and sought a discharge through this route to

avoid going to Iraq, but deliberately chose to go to court as a test case.[130]

Second, service families have been more willing to speak out on behalf of serving personnel, are less willing to accept the authority of the MoD, and are less constrained by mechanisms and methods used to control service personnel. Louise Mendonca, the wife of Colonel Jorge Mendonca accused of neglect over the death of Baha Mousa in September 2003, was an active campaigner on behalf of her husband who was prevented by Army regulations from publicly defending himself.[131] Military Families Against the War in Iraq has also broadened its concerns and now campaigns on a wide range of issues.[132]

There is also a growing unwillingness to accept decisions by the MoD as independent and authoritative. For example, following the death of six military police at al-Majar in 2003 and a ruling of unlawful killing by a UK coroner, the families requested an independent investigation by the Commissioner of the Metropolitan Police, with a view to bringing a criminal case and seeking damages, and argued that it was a failure of specific individuals in the chain of command that led to the death of the Royal Military Police officers.[133]

The duty of care of young (and often vulnerable) new recruits has been particularly contentious. Following the death of four recruits at Deepcut barracks, despite 17 investigations into the duty-of-care regimes in initial training establishments, the families of the young people who died refuse to accept the outcomes and continue, with the support of Amnesty International, to press for a public inquiry.[134] Both these examples suggest that service families are themselves willing to use whatever legal redress they can to get satisfaction, and in this process are largely immune from the contrary pressures exercised by the MoD. Following well-established practice elsewhere in Europe, in June 2006 the armed forces minister announced that the MoD would create a services complaints commissioner, but with fewer powers than many had hoped.[135]

Third, though not all service personnel have lost faith in traditional forms of raising issues and seeking resolution of them, a

sufficient number have been willing to take alternative forms of action outside the chain of command. The internet revolution has had a major impact on the ability of individuals to raise issues, and to campaign for action collectively. The anonymity provides a safe and risk-free means of raising issues rapidly.[136] For example the British Army Rumour Service and Royal Navy and Royal Air Force equivalents are now well-established social and campaigning networks.[137] Likewise the use of mobile phones at home and abroad has allowed service personnel to communicate more easily with non-military audiences. For example the campaign for better service accommodation was triggered by the release of mobile phone footage of service quarters, forcing senior officers to respond to complaints publicly.[138]

These new forms of communication have been closely monitored by journalists and editors and have been an effective link to the media to raise issues through 'planted' anonymous leaks.[139] The Queen's Regulations are badly out of date, but sadly the knee-jerk response of the Directorate of Communication Planning has been to replace the Defence Council Instruction of 2004 with new guidelines that ban military personnel from any form of communication without permission of a superior, accompanied by a rider that '. . . all such communications must help maintain, and where possible enhance the reputation of defence'.[140] This has triggered a wave of protest with one soldier commenting '. . . does it not occur to MoD that if it did things properly and treated its people well, they wouldn't feel the need to bring things into the open, and they wouldn't need to spend so much time covering-up?'[141] Unsurprisingly defence lawyers immediately remarked that guidelines were likely to contravene the Human Rights Act, notably the right of expression, were not proportionate, were unlikely to be consistently applied, and were thus likely to be quickly discredited.[142]

The role of activist groups

Over the last two decades a striking development in terms of military governance is the interest and strategic alliances that have emerged

between (in some instances traditionally anti-military) activist groups and service personnel, challenging military culture both from within and without. Of course activist groups such as the Royal British Legion; Soldiers, Sailors, Airmen Families Association (SSAFA) and Combat Stress have a very long pedigree, but these groups have developed close relationships with the MoD, are trusted and regularly consulted, and are key agencies in the delivery of MoD policy. By contrast groups such as Amnesty International, civil rights groups such as Liberty, and equal opportunities groups covering race relations, disabilities and gender rights have become much more active and assertive in promoting the rights of service personnel.

In the UK a group of lawyers is specialising in championing just such cases; most prominent among them are Phil Shiner, from Public Interest Lawyers, who represented Gurkha soldiers in their pensions discrimination and citizenship rights cases, and Justin Hugheston-Roberts (Chair of Forces Law), who represented Flight Lieutenant Malcolm Kendall-Smith and the families of soldiers who died at Catterick Garrison. Moreover, transnational groupings such as the International Gay and Lesbian Association also offer additional benefits of alliances that can draw on international experience to promote their causes.

Perhaps the most distinctive development over the last decade has been the launch of the British Armed Forces Federation (BAFF) as an independent campaigning professional association for serving and retired service personnel and the British Commonwealth Soldiers' Union for non-British personnel serving in the armed forces. The response of senior commanders to the creation of BAFF and their criticism set out for the House of Commons Select Committee has been mixed. While some senior commanders have argued that any independent organisation designed to 'fight for the rights' of British troops is completely unnecessary and threatens a dangerous breakdown of military discipline, others, such as the late Lord Garden, a former RAF Air Marshal and veteran of the first Gulf War, have been 'surprised talking to retired senior military people who are prepared to think about it, saying there might be a case for it'.[143]

The gap between regiments and the chain of command

One of the striking features of the strain on internal relations between service personnel has been the effect of the two conflicts in Iraq and Afghanistan. This has raised four issues highlighting a growing gap between the troops on the ground and the chain of command.

First, there is a growing perception that prosecutions of service personnel in Iraq and Afghanistan are being made based on assumptions about fear of damage to the reputation of the armed forces, which court is most likely to provide a conviction and broader policy preferences, rather than an objective assessment of appropriateness. Increasingly the expectation of service personnel is that, in return for being placed in harm's way, they should be given considerable support during operations and in coping with their experiences.

