



Capt. Adam Magy, the incoming command of Delta Company, 2nd Battalion, 135th Infantry Regiment, stands in front of his company formation during a change of command ceremony at Camp Lemonnier, Djibouti, 13 October 2020. Delta Company was serving as a part of Task Force Bayonet in the Horn of Africa. (Photo by Sgt. Sirrina Martinez, U.S. Army)

The Discipline Gap

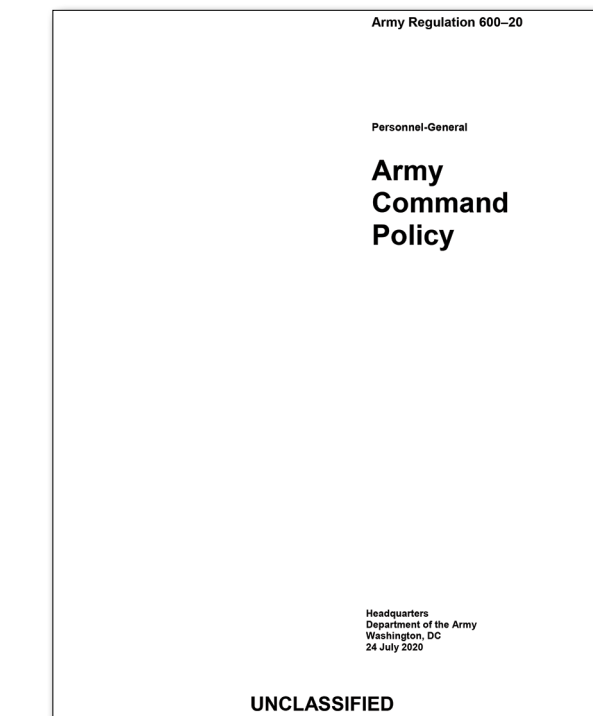
How Army Leadership Curricula Misses the Mark and Why It Should Change

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Army efforts to prepare junior officers for command falls short. The critical deficiency lies in officer leadership curricula that treats discipline with indifference. Courses prior to command do not to teach officers how, when, and why *they must* meet their specific statutory and regulatory requirements related to discipline. As a result, company commanders are unprepared to appropriately wield command authority against a spectrum of indiscipline that requires time, deliberation, and consistent action. The problem then materializes as inaction by commanders, as seen in 2020 at Fort Hood, Texas. There, commanders were held to account for failing to actively police formations and enforce standards. The aftermath from Fort Hood is consistent with the two key elements of command: authority and responsibility.¹ It is the commander who is solely responsible for unit discipline. The first time a company commander realizes this magnitude should not be during the initial senior rater counseling in the brigade commander's office. The Army's preparatory curricula should develop junior officers' understanding of discipline and their duties to execute accordingly, as a function of leadership, in advance of command.

Leaders hesitant to acknowledge the underlying issue in the Army's approach to leadership and discipline would likely retort that commanders just need to call their judge advocate (i.e., JAG).² However, this simple solution did not alleviate the risk at Fort Hood, and it is never a cure-all for company commanders. Today's JAG at the company level is a military justice advisor (MJA) who advises roughly thirty to thirty-nine company commanders from a brigade or higher echelon. In many respects, an MJA is a legal opinion mill.³ They do not have the capacity to assist company-level leaders with every breach in standards, especially when the law is not in question. Even when an MJA advises a particular command action, they are not able to supervise its effect on the fire team, squad, or platoon. Most importantly, MJAs are not responsible for a discipline's overall effect on safety, climate, and culture. That responsibility lies squarely with commanders.

Although statute, regulation, and doctrine expressly articulate a commander's duties toward discipline, a regimen to emphasize these requirements as a function of leadership is not in place. At best, future



To view Army Regulation 600-20, *Army Command Policy*, visit https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN32931-AR_600-20-004-WEB-6.pdf.

commanders receive varied instruction at the installation level in a pre-command course. This instruction varies in quality, content, and duration.⁴ It also lacks a uniform message and the gravitas expressed by senior officials who urge commanders to discipline their formations.⁵ Instead, the Army should meet its requirement by using its multiple leadership courses that prepare officers for command. Currently, new command teams are simply left to figure out discipline on the job amidst a host of other new vital responsibilities. Neglecting the command duties and leadership related to discipline in Army schools only exacerbates ongoing turbulence to command authority.

The 2022 National Defense Authorization

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Act removed commanders' authority over the most serious Uniform Code of Military Justice (UCMJ) offenses.⁶ At the same time, Congress does not have plans to alter the nearly one hundred other less serious UCMJ offenses retained in command authority. Though the merits of this recent military justice reform

in junior officers who assume command unequipped to appreciate what is at stake.

A brief discussion of command duties is first required to highlight the extent and challenge of command authority. This article will then highlight the flaws in current leadership courses that neglect to

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are beyond the scope of this article, these legislative changes come as no surprise. For years, lawmakers have questioned the ability of commanders to effectively and impartially act upon egregious violations of the UCMJ, namely sexual assault. To some, a partial divestiture of UCMJ authority does not go far enough. Calls to completely remove the commander from the UCMJ process will surely continue unless efficiency, trust, and accountability drastically increase. The upcoming revisions to the UCMJ do not address the underlying issue, namely insufficient command action against indicators and warnings that materialize into high-risk behavior. The Army's response should be holistic and address more than just changes to military law.

This article argues that the Army's leadership curricula should change to incorporate lessons that formally address the specified responsibilities of command discipline. To neglect instruction in these fundamental areas of command is a disservice to junior leaders cloaked with Title 10 responsibilities over America's sons and daughters. Currently, the Army does not emphasize the variety and importance of disciplinary tools in primary training courses for junior officers with rigor and as a function of leadership. Likewise, even students at the Army's staff and war colleges also do not discuss the impact that command discipline (and its statutory requirements) has on Army organizations. But the most pressing concern lies with the soldiers; the company level is where discipline has the greatest impact on a daily basis. The Army's leadership curricula convey an indifference toward discipline, which results

address command discipline. Finally, this article will suggest changes to Army leadership curricula to bridge the current discipline gap at the company level and to better prepare junior officers for the realities and responsibilities for command.

Army Leadership Curricula Should Reflect the Known Discipline Challenges Ahead and Aid Junior Officers for Command Accordingly

It is widely understood that commanders are responsible for what a command does or fails to do.⁷ When commanders fail to act or when they mistakenly apply command authority, they lapse in leadership. Despite any generational differences, soldiers today still value trust, consistency, and accountability. When the Army disregards discipline as an element of its leadership curricula, it devalues one of the most consequential challenges awaiting company commanders.

Command: Statutory, regulatory, and doctrinal responsibilities for leadership. It is well known that command requires officers to perform duties that have no civilian equivalent.⁸ Civilians do not lead employees into combat with legal authority to kill, nor are they charged with *enforcing discipline and the law* with command authority. Federal law clearly articulates a commander's duty for this second point: commanders must “take all necessary and proper measures, under the laws, regulations, and customs of the Army.”⁹ Army regulation also plainly states, “Military discipline is instilled through positive *leadership*, ... resulting in a



Capt. Wayne Pennebaker, military justice advisor for 3rd Brigade, 10th Mountain Division, earns his Air Assault Badge at Fort Polk, Louisiana, 15 January 2021. Pennebaker provided military justice advice to forty-seven command teams throughout 2020–2021. (Photo by Staff Sgt. Ashley Morris, U.S. Army)

mental attitude about proper conduct and obedience to lawful military authority.”¹⁰ Army doctrine carries an often overlooked but complimentary message toward discipline. According to doctrine, the ability of a command team to effectively discipline its unit is a measure of its *primary* responsibility.¹¹ Statute, regulation, and doctrine all effectively link discipline and command. Army leadership courses do not.