Second, Richard Holmes has argued that both the rigid rules of engagement (RoE) and the fact that the Royal Military Police have been over-zealous in Iraq – requiring soldiers to prove they operated within the RoE – have had a detrimental effect on morale.[144] To bear this out, an Army Land Warfare report leaked to the press noted confusion surrounding this issue, leading to a reluctance on the part of soldiers to open fire even when this might be justified for fear of 'protracted investigation' and that, if prosecuted, they 'will receive "no support from the chain of command"'.[145]

Third, back home there is a concern that too much attention is being paid by senior commanders to public opinion, in circumstances in which they are not exposing themselves to decision-making under fire. For example the former Adjutant-General, Sir Alistair Irwin, Head of Army Personnel, overturned a decision by a commanding officer and chose to prosecute Trooper Kevin Williams, a soldier who had shot dead an Iraqi civilian. General Irwin was reported to fear that the case would become a *cause célèbre* for liberal pressure groups if a prosecution was not considered.[146] Interestingly, in dismissing the case, the High Court judge described the prosecution as a 'betrayal' of British troops while the MoD's own investigation considered such prosecutions justified.[147]

Service personnel are also currently operating in a climate where they are not considered innocent until proven guilty, and are being placed in danger without sufficient care for their wellbeing. Louise Mendonca has commented that her husband was assured that if he was cleared in a court martial he would not face further administrative action. However, '. . . by the time the trial collapsed he found that the rules had been re-written, meaning that he would, indeed, have to face a yet another investigation'.[148] Moreover, such was the length of time it took for the Mendonca case to come to court that – despite eventually being cleared – the matter effectively curtailed his career at a time of fast promotion. All this is eroding the Military Covenant, which sets out mutual obligations underpinned by a principle of fair treatment. In the MoD's own Continuous Attitudes Survey, some 60 per cent of service personnel were either 'fairly dissatisfied' or 'very dissatisfied' with how grievances were handled.[149]

Clearly justice is not being well served by long delays between accusation, investigation and trial – in some cases taking up to three years between investigation and trial.[150] In a number of well-publicised instances, there has been a lack of evidence and charges have been dropped. This was the case with five soldiers facing charges over the death of Sergeant Steven Roberts, who was killed by friendly fire in 2003.[151] In other cases the problem has been compounded by the fact that the stigma of being under investigation has effectively set back or ended careers – as is claimed to have happened in the cases of Colonel Tim Collins and Colonel Mendonca.[152]

Finally, the care of veterans has been a prominent issue among armed forces in Parliament and in the national press, for example the *Independent on Sunday*'s 'Military Covenant Campaign'.[153] In the past the MoD has given the appearance (if not the reality) of being less interested in the duty of care for service personnel for troops wounded on operations. The Royal British Legion has criticised successive governments' failures to monitor and treat the ill health of Gulf War veterans.[154]

The former Chief of Defence Staff, Lord Guthrie, described one incident as a 'scandalous failure of care which the government and

military had an "urgent" duty to fix'. He said the blame did not lie with the NHS staff, but with a 'lack of leadership and drive' by senior military medical officers and government ministers. 'Top military and political leaders', Guthrie added, 'seem more interested in finding excuses for why things are not good than in correcting them.'[155] Despite the April 2007 launch of the Service Personnel and Veterans Agency to provide a single organisation and 'through life' personnel services, few seem persuaded that it is anything more than window dressing.

Main building

A final source of contention is the organisation and culture of the Ministry of Defence itself and the way in which it runs the armed forces.[156] As General Sir Michael Jackson noted in his 2006 Dimbleby speech, 'for all the grand titles of the chiefs of staff, they possess astonishingly little real power to choose how cash is spent. Almost everything is done by the MoD bureaucracy.'[157] The erosion of single-service lines of responsibility notably through a 'fundamentalist' approach to the application of the concept of jointery – the need to better integrate the three services – has diminished responsibility and authority within the MoD and led to confused lines of accountability, with senior commanders unable to provide a single voice of authority on many key issues.

As the Hall report has clearly shown in relation to the investigation into the media handling of the capture and release of the Royal Navy and Royal Marines by Iranian forces in March 2007, even on such a key issue as this, which lay within a single service, it was impossible to identify who was responsible for key decisions.[158] John Wilson adds to this argument by noting that the civil service component is larger than any individual service and with an organisation now seriously 'out of kilter'.[159] Furthermore Max Hastings has argued that 'radical change is needed . . . with more visible uniformed leadership . . . together with more effective civilian management'.[160]

These challenges contribute to the erosion of effective governance of the armed services – the manner and process by which democratic

civilian governmental authority is exercised in the management of the armed services; the capacity of the government to design, formulate and implement defence and security policies; and the ability of the armed services themselves to regulate their professional space and to discharge their military obligations.

Attention rarely focuses on the profound tensions within the armed services, some of which are part of the long-term transformation of military governance and some, as we have shown, derive from the specific circumstances of fighting two campaigns geographically separate.

Summary and recommendations

1 Questions remain over whether the MoD has the right balance between civil servants and uniformed officers. Current structures have confused lines of accountability and responsibility and single-service chiefs have been left unable to lead their services effectively. While some jointery is absolutely necessary and the Chief of Defence Staff must remain head of the armed forces and principal strategic adviser to the government, this must not be at the expense of marginalising the service chiefs' ability to lead their services effectively. **As part of a wider review of defence, the reform of the Ministry of Defence should be considered.**

2 Senior commanders need directly to address issues raised by the launch of the British Armed Forces Federation and the British Commonwealth Soldiers' Union. At the very least, these proposals indicate the scale of feeling within the armed services and the need for fresh thinking. **If society is to expect soldiers to make personal sacrifices on behalf of the nation, not only must service personnel be able to expect to be fairly treated and to be valued and respected as individuals by the armed services themselves, but senior commanders have an obligation to deliver this.**

3 Senior commanders need to think harder about what is fundamental to the service and what is simply inherited custom and practice that can be modified without damage to the armed services. Clinging to unreflective claims that 'operational effectiveness will be damaged' to try to prevent change is damaging to the credibility of the service chiefs and the armed forces. **Instead, they need to work out what is fundamental to the operation of the service and what is not, and use this knowledge as a progressive tool to shape change.**

4 The legal regime in which service personnel operate remains unsatisfactory and, despite the new Armed Forces Act of 2006, is in pressing need of further modernisation. **Without a more root and branch review of the Queen's Regulations, the gap between senior commanders and service men and women whether deployed on operations or not will widen even further.**

5 Finally it is to be welcomed that General Sir Richard Dannatt has called for a national debate about what resources the armed services should be given and what value society should place on them.[161] **We believe the chiefs of the three services should lead this debate.**

6. Conclusion

The British armed forces 'are running on empty' and the conflicts in Iraq and Afghanistan have seriously diminished the ability of the armed forces to meet future challenges. The current situation is unsustainable – financially, organisationally, operationally and in terms of military–society relations.

Current defence policy was essentially developed in the immediate aftermath of the end of the Cold War and articulated in the SDR, with the *New chapter* added to the main text after the attacks of September 2001 but without any fundamental review. As senior commanders acknowledge, new security challenges look quite different today from even five years ago: today irregular warfare is a fixed feature of the military landscape; 'home-grown' terrorism is a real threat alongside the role of international non-state actors and military operations are long wars rather than short campaigns.[162] In the MoD's own words, since 2002 the armed forces have been operating 'significantly beyond the level they are resourced and structured to sustain' over the medium to long term.[163] In short, priorities have changed, but national defence and security policies have yet to catch up. The promise of the publication of a National Security Strategy is welcome.