The Army has a duty to ensure that its commanders understand their key role in disciplining a formation under the law. This understanding is distinct from rote comprehension of technical tools like the UCMJ. A reliance on technical tools is useless if a commander is dim to their overall effect on the unit and soldier. If the commander fails to grasp the *why* behind the use of different discipline levers, they will apply instruments of command inconsistently, inappropriately, or not at all. Moreover, commanders must be able to thoughtfully

communicate—both directly and indirectly—how their actions fit within their leadership philosophy and the Army’s enduring mantra: “taking care of soldiers.” It is therefore incumbent upon the Army to ensure academic curricula addresses why commanders must deter indiscipline, protect the individual and unit, punish wrongdoing, and rehabilitate offenders.¹² Junior officers must know how and when to use discipline, but they must also develop an appreciation for the why and its relation to leadership prior to command.

This is not to suggest that discipline, as a function of leadership, is the only key competency for command. The U.S. Army Research Institute identified thirty-five key competencies for company commanders.¹³ These competencies underscore the enormous weight shouldered at the company level. Most of these responsibilities are addressed in the Army curricula leading to

command. However, only a handful arguably derive from a commander’s statutory responsibility to address violations of regulation and the law.¹⁴ Only one is at the heart of a commander’s codified requirement: discipline. A commander’s failure to actively implement measures to ensure unit and individual discipline exposes the command to unmitigated high-risk behavior and jeopardizes its mission. A commander’s role to discipline through leadership was recently summed up by the Government Accountability Office (GAO):

Commanders at all levels will exercise their discretion ... without the unlawful command influence of superiors. At the same time, superior commanders are required to provide **leadership** and exert lawful influence over their commands in the interest of maintaining good order and discipline. The balance



U.S. Army Intelligence Center of Excellence battalion commanders and command sergeants major address a group of Military Intelligence Captains Career Course students during a senior leader panel discussion held at Fort Huachuca, Arizona, on 8 August 2017. (Photo by Randall Baucom, U.S. Army)

between these two competing requirements requires agile **leadership**, situational awareness, and strong character, all of which are familiar and expected aspects of **military leadership**.¹⁵

When a command team violates its explicit statutory duty to take action to ensure good order and discipline, it is swiftly relieved.¹⁶ In recent years, this was demonstrated most prominently in the tragic events surrounding the disappearance and murder of Vanessa Guillén at Fort Hood in 2020. Examining Fort Hood's climate and culture, the Independent Review Committee determined "no commander chose to intervene proactively and mitigate known risks of high crime, sexual assault, and sexual harassment."¹⁷ All in all, twenty-one leaders were relieved of their responsibilities for not ensuring a safe, healthy, and disciplined command.¹⁸ The ability to shoot, move, and communicate is irrelevant when leaders fail to take actions to reduce risk and discipline a formation.

The tragic events at Fort Hood were the result of several issues identified by the Independent Review Committee. No single commander was solely responsible. At the same time, every commander across the Army should be asking the same question: What actions am I taking to proactively mitigate the risks identified all too late at Fort Hood? Similarly, the institutional Army should evaluate its alignment of leader preparation according to doctrine, which states, "Leaders should identify and resolve conflict before it affects personal and organizational functioning, good order and discipline, and cohesion."¹⁹ An assessment of leader development curricula demonstrates that the Army underappreciates its responsibility to maintain good order and discipline.

The current curricula to prepare junior officers for command is incongruent with the actual responsibilities to discipline. The current Army curricula is ineffective in preparing junior officers for command.

The Army develops its junior leaders through precommissioning and branch schools prior to company-level command. These schools comprise the institutional domain of Army leader development but do not address the *how*, *when*, or *why* of command discipline. Nor does the Army leadership curricula include strategies to address the wide array of soldier indiscipline.