A National Security Strategy, however, needs to be accompanied by the creation of a National Security Secretariat. This must operate from the centre of government in the Cabinet Office, have external representation from civil society and service participation. The

Secretariat must take a lead in more democratic and inclusive debate on the security challenges we face as a nation. There needs to be much greater public understanding about the threats we face and the type of missions that we want to deploy our forces on. This should be accompanied by a debate on the amount the electorate is willing to pay for defence through general taxation.

British armed forces need a sustained period of time – perhaps up to a decade – to recover from the intensity of operations undertaken since 2000. And while this will be unlikely in such a turbulent world, a reduction in numbers and the ultimate withdrawal from Iraq will help with the process of stabilising the armed forces. Recent reports that Gordon Brown will make a significant reduction in the number of troops in Iraq in October 2007 are welcome. On its own, this will not be enough to ensure that British armed forces will be a force to be reckoned with. Current plans set out the requirement for the armed forces to undertake both high- and low-intensity operations simultaneously through the indefinite deployment on peacekeeping duties of a divisional-sized force or a brigade, while also deploying an armoured or mechanised brigade for a period of six months.

Given the present demands on the military – the intensity of the fighting in Iraq and Afghanistan, the number of deployments well in excess of the 'harmony guidelines' and the strain between the military and society – the Defence Planning Assumptions should be reconsidered. Defence Planning Assumptions therefore need to move from being 'aspirational' to 'challenging but realistic'. British armed forces are engaged in a war in Afghanistan that has been estimated could last 30 years. In these circumstances, there will inevitably be limits to the UK's use of the armed forces in other parts of the world.

More time needs to be invested in thinking through the current range of UK defence missions. The government's desire to use the armed forces as a 'force for good' in the world has proven to be more complex, difficult and organisationally demanding than was envisaged in the 1990s. In the current environment of overstretch and resource constraint, serious consideration needs to be given to determine when it is realistic and practicable to employ the armed

forces in this manner. More widely, the efficacy of liberal interventionism has been questioned by a wide variety of different sources, on both practical and ethical grounds. It is not the place of this pamphlet to offer to argue the case for or against military intervention as a tool of British foreign and security policy. However, given its pivotal position in determining the role of the armed forces in the UK security environment – and the pressures and demands it places on them in practice – we do think its utility needs to be seriously revisited as part of a new National Security Strategy process.

Greater emphasis also needs to be placed on domestic operations. This is central to the national security of the territory and citizens of the UK and underlines the commitment of the armed forces to UK national security.

Equipment costs currently account for over 40 per cent of the defence budget. We believe that this figure is too high and diverts resources away from where they are urgently needed elsewhere in the force structure. This needs to be driven by a level-headed assessment of both the demands of the armed forces' role and the environment of resource constraint that they operate in.

While it is inevitable that wider factors will come into play here – such as the sustainability of the UK's defence industrial base – it is our view that the organisational demands of the armed forces' role should remain paramount. In this context, the government needs to take seriously the assertions it makes in its own defence and security policy, particularly with regard to the absence of a foreseeable military threat to the UK homeland and the opportunities offered by burden-sharing with allies, and recognise that the armed forces cannot and need not be able to 'do everything' or be prepared for every eventuality.

More widely, as Kirkland notes, a focus on equipment and technology must not overshadow the predominant role of the human dimension in warfare.[164] Any future spending review needs to recognise the central importance of personnel to the future of the armed forces – and their success on the ground – and accord them appropriate priority when it comes to resource allocation.

The Military Covenant – the contract between the nation and Army personnel and their families who make personal sacrifices in return for fair treatment and commensurate terms and conditions of service – is damaged and must be repaired. A new civil–military compact is necessary – first, to repair the Military Covenant between the armed forces and the nation; and second, the Military Covenant must be a tri-service (rather than Army) pledge between the government (on behalf of its citizens), the military as an employer, and individual service personnel. It must consist of a 'copper-bottom' commitment to those willing to lay down their lives and must include acceptance that the Military Covenant does not end with active duty. It is a commitment for life for veterans, many of whom face severe financial and health difficulties years after they have left the services. The role and status of families also needs to be acknowledged and re-evaluated, and specific obligations extended to them as an integral part of the civil–military compact.

Greater awareness needs to be placed on the fact that the armed forces are less uniformed in three different ways. First, they are less ethnically and nationally homogeneous now, symbolised by the active recruitment of British Commonwealth personnel and recruitment of British minority ethnic groups. Recent debate has focused around the failure of the government to offer resettlement in the UK of Iraqi interpreters in Basra, but the delay in offering residency and citizenship to Ghurkha soldiers after a lifetime of service – or pensions equivalent to those available to British service personnel – raises similar issues. The creation of a British Commonwealth Soldiers' Union and a willingness to resort to the law courts will ensure these issues cannot be buried or ignored. Second, variations in a single-standard military career are not unusual and look set to increase. Career breaks, unpaid leave and secondments are introducing unimaginable flexibility and personnel career management needs to further embrace this change. Third, private military contractors and locally employed contractors are increasingly working with and for the British armed forces as a non-uniformed 'fourth service', and are integral to the missions of the uniformed services.

The scale of changes we outline in chapters 4 and 5 raise profound issues about the capacity and effectiveness of the senior military commanders to regulate and control their professional space. We argue that the armed forces are no longer amenable to outdated forms of organisation, hierarchy and regulation. Once again the strains are most evident in the British Army: issues concerned with the duty of care of the MoD of new recruits, through service to retirement and beyond, is not being managed effectively; a credibility gap exists between the chain of command on the one hand and regiments and their soldiers on the other; the effectiveness of military law is in question after a series of botched prosecutions and courts martial; and the fundamental human and political rights of soldiers have been brought into sharp focus over the last decade.

This is causing serious tensions within the armed forces and has led to the creation of a British Armed Forces Federation and the British Commonwealth Soldiers' Union – a symptom but not the cause of a failure of existing traditional methods of military governance. But a failure to address these issues effectively is also contributing to the 'mum effect', a reluctance of parents to support and encourage their children to join the armed forces. We argue that there is a need to overhaul and modernise existing practices to offer a new package of soldiers' rights and responsibilities. This requires a fresh look at a wide range of military practices at the centre of which sits the Queen's Regulations, to evaluate what is custom and practice, which has often been built up over hundreds of years and is no longer fit for purpose in the context of what is required for the contemporary security environment.

Finally there needs to be a defence review to ask '. . . what can we spend on our armed forces in the next decade, and what can we expect them to do with what we can afford, rather than forever making it up as we go along'.[165]

We acknowledge the breadth and scale of our recommendations may be overwhelming, but without comprehensive action, Britain's armed forces will no longer be a force to be reckoned with and we will not find a sufficient number of citizens prepared to serve their country.

Notes

1 Parts of this pamphlet draw on and further develop arguments in the following published works: T Edmunds, 'What *are* armed forces for? The changing nature of military roles in Europe', *International Affairs* 82, no 6 (2006); and A Forster, 'Breaking the Covenant: governance of the British Army in the twenty-first century', *International Affairs* 82, no 6 (2006).

2 According to General Sir Richard Dannatt in a speech to the MoD, 28 Aug 2007, see www.timesonline.co.uk/tol/news/uk/article2337285.ece (accessed 15 Sep 2007).

3 'Letter from PM on UK forces', *BBC News Online*, 28 Aug 2007, see http://news.bbc.co.uk/2/hi/uk_news/politics/6966491.stm (accessed 16 Oct 2007).

4 C Edwards, 'The case for a national security strategy' (London: Demos, Feb 2007), available at www.demos.co.uk/files/Demos_report_the_case_for_a_national_security_strategy.pdf (accessed 12 Aug 2007).

5 This draws directly from the definition used in World Bank, *Governance: The World Bank's experience* (Washington, DC: The World Bank, 1994).

6 'Soldiering: the Military Covenant', *Army Doctrine Publication* 5, para 0103, GD&D/18/34/71 Army Code no 71642, Feb 2000, www.army.mod.uk/servingsoldier/usefulinfo/valuesgeneral/adp5milcov/ss_hrpers_values_adp5_1_w.html#milcov (accessed 1 Aug 2007).

7 M Hastings, 'Our armed forces must now confront their greatest enemy: the MoD', *Guardian*, 30 Apr 2007.

8 J Wilson, 'Editorial', *British Army Review* 142 (Summer 2007).

9 General Sir Mike Jackson, 'Defence of the realm in the 21st century', Dimbleby Lecture 2006, *BBC Press Office online*, 7 Dec 2006, available at www.bbc.co.uk/pressoffice/pressreleases/stories/2006/12_december/07/dimbleby.shtml (accessed 12 Aug 2007).

10 Hastings, 'Our armed forces must now confront their greatest enemy'.

11 International Institute for Strategic Studies, *The Military Balance* (London:

IISS, 1990). In 1989 for example, the Army retained 1330 main battle tanks compared with 345 today.

12 Ministry of Defence (MoD), *The Strategic Defence Review* (Norwich: TSO, 1998).

13 These included the 1991 Gulf War as well as peacekeeping missions in the former Yugoslavia and elsewhere.

14 MoD, *Strategic Defence Review*.

15 Ibid.

16 Ibid.

17 Ibid.

18 Ibid.

19 C McInnes, 'Labour's *Strategic Defence Review*', *International Affairs* 74, no 4 (1998).

20 MoD, *Strategic Defence Review*.

21 McInnes, 'Labour's *Strategic Defence Review*'.

22 E Krahmann, 'United Kingdom: punching above its weight', in E Kirchner and J Sperling (eds), *Global Security Governance* (London: Routledge, 2007).

23 MoD, *The Strategic Defence Review: A new chapter* (Norwich: TSO, Jul 2002); MoD, *Delivering Security in a Changing World: Defence white paper* (Norwich: TSO, Dec 2003); MoD, *Delivering Security in a Changing World: Future capabilities* (Norwich: TSO, Jul 2004).

24 MoD, *Delivering Security in a Changing World: Defence white paper*.

25 MoD, *The Strategic Defence Review: A new chapter*.

26 MoD, *Delivering Security in a Changing World: Defence white paper*.

27 Ibid.

28 Ibid. Specifically, the armed forces are now required to support 'three concurrent operations, one of which is an enduring peace support operation'.

29 MoD, *Delivering Security in a Changing World: Defence white paper*; MoD, *Delivering Security in a Changing World: Future capabilities*.

30 MoD, *Delivering Security in a Changing World: Future capabilities*.

31 Ibid.

32 MoD, *The Strategic Defence Review: A new chapter*; MoD, *Delivering Security in a Changing World: Defence white paper*.

33 This new operational milieu has been characterised by Christopher Dandeker as representing a shift from 'wars of necessity' to 'wars of contested choice'. C Dandeker, 'The armed forces in society', paper presented at the Demos workshop, 'A force to be reckoned with? The British armed forces in contemporary society', London, 30 May 2007.

34 This kind of complex operational environment was famously characterised as a 'three block war' by Charles Krulak in 1999. CC Krulak, 'The strategic corporal: leadership in the three block war', *Marines Magazine*, Jan 1999, available at www.au.af.mil/au/awc/awcgate/usmc/strategic_corporal.htm (accessed 14 Aug 2007).