Company commanders are often handed responsibility for unit personnel discipline without sufficient training and guidance related to specifying how such discipline is legitimately enforced and what tools are available to facilitate enforcement. (Photo by Art Guzman via Pexels)

The institutional domain's leadership curricula is not tailored to the current environment. Amidst the erosion of command authority and stark examples of failures in command discipline that destroy public trust, the Army leadership curricula remains the same. Leadership courses often rely heavily on case studies to discuss the challenges of leadership. Although these case studies provide valuable leadership lessons and solicit useful analysis and discussion, they do not touch

on command discipline. The current leadership curricula for junior officers does not address the requirement to discipline soldiers or the commander's discrete statutory responsibilities.

Opportunities to modify leadership curricula to address the critical shortfalls toward discipline abound. Instead of trying to only inspire future (and current) officers with "A Message to Garcia," instructors should ask the following:

- What should a commander do if a subordinate fails to complete a task?
- What tools does a commander possess to correct the deficiency and what responsibility is there to do so?
- Why are these authorities in place?
- How can unit trust be affected by a decision to act versus a failure to address the issue?
- Does the experience or rank of the soldier affect the commander's corrective action?²⁰

Similarly, other effective case studies can teach junior officers a framework to accompany a commander's responsibility to discipline. For instance, "The Decision to Launch the Challenger" leadership curricula could include highlighting the need for command's consistent approach to discipline within its current lesson plan (i.e., a normalization of deviance). Here, leadership curricula could promote normalizing an expectation (and acceptance) of command action that addresses a deviation from known standards. Company norms toward standards and consequences create a climate that teammates can trust. Finally, junior officers should be challenged to connect the causes and effects between minor infractions and high-risk behavior. There may be no better case study for this lesson than that of "Broken Windows."²¹ The broken windows theory states,

If the first broken window in a building is not repaired, the people who like breaking windows will assume that no one cares about the building and more windows will be broken.

Soon the building will have no windows.²²

The learning outcome here should challenge officers with the role that curiosity plays in understanding individual and unit-wide problems. When officers discover minor problems in their command, what proactive steps can they take to address these issues? Are leaders increasing their presence in the barracks in the manner that the police increased their foot patrols on the streets of Newark? What value comes



Curiosity on a personal and professional level enables leadership teams to address broken windows. "A failure of imagination combined with an apathy of diligence can result in tragedy." (Photo by Smallbones via Wikimedia Commons; quote courtesy of the author from 3/10 IBCT People PowerPoint slides, 10 December 2020)

from this presence and how does it affect individual and unit discipline? Whether a curriculum employs case studies or uses other ways to demonstrate discipline within the realm of leadership, the Army should implement changes that go beyond its current approach for junior officers.

Though Army University provides curricula to prepare junior officers for positions of greater responsibility, its current leadership instruction severely under delivers. Such instruction, by doctrine, should be responsive to the current environment to address matters of law and policy.²³ While general leadership is covered during pre-commissioning sources and branch schools such as Basic Officer Leader Course or the Captains Career Course, it ignores the statutory, regulatory, and doctrinal requirements of command in relation to discipline. This is a disservice to junior officers who graduate from these schools without a true grasp of Army leadership—particularly for command. Any military justice classes that junior officers receive are a product of mandatory training that lacks

a command emphasis on leadership and discipline. A judge advocate merely fills a block of training with the legal authorities and processes that Army Regulation 350-1, *Army Training and Leader Development*, requires.²⁴ This approach fails to link command authority with its effect on leadership. A recitation of UCMJ articles cannot impress upon officers the responsibilities of command to the necessary extent that discipline requires.

The Army places an implicit burden on junior officers to develop their perspective on discipline in the operational (i.e., on-the-job) and self-study domains. This amounts to a strategy of hope. Theoretically, officers can learn from watching company-level leaders in action and rely upon mentors for supplemental guidance. In practice, however, many junior officers assume command without comprehending the nexus between the use (or misuse) of discipline and its leadership effect. Simple modifications to leadership curricula could address this shortfall in the institutional domain.