35 M Chalmers, 'The new activism: UK defence policy since 1997', *New Economy* 9, no 4 (Dec 2002).

36 For example, the SDR devoted a whole chapter to the concept of 'smart procurement'; see MoD, *Strategic Defence Review*.
37 K Hartley, 'Defence industrial policy in a military alliance', *Journal of Peace Research* 43, no 4 (2006).
38 K Hartley, 'The defence industrial strategy: an economist's view', May 2006, available at www.york.ac.uk/depts/econ/documents/research/def_ind_strat_may2006.pdf (accessed 12 Aug 2007).
39 M Alexander and T Garden, 'The arithmetic of defence policy', *International Affairs* 77, no 3 (Jul 2001).
40 'Where are British troops and why?', *BBC News Online*, 25 Mar 2007, see http://news.bbc.co.uk/1/hi/uk/4094818.stm (accessed 12 Aug 2007). The armed forces ended military operations in Northern Ireland on 31 July 2007. From 1 August 2007, around 5000 troops will be garrisoned in the province, but available for worldwide deployment.
41 House of Commons Defence Committee (HoCDC), *Cost of Military Operations: Spring supplementary estimate 2006–07* (Norwich: TSO, Mar 2007).
42 National Audit Office (NAO), *Recruitment and Retention in the Armed Forces* (Norwich: TSO, Oct 2006).
43 S Sands, 'Sir Richard Dannatt: a very honest general', *Daily Mail*, 12 Oct 2006; see also, R Norton-Taylor, 'Britain's new top soldier: "Can the military cope? I say – just"', *Guardian*, 4 Sep 2006. The MoD's own Spring performance report for 2007 reported that operational demands meant that the armed forces were operating 'significantly beyond the bounds of our planning assumptions' and that as a consequence 'it is not possible for the Armed Forces simultaneously to be ready for contingent operations', MoD, *Public Service Agreement: Spring performance report 2007*, see www.mod.uk/NR/rdonlyres/A485DAFA-7CBF-4373-B53C-2D7B46E47067/0/spring_psa2007.pdf (accessed 6 Sep 2007).
44 S Rayment, 'Cash crisis so severe that base faces closure because Army can't afford to build a fence', *Sunday Telegraph*, 13 Aug 2006; I Bruce, 'Army budget cuts force reservists to wear hand-me-down uniform', *The Herald*, 25 May 2007, see www.theherald.co.uk/news/news/display.var.1425154.0.0.php (accessed 12 Aug 2007).
45 See for example, HoCDC, *UK Operations in Afghanistan* (Norwich: TSO, 18 Jul 2007).
46 'Soldiers "having to buy own kit"', *BBC News Online*, 16 Jan 2003, see http://news.bbc.co.uk/2/hi/uk_news/2664349.stm (accessed 18 Aug 2007).
47 Jackson, 'Defence of the realm in the 21st century'.
48 NAO, *Managing the Defence Estate: Quality and sustainability* (Norwich: TSO, 23 Mar 2007).
49 J Owen and I Griggs, 'The forsaken: how Britain is failing to care for badly injured troops', *Independent*, 15 Jul 2007.
50 Leading comment, 'Britain must honour its commitment to our troops', *Independent*, 2 Sep 2007.
51 L Kirkland, 'Future challenges for land forces: a personal view', *British Army Review* 142 (Summer 2007).

52 'New carriers confirmed in defence budget increase', *Defence News*, 25 Jul 2007, www.mod.uk (accessed 01 Aug 2007).
53 M Hickly, 'Backlash grows over troops' squalid living conditions', *Daily Mail*, 5 Jan 2007.
54 Hartley, 'The defence industrial strategy'.
55 Ipsos MORI data from Mar–Apr 2006.
56 Ibid.
57 O Stone-Lee, 'Spending the war chest', *BBC News Online*, 12 Nov 2001, see http://news.bbc.co.uk/2/hi/uk_news/politics/1645060.stm (accessed 21 Oct 2007).
58 Kirkland, 'Future challenges for land forces'.
59 See for example, HoCDC, *UK Operations in Iraq* (Norwich: TSO, 10 Aug 2006); HoCDC, *UK Operations in Afghanistan*. Similarly, in 2004, the National Audit Office identified a 38% shortfall in overall battlefield support helicopter lift. NAO, *Ministry of Defence: Battlefield helicopters* (Norwich: TSO, 7 Apr 2004).
60 Wilson, 'Editorial'.
61 For a discussion of UK military independence see M Quinlan, 'The future of United Kingdom nuclear weapons: shaping the debate', *International Affairs* 82, no 4 (2006).
62 MoD, *Defence Industrial Strategy* (Norwich, TSO, 2005).
63 Hartley, 'The defence industrial strategy'.
64 C Dandeker and L Freedman, 'The British armed services', *Political Quarterly* 73, no 4 (Oct 2002).
65 HoCDC, *A New Chapter to the Strategic Defence Review* (Norwich: TSO, 2003), p. 28.
66 Ibid. See also P Wilkinson, 'International dimensions of homeland security' in P Wilkinson (ed), *Homeland Security in the UK: Future preparedness for terrorist attack since 9/11* (Abingdon: Routledge, 2007).
67 HoCDC, *A New Chapter to the Strategic Defence Review*.
68 T Harding, 'Britain almost out of troops, memo reveals', *Daily Telegraph*, 20 Jul 2007.
69 See www.britishlegion.org.uk/news/index.cfm?fuseaction=newsdetail&asset_id=516741 (accessed 16 Oct 2007).
70 Charles Moskos conceptualises this as a shift from an 'institutional' to an 'occupational' mindset. See C Moskos, 'Institutional and occupational trends in armed forces' in CC Moskos and FR Wood (eds), *The Military: More than a job* (Exeter: A. Wheaton & Co., 1988).
71 The literature on these issues is extensive. See for example, B Boëne, 'How "unique" should the military be? A review of the literature and outline of a synthetic formulation', *Archives Européenes de Sociologie* 32, no 1 (1990); C Dandeker, 'On "the need to be different": recent trends in military culture' in H Strachan (ed), *The British Army, Manpower and Society into the Twenty-First Century* (London: Frank Cass, 2000); A Forster, *Armed Forces and Society in Europe* (Basingstoke: Palgrave, 2006); C Moskos, D Segal and JA Williams (eds),

The Postmodern Military: Armed forces after the Cold War (New York: Oxford University Press, 2000).

72 NAO, *Recruitment and Retention in the Armed Forces*.

73 Figures cited in House of Commons Committee of Public Accounts (HoCCPA), *Recruitment and Retention in the Armed Forces* (Norwich: TSO, 3 Jul 2007).

74 NAO, *Recruitment and Retention in the Armed Forces*.

75 Ibid.

76 Ibid.

77 Dandeker and Freedman, 'The British armed services'.

78 M Townsend, 'Shock toll of British injured in Afghan war', *Observer*, 19 Aug 2007.

79 HoCDC, *Reserve Forces* (Norwich: TSO, 12 Jul 2007).

80 For example, it noted in 2006 that over 12,000 reserve personnel had been deployed to Operation TELIC in Iraq; NAO, *Reserve Forces* (Norwich: TSO, 31 Mar 2006).

81 'Many soldiers "think of quitting"', *BBC News Online*, 31 Oct 2006, http://news.bbc.co.uk/1/hi/uk/6102642.stm (accessed 24 Jul 2007).

82 NAO, *Recruitment and Retention in the Armed Forces*.

83 T Harding, 'Exodus of officers hits war on terror', *Daily Telegraph*, 13 Aug 2007. According to the report, intelligence officers could earn as much as £125,000 tax free for a year in Baghdad, including three months' leave. By contrast an Army major would earn around £47,000.

84 NAO, *Reserve Forces*.

85 In March 2006, the NAO observed that the TA had a 19% shortfall in its manning requirement. In some key specialist TA units such as the Army Medical Service, the shortfall was as high as 60 per cent. NAO, *Recruitment and Retention in the Armed Forces*.

86 For a fuller discussion of this issue see NAO, *Recruitment and Retention in the Armed Forces*.

87 HoCCPA, *Recruitment and Retention in the Armed Forces*.

88 Ibid.

89 Ibid.

90 Ibid.

91 'MoD's war on many fronts', *Guardian*, 13 Jan 2007; Maj Gen A Ritchie, 'The Army is a moral force', *Daily Telegraph*, 3 Jun 2006.

92 Data cited in NAO, *Recruitment and Retention in the Armed Forces*.

93 R Sylvester, '"Mum factor" is hitting Army intake', 3 Jun 2006, see www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/06/03/narmy03.xml (accessed 21 Oct 2007); Ritchie, 'The Army is a moral force'.

94 See the Army website at www.armyjobs.mod.uk/Benefits/Pay+Pensions+and+Allowances/Soldier+Pay.htm (accessed 24 Jul 2007).

95 Variable depending on the force concerned. See the Police Force website at www.policecouldyou.co.uk/officers/benefits.html (accessed 24 Jul 2007).

96 See the Fire Service website at www.fireservice.co.uk/information/payscales.php (accessed 24 Jul 2007).
97 Armed Forces Pay Review Body, *Thirty Sixth Report – 2007* (Norwich: TSO, Mar 2007).
98 Hew Strachan notes that in 1914, as much as 80 per cent of the UK population were working class. Today they comprise a minority of the population. H Strachan, 'The civil–military "gap" in Britain', *Journal of Strategic Studies* 26, no 2 (June 2003).
99 Defence Analytical Services Agency for UK Defence Statistics, see www.dasa.mod.uk/ (accessed 24 Jul 2007).
100 A Gillan, 'Commonwealth soldier sets up union for victims of racist attacks', *Guardian*, 8 Mar 2007.
101 These include the establishment of an equal opportunities training centre – the first of its kind in Europe – a policy of zero tolerance on harassment and bullying, and the creation of equal opportunities action plans for each of the services. For full details see www.mod.uk (accessed 16 Oct 2007).
102 Ibid.
103 Sands, 'Sir Richard Dannatt'.
104 Gillan, 'Commonwealth soldier sets up union for victims of racist attacks'.
105 C Dandeker and D Mason, 'The participation of minority ethnic personnel in the British armed forces', *Armed Forces & Society* 29, no 4 (2003).
106 E Krahmann, 'Private military services in the UK and Germany: between partnership and regulation', *European Security* 14, no 2 (Jun 2005).
107 Ibid; and NAO, *The Joint Services Command and Staff College*, 7 Feb 2002, see www.nao.org.uk/publications/nao_reports/01-02/0102537.pdf (accessed 10 Aug 2007).
108 Krahmann, 'Private military services in the UK and Germany'.
109 Ibid; and 'Sponsored reserves', *UK Defence Forum Factsheet FS56*, Dec 2003, see www.ukdf.org.uk/factsheet/FS56.doc (accessed 10 Aug 2007).
110 J Wilson, 'Private security firms call for more firepower in combat zone', *Guardian*, 17 Apr 2004.
111 C Jennings, 'Special Forces quitting to cash in on Iraq', *Scotsman*, 21 Feb 2004.
112 Dandeker, 'The armed forces in society'.
113 Ipsos MORI data from Mar–Apr 2006.
114 B Page, 'The drivers of the reputation of the armed forces', paper presented at the Demos workshop, 'A force to be reckoned with? The British armed forces in contemporary society', London, 30 May 2007.
115 Views expressed during two Demos workshops in London: 'A force to be reckoned with? The British armed forces in contemporary society', 30 May 2007; and 'Armed forces: a crisis in civil–military relations?', 12 Jul 2007.
116 HoCDC, *UK Operations in Afghanistan*.
117 Wilkinson, 'International dimensions of homeland security'.
118 See for example, R Paris, *At War's End: Building peace after civil conflict* (Cambridge: Cambridge University Press, 2004).
119 For instance the government secured a derogation from Article 13 of the

Directive on Equal Treatment in Employment and Occupation, to limit the effect of disability and age rights on employment practice, arguing that allowing disabled personnel to join the armed forces would have a detrimental effect on operational effectiveness – to the dismay of disability rights campaigners.

120 I Leigh, 'A new legal context?', oral presentation to the Demos workshop, 'Armed forces: a crisis in civil–military relations?', London, 12 Jul 2007. See also I Leigh and H Born, *Handbook on Human Rights for Armed Forces* (Geneva: OSCE, 2007).

121 Illustrating just how problematic this is, in 1999 the European Court of Justice (ECJ) rejected the UK government's view that decisions affecting the combat effectiveness of the armed forces were outside the scope of the EC treaties. However, the ECJ did accept that Article 2 of the Equal Treatment Directive was capable of justifying the exclusion of women on the grounds of combat effectiveness, but this view was not tested in UK courts because the case was settled out of court. See H Carreiras, 'Gender and the military: a comparative study of the participation of women in the armed forces of western democracies', PhD thesis, European University Institute, Florence, 2002.

122 'When there is a credible allegation of serious wrongdoing, the rule of law must apply', *Daily Telegraph*, 12 Jun 2006.

123 For a comparison see A Forster, *Armed Forces and Society in Europe* (Basingstoke: Palgrave, 2006).

124 Sands, 'Sir Richard Dannatt'. See for example 'Religious coercion in the British Army', see http://vexen.co.uk/military/church_parades.html (accessed 12 Aug 2007).

125 'UK Army backs sex-change soldier', *BBC News Online*, 2 Aug 1999, see http://news.bbc.co.uk/2/hi/uk_news/409792.stm (accessed 12 Aug 2007).

126 E Lee, 'Treating soldiers as victims', *Spiked Online – Health*, 21 May 2003, see www.spiked-online.com/articles/00000006DDAB.htm (16 Oct 2007).

127 MoD, 'The values and standards of the British Army: a guide to soldiers', March 2000, available at www.army.mod.uk/servingsoldier/usefulinfo/valuesgeneral/values/ss_hrpers_values_sldr_w.html (accessed 21 Oct 2007).