In fairness, the Army does send its junior officers to another block of instruction that covers need-to-know UCMJ topics. But this instruction is ineffective in developing company-level leaders able to apply command authority to indiscipline. It consists of undefined and widely varied instruction at the future commander's home installation. The Army refers to this as the Company Commander/First Sergeant Pre-Command Course (CCFSPCC) and the institutional Army has little to no visibility on its execution.²⁵ A CCFSPCC

command discipline as a distinct component of leadership instruction. Still, the GAO's findings are relevant to demonstrate the Army's haphazard approach to preparing command teams at the company level for their responsibilities toward discipline. The GAO found that CCFSPCC was offered at twenty-five installations and in some instances provided less than ninety minutes of instruction.²⁷ Army officials acknowledged that "some installations probably do not allot sufficient time to cover all the legal topics in the course."²⁸ That may be

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consists of firehose-style briefings from multiple presenters to help command teams understand the resources, tools, and local policies at their post. Again, any instruction related to discipline is briefly presented by a judge advocate who describes military justice's tools and processes. It does little to create an environment for discourse that pairs effective leadership with philosophies on discipline. The limited time available and the potpourri of other topics undercuts the importance of instilling discipline and why commanders are encouraged to deliberately employ command authority. The fact that CCFSPCC instructors have not held command themselves only weakens its impact. Metaphorically, CCFSPCC supplies command teams with hammers and nails without an understanding of the when and why of their industry. The Army leaves command teams to figure out discipline on-the-job, as CCFSPCC arrives too late to be a primary embedding mechanism for discipline.

The Department of Defense knows the Army's CCFSPCC is not meeting its intent and recently acknowledged that company-level legal training needs greater focus. The Department of Defense's formal acknowledgement came in response to a GAO report that reviewed the Army's curricula for preparing commanders for their legal responsibilities.²⁶ But this report only focused on the Army's need for legal training; it did not consider the Army's need to consider

true, but even if improved, CCFSPCC is not the forum for establishing a basis for how discipline relates to leadership. A judge advocate instructor cannot galvanize command teams into seeing discipline as a form of leadership when CCFSPCC focuses solely upon UCMJ processes. Instead, the Army needs to develop leadership curricula for its institutional domains that prepare junior officers for command.

Discipline belongs in Army leadership curricula.

Disciplining a soldier or collective unit is a command decision, not a legal one.²⁹ While a judge advocate—who sits at least two echelons above the company level—is available to provide advice, it is a function of command authority to ensure good order and discipline with a positive command climate. Consider also that a judge advocate sometimes serves nearly forty other company commanders with advice. Judge advocate availability and the legal perspective is not always aligned with a command assessment at the company level. The burden lies with the commander to know how, when, and why to use discipline. Should the hand of discipline be heavy or soft? Will the commander's action impact society, the soldier, and the greater Army? Decisions related to discipline fall squarely within the art of leadership. Yet the Army provides no real effort to train future leaders for this art.

The Army should develop leadership lessons to address how, when, and why commanders employ the many tools within their authority. This will assist

commanders with assessing complex situations and, more importantly, the effects their decisions have within their unit and beyond. A leadership curriculum can draw from fact patterns that many company-level leaders continue to face, such as failures to report on time, lack of military bearing, fraternization, alcohol and drug abuse, and barracks infractions. For the foreseeable future, these issues will remain within the wheelhouse of command. When a company commander acts to address these instances of misconduct, what impact does the action aim to achieve? Is an action always required? Does a passive or reactionary approach to discipline create counterproductive leadership? Will a company commander's inaction play a role in unit or individual discipline?

Additionally, leadership instruction should assist future commanders in understanding how discipline affects their command climates. Whether a commander takes corrective administrative actions to institute a bar to continued service or recommends a soldier be separated from the Army, these actions impact soldier and unit-wide trust. The difficult decisions that commanders make in these situations are a product of their overall ability to lead. Junior officers should be made to contemplate this friction and be challenged with finding their own balance. It is not enough to tell junior officers to choose "the harder right." Leadership curricula should provide foundational instruction to address the gamut of indiscipline and the potential follow-on consequences to both action and inaction.

Specific modifications that strengthen leadership curricula. Army leadership curricula can be strengthened by challenging junior officers with balancing these command responsibilities. This can be done by demonstrating the correlation between command inaction and high-risk events. The Army has numerous case studies in the form of completed investigations that can be sanitized of personal information to serve as a basis for education. Leadership curricula can use these case studies to create vignettes that force junior officers to think through complicated situations that test a leader's ability to discipline their soldiers and formation.

In addition to drawing lessons from fact patterns that can assist future commanders, the Army's leadership curricula should encourage discourse into the how, when, and why commanders should act. For example, the classroom discussion could center around three

distinct problem sets that future company commanders may face:

- A barracks fight between two specialists that does not result in any injuries but raises concern over potential future incidents.
- A star platoon sergeant who has developed an overly familiar professional relationship with a private first class from a different platoon.
- A platoon leader who receives two off-post speeding tickets and one on-post traffic violation within a month's time.

These problem sets are unfortunately common across the Army, yet the current leadership lessons provide no guidance to assist junior officers for resolving these issues and reducing future high-risk behavior. Appropriate command emphasis is needed in each of these problem sets to reduce risk to the individual and collective unit. Junior officers should be taught that command actions should escalate in relation to any future misconduct or high-risk behavior. The use of written counseling, no-contact orders, bars to continued service, and summarized or company-grade Article 15s all provide opportunities for command teams to confront the indiscipline face-to-face, implement an appropriate command action, and then assess the corrective or the rehabilitative follow-on effect. Likewise, as primary embedding mechanisms, junior officers should be aware of the risk commanders assume if their actions are passive or fail to escalate in conjunction with the infractions. Commanders who fail to act with measures that escalate against indiscipline are in a reactive posture that permits high-risk behavior to occur as a foreseeable consequence. Failing to implement discipline as a function of leadership ignores the statutory, regulatory, and doctrinal duties of command.

After discussing command actions related to indiscipline, instructors should then broach the topic of administrative separations with junior officers. A separation is a command process that company-level leaders are expected to start, particularly after a soldier's pattern of misconduct. In other instances, the Army requires the separation process to begin after a serious UCMJ violation occurs (e.g., driving under the influence or the abuse an illegal substance).³⁰ Company commanders drive the separation process and provide recommendations as to disposition for the separation authority's decision. When does a

commander decide a soldier is unable to conform to established norms and that forcing that soldier to leave the Army is best? How could the individual, the Army, and the public benefit from the retention or separation of a particular soldier? Leadership instructors should ask these difficult questions and then contrast any asserted thresholds with achieving a positive command climate and the leadership needed to communicate these difficult decisions. All the while, soldiers within the unit watch and discuss the command norms that are constantly on display that either detract from or instill discipline. Taking actions to promote command discipline within a positive climate is the essence of leadership in the Army.

The noncommissioned officer's role in discipline and leadership. Understanding how discipline affects climate and trust is particularly relevant as soldiers of Generation Z fill the Army's ranks. A recent Army University Press article written by Sgt. 1st Class Roland Hanks notes that the new generation of soldiers views leadership horizontally as opposed to the traditional hierarchy of command.³¹ Implicitly, a new soldier may be less inclined to view command authority with proper deference. Coincidentally, Hanks also contends Generation Z soldiers want fairness and accountability toward accepted standards of the Army Profession.³² The ability of a commander to navigate this dynamic is a measure of leadership. Any contradictions between authority and accountability that Generation Z soldiers perceive must be clearly understood and communicated by the command team. Notably, the new generation of soldiers wants—as it always has—noncommissioned officers (NCOs) for role models. Therefore, the driver behind a disciplined formation must be the combined efforts of officers and NCOs.