128 R Verkaik, 'Sex harassment in armed forces is rife, say women', *Independent*, 26 May 2006.

129 'Chaplain's payout over Navy porn', *BBC News Online*, 18 Sep 2006, see http://news.bbc.co.uk/1/hi/england/devon/5356822.stm (accessed 19 Sep 2006).

130 D Lepard, 'RAF officer faces jail over "illegal war"', *Sunday Times*, 16 Oct 2005.

131 T Harding, 'Army wanted an officer on trial over Iraq. They picked my husband', *Daily Telegraph*, 14 Nov 2005; and H McCormack, 'Colonel accused in abuse case resigns', *Independent*, 1 Jun 2007.

132 See Military Families Against the War website, http://mfaw.org.uk (accessed 12 Aug 2007).

133 'Red Cap families vow to fight on', *Guardian*, 31 Mar 2006.

134 P Wood, 'Deepcut families continue long battle', *BBC News Online*, 30 Mar 2006, see http://news.bbc.co.uk/1/hi/uk/4861562.stm (accessed 18 Jun 2006).
135 MoD, 'MOD responds to Blake Review of trainee welfare', *Defence News*, 13 Jun 2006, see www.mod.uk/ (accessed 13 Jun 2006).
136 See British Army Rumour Service website, www.arrse.co.uk (accessed 12 Aug 2007).
137 For example, the service vote campaign and the campaign to secure citizenship for Gurkha Tul Bahadur Pun VC.
138 See, for example, the *Telegraph*'s Speaker's Corner website, under a heading 'What are your experiences of Army accommodation?' It has a link 'share pictures of your life in Army accommodation', available at www.telegraph.co.uk/news/main.jhtml?view=BLOGDETAIL&grid=F11&blog=yourview&xml=/news/2007/01/04/ublview04c.xml (accessed 10 Aug 2007).
139 See for example V Woods, 'Spin is the last refuge for the MoD', *Daily Telegraph*, 11 Aug 2007.
140 A Gillan, 'MoD issues gag order on armed forces', *Guardian*, 10 Aug 2007.
141 Ibid.
142 In reply the MoD noted this was not a gagging order but a simplification and update with a greater emphasis on operational security.
143 A Gillan and R Norton-Taylor, 'Angry soldiers demand "trade" federation', *Guardian*, 26 Jan 2006.
144 R Holmes, 'Soldiers and society', Liddell Hart Annual Lecture, King's College London, 10 May 2006.
145 S Rayment, 'British troops in Iraq are afraid to open fire, secret MoD report confirms', *Sunday Telegraph*, 30 Apr 2006.
146 B Anderson, 'The police were right to shoot, even if this time they got the wrong man', *Independent*, 25 Jul 2005.
147 M Evans, 'Army on trial over murder charge soldier', *The Times*, 8 Sep 2004.
148 F Hardy, '"The generals and politicians will not destroy us", says Colonel Mendonca's wife', *Daily Mail*, 2 Jun 2007.
149 M Smith, 'Army officers set up union to vent war anger', *The Times*, 21 May 2006.
150 Ibid.
151 S Rayment, 'British soldiers will not face war crimes court', *Telegraph*, 19 Feb 2006, see www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/02/19/nirq219.xml (accessed 21 Oct 2007).
152 T Collins, 'What the Army really needs is a Monty', *Sunday Telegraph*, 4 Jun 2006.
153 See also HoCDC's third report of session 2004-05, *Duty of Care*, CM 6620, Jul 2005; and N Temko and M Townsend, 'Scandal of treatment for wounded Iraq veterans', *Observer*, 11 Mar 2007.
154 'Charity criticises Gulf veterans' treatment', *Guardian*, 9 May 2007.
155 Temko and Townsend, 'Scandal of treatment for wounded Iraq veterans'.
156 This draws on two influential articles: Hastings, 'Our armed forces must now confront their greatest enemy'; and Wilson, 'Editorial'.

157 Jackson, 'Defence of the realm in the 21st century'.
158 Para 48 notes '. . . we have not been able clearly to identify a single person who in practice took a decision to authorise payment, or a clear moment when that authority was given. That lack of clarity on who was authorised to decide, on who should decide and on how the decision was taken, is in itself potentially one of the main lessons from the episode. This was a collective failure of judgement or an abstention from judgement, rather than a failure of judgement by any one individual.' See T Hall, 'Report on review of media access to personnel', available at www.mod.uk/NR/rdonlyres/B6BBBA4B-02ED-45AC-84EF-A4AD4AB7DAA1/0/HallReport.pdf (accessed 16 Oct 2007).
159 Wilson, 'Editorial'.
160 Hastings, 'Our armed forces must now confront their greatest enemy'.
161 Sands, 'Sir Richard Dannatt'.
162 Kirkland, 'Future challenges for land forces'.
163 *MoD Annual Report*, HC 697 (Norwich: TSO, 23 Jul 2007).
164 Kirkland, 'Future challenges for land forces'.
165 *MoD Annual Report*.

DEMOS – Licence to Publish

THE WORK (AS DEFINED BELOW) IS PROVIDED UNDER THE TERMS OF THIS LICENCE ("LICENCE"). THE WORK IS PROTECTED BY COPYRIGHT AND/OR OTHER APPLICABLE LAW. ANY USE OF THE WORK OTHER THAN AS AUTHORIZED UNDER THIS LICENCE IS PROHIBITED. BY EXERCISING ANY RIGHTS TO THE WORK PROVIDED HERE, YOU ACCEPT AND AGREE TO BE BOUND BY THE TERMS OF THIS LICENCE. DEMOS GRANTS YOU THE RIGHTS CONTAINED HERE IN CONSIDERATION OF YOUR ACCEPTANCE OF SUCH TERMS AND CONDITIONS.