Company commanders do not discipline their formations alone. Discerning NCOs always influence their formations. Leadership curricula should address the challenge of disciplining a formation not from the perspective of just the commander but as a member of the command team. Typically, a company commander and first sergeant have similar philosophies on discipline. But this is not always the case. Disagreements can arise related to the actions a commander imposes or recommends as well as the corresponding effects. Commanders must use careful judgment in deferring to an NCO and underwriting their recommendations.

A commander's ability to make tough decisions and seek the support of senior NCOs can be crucial to the message ultimately sent through the ranks. Effective commands empower all NCOs to influence junior enlisted soldiers toward accountability and fairness. The NCOs are discipline's couriers who can quell junior soldier discontent or reduce their misunderstanding (generational or not) of command authority. Ultimately, company-level leaders should pursue a state of command where personnel experience a palatable level of discomfort when standards are knowingly violated. The NCOs are part and parcel to achieving this state. The timing, rate, and strength of this influence is an art and requires commander/senior enlisted member joint leadership. Astonishingly, the leadership curricula throughout the Army does not address this officer/NCO dynamic related to discipline.

Conclusion

The Army prides itself on preparation and training for key assignments and challenges. Yet this notion is at odds with the state of junior officer preparation for command responsibilities. In recent decades, the Army has not taken adequate measures to holistically address high-risk behavior that harms public trust and leads to a reduction in command authority. It has instead allowed itself to accept a reactive posture to address an ongoing crisis of indiscipline that has led to unspeakable tragedies and a reduction to command authority. There is no amount of PowerPoint slides from the Judge Advocate General's Corps (or any other branch of the Army) that can influence junior officers to see that discipline is a function of leadership. Alternatively, this message should be thoughtfully added to all junior officer curricula, from pre-commissioning to the Captains Career Course.

A change to how the Army prepares its leaders is in order. This change requires leadership courses to imbue young officers with the known challenges ahead from minor to major discipline infractions. More importantly, leadership curricula should teach how, when, and why discipline matters to command and it should incorporate the many case studies that signal this vital message. The American public is counting on commanders taking actions that reduce risk over time and ensuring service members are held accountable in an appropriate, timely fashion. At the same time, junior officers must

balance their role prioritizing “People First.” This is the essence of the leadership challenge today. Moreover, as Hanks noted, the NCO ranks are also living an Army Profession that values accountability and a dedication to standards. It is the company command team who must lead formations in a trusted climate that seeks these ideals. The Army misses a key opportunity in its leadership curricula if junior officers are not challenged

with this leadership dynamic. It must not only address this dynamic, but stress at the earliest stage of leadership development the importance of incorporating discipline into every junior officer’s leadership philosophy. ■

The views expressed in this article are the personal opinions of the author and do not represent those of the Department of Defense or the U.S. Army.

Notes

1. Army Regulation (AR) 600-20, *Army Command Policy* (Washington, DC: U.S. Government Publishing Office [GPO], 2020), para. 1-6(b).

2. JAG is shorthand for judge advocate or military attorney within the Army’s Judge Advocate General’s Corps.

3. The author does not wish to denigrate the duties of a military justice advisor (MJA); their legal practice is essential to the Army. The sentiment that MJAs are basically legal opinion mills highlights the difference between their role and the commander’s role on unit discipline.

4. See U.S. Government Accountability Office (GAO) 21-338, *Military Training: The Services Need to Ensure That All Commanders Are Prepared for Their Legal Responsibilities* (Washington, DC: U.S. GAO, July 2021), 1.

5. James Mattis, memorandum for secretaries of the military departments, chiefs of the military services, and commanders of the combatant commands, “Discipline and Lethality,” 13 August 2018, accessed 19 December 2022, https://partner-mco-archive.s3.amazonaws.com/client_files/1534283120.pdf.