1. **Definitions**
   - **a** **"Collective Work"** means a work, such as a periodical issue, anthology or encyclopedia, in which the Work in its entirety in unmodified form, along with a number of other contributions, constituting separate and independent works in themselves, are assembled into a collective whole. A work that constitutes a Collective Work will not be considered a Derivative Work (as defined below) for the purposes of this Licence.
   - **b** **"Derivative Work"** means a work based upon the Work or upon the Work and other pre-existing works, such as a musical arrangement, dramatization, fictionalization, motion picture version, sound recording, art reproduction, abridgment, condensation, or any other form in which the Work may be recast, transformed, or adapted, except that a work that constitutes a Collective Work or a translation from English into another language will not be considered a Derivative Work for the purpose of this Licence.
   - **c** **"Licensor"** means the individual or entity that offers the Work under the terms of this Licence.
   - **d** **"Original Author"** means the individual or entity who created the Work.
   - **e** **"Work"** means the copyrightable work of authorship offered under the terms of this Licence.
   - **f** **"You"** means an individual or entity exercising rights under this Licence who has not previously violated the terms of this Licence with respect to the Work, or who has received express permission from DEMOS to exercise rights under this Licence despite a previous violation.
2. **Fair Use Rights.** Nothing in this licence is intended to reduce, limit, or restrict any rights arising from fair use, first sale or other limitations on the exclusive rights of the copyright owner under copyright law or other applicable laws.
3. **Licence Grant.** Subject to the terms and conditions of this Licence, Licensor hereby grants You a worldwide, royalty-free, non-exclusive, perpetual (for the duration of the applicable copyright) licence to exercise the rights in the Work as stated below:
   - **a** to reproduce the Work, to incorporate the Work into one or more Collective Works, and to reproduce the Work as incorporated in the Collective Works;
   - **b** to distribute copies or phonorecords of, display publicly, perform publicly, and perform publicly by means of a digital audio transmission the Work including as incorporated in Collective Works;

   The above rights may be exercised in all media and formats whether now known or hereafter devised. The above rights include the right to make such modifications as are technically necessary to exercise the rights in other media and formats. All rights not expressly granted by Licensor are hereby reserved.
4. **Restrictions.** The licence granted in Section 3 above is expressly made subject to and limited by the following restrictions:
   - **a** You may distribute, publicly display, publicly perform, or publicly digitally perform the Work only under the terms of this Licence, and You must include a copy of, or the Uniform Resource Identifier for, this Licence with every copy or phonorecord of the Work You distribute, publicly display, publicly perform, or publicly digitally perform. You may not offer or impose any terms on the Work that alter or restrict the terms of this Licence or the recipients' exercise of the rights granted hereunder. You may not sublicence the Work. You must keep intact all notices that refer to this Licence and to the disclaimer of warranties. You may not distribute, publicly display, publicly perform, or publicly digitally perform the Work with any technological measures that control access or use of the Work in a manner inconsistent with the terms of this Licence Agreement. The above applies to the Work as incorporated in a Collective Work, but this does not require the Collective Work apart from the Work itself to be made subject to the terms of this Licence. If You create a Collective Work, upon notice from any Licencor You must, to the extent practicable, remove from the Collective Work any reference to such Licensor or the Original Author, as requested.
   - **b** You may not exercise any of the rights granted to You in Section 3 above in any manner that is primarily intended for or directed toward commercial advantage or private monetary

compensation. The exchange of the Work for other copyrighted works by means of digital file-sharing or otherwise shall not be considered to be intended for or directed toward commercial advantage or private monetary compensation, provided there is no payment of any monetary compensation in connection with the exchange of copyrighted works.

c If you distribute, publicly display, publicly perform, or publicly digitally perform the Work or any Collective Works, You must keep intact all copyright notices for the Work and give the Original Author credit reasonable to the medium or means You are utilizing by conveying the name (or pseudonym if applicable) of the Original Author if supplied; the title of the Work if supplied. Such credit may be implemented in any reasonable manner; provided, however, that in the case of a Collective Work, at a minimum such credit will appear where any other comparable authorship credit appears and in a manner at least as prominent as such other comparable authorship credit.

5. Representations, Warranties and Disclaimer

a By offering the Work for public release under this Licence, Licensor represents and warrants that, to the best of Licensor's knowledge after reasonable inquiry:

i Licensor has secured all rights in the Work necessary to grant the licence rights hereunder and to permit the lawful exercise of the rights granted hereunder without You having any obligation to pay any royalties, compulsory licence fees, residuals or any other payments;

ii The Work does not infringe the copyright, trademark, publicity rights, common law rights or any other right of any third party or constitute defamation, invasion of privacy or other tortious injury to any third party.

b EXCEPT AS EXPRESSLY STATED IN THIS LICENCE OR OTHERWISE AGREED IN WRITING OR REQUIRED BY APPLICABLE LAW, THE WORK IS LICENCED ON AN "AS IS" BASIS, WITHOUT WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED INCLUDING, WITHOUT LIMITATION, ANY WARRANTIES REGARDING THE CONTENTS OR ACCURACY OF THE WORK.

6. Limitation on Liability. EXCEPT TO THE EXTENT REQUIRED BY APPLICABLE LAW, AND EXCEPT FOR DAMAGES ARISING FROM LIABILITY TO A THIRD PARTY RESULTING FROM BREACH OF THE WARRANTIES IN SECTION 5, IN NO EVENT WILL LICENSOR BE LIABLE TO YOU ON ANY LEGAL THEORY FOR ANY SPECIAL, INCIDENTAL, CONSEQUENTIAL, PUNITIVE OR EXEMPLARY DAMAGES ARISING OUT OF THIS LICENCE OR THE USE OF THE WORK, EVEN IF LICENSOR HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

7. Termination

a This Licence and the rights granted hereunder will terminate automatically upon any breach by You of the terms of this Licence. Individuals or entities who have received Collective Works from You under this Licence, however, will not have their licences terminated provided such individuals or entities remain in full compliance with those licences. Sections 1, 2, 5, 6, 7, and 8 will survive any termination of this Licence.

b Subject to the above terms and conditions, the licence granted here is perpetual (for the duration of the applicable copyright in the Work). Notwithstanding the above, Licensor reserves the right to release the Work under different licence terms or to stop distributing the Work at any time; provided, however that any such election will not serve to withdraw this Licence (or any other licence that has been, or is required to be, granted under the terms of this Licence), and this Licence will continue in full force and effect unless terminated as stated above.

8. Miscellaneous

a Each time You distribute or publicly digitally perform the Work or a Collective Work, DEMOS offers to the recipient a licence to the Work on the same terms and conditions as the licence granted to You under this Licence.

b If any provision of this Licence is invalid or unenforceable under applicable law, it shall not affect the validity or enforceability of the remainder of the terms of this Licence, and without further action by the parties to this agreement, such provision shall be reformed to the minimum extent necessary to make such provision valid and enforceable.

c No term or provision of this Licence shall be deemed waived and no breach consented to unless such waiver or consent shall be in writing and signed by the party to be charged with such waiver or consent.

d This Licence constitutes the entire agreement between the parties with respect to the Work licensed here. There are no understandings, agreements or representations with respect to the Work not specified here. Licensor shall not be bound by any additional provisions that may appear in any communication from You. This Licence may not be modified without the mutual written agreement of DEMOS and You.