6. National Defense Authorization Act of 2022, Pub. L. No. 117-81, § 533, 135 Stat. 1541, 1695 (2021).

7. AR 600-20, *Army Command Policy*, para. 2-1(b).

8. Army Doctrine Publication (ADP) 6-22, *Army Leadership and the Profession* (Washington, DC: U.S. GPO, November 2019), para. 1-97. “The legal and ethical responsibilities of a commander exceed those of any other leader of similar rank serving in a staff position or as a civilian manager.”

9. 10 U.S.C. § 3583(4) (2018).

10. AR 600-20, *Army Command Policy*, para. 4-1a.

11. ADP 6-22, *Army Leadership and the Profession*, para. 5-43.

12. James E. Baker, “Is Military Justice Sentencing on the March? Should It Be? And If So, Where Should It Head? Court-Martial Sentencing Process, Practice, and Issues,” *Federal Sentencing Reporter* 27, no. 2 (2014): 72–87, accessed 19 December 2022, <https://scholarship.law.georgetown.edu/facpub/1468/>.

13. Lauren A. Ford et al., *Identification of Company Command Competencies*, Technical Report 1320 (Fort Belvoir, VA: U.S. Army Research Institute for the Behavioral and Social Sciences, June 2013), accessed 19 December 2022, <https://apps.dtic.mil/sti/pdfs/ADA587475.pdf>.

14. 10 U.S.C. § 3583(2)-(4).

15. GAO-21-338, *Military Training*, 1 (emphasis added).

16. 10 U.S.C. § 3583(2)-(4).

17. Christopher Swecker et al., *Report of the Fort Hood Independent Review Committee* (Washington, DC: Department

of Defense, 6 November 2020), ii, accessed 19 December 2022, https://www.army.mil/e2/downloads/rv7/forthoodreview/2020-12-03_FHIRC_report_redacted.pdf.

18. Haley Britzky, “A Stunning 21 Army Leaders Will Be Disciplined over Vanessa Guillén’s Disappearance and Death,” *Task and Purpose*, 30 April 2021, accessed 19 December 2022, <https://taskandpurpose.com/news/army-fort-hood-21-leaders-guillen/>.

19. ADP 6-22, *Army Leadership and the Profession*, para. 6-33 (emphasis added).

20. Elbert Hubbard, *A Message to Garcia* (East Aurora, NY, 1899).

21. George L. Kelling and James Q. Wilson, “Broken Windows,” *The Atlantic* (website), March 1982, accessed 19 December 2022, <https://www.theatlantic.com/magazine/archive/1982/03/broken-windows/304465/>.

22. Quote from Randall G. Sheldon, “Assessing ‘Broken Windows,’” *Center on Juvenile Criminal Justice*, accessed 19 December 2022, <http://www.cjcj.org/uploads/cjcj/documents/broken.pdf>.

23. Department of the Army Pamphlet 600-3, *Officer Professional Development and Career Management* (Washington, DC: U.S. GPO, 3 April 2019), para. 2-4(b).

24. AR 350-1, *Army Training and Leader Development* (Washington, DC: U.S. GPO, 10 December 2017), Appendix F.

25. Conversation with Army University officials to author, May 2022. Army University officials acknowledged there is no discussion of discipline as a function of leadership within Army leadership curricula.

26. GAO-21-338, *Military Training*, 201. Notably, the GAO report did not interview junior officers or company commanders and determined the Army needed to continually assess its legal training provided to commanders.

27. *Ibid.*, 25.

28. *Ibid.*, 46.

29. Actions to address a “covered” Uniform Code of Military Justice (UCMJ) offense are legal decisions; however, actions on the nearly one hundred other UCMJ articles remain as command (not legal) decisions.

30. In these instances, commanders have no discretion due to Army-wide separation policies.

31. Roland Hanks, “What Soldiers Want: The Gen Z Perspective,” *NCO Journal*, 22 February 2022, accessed 20 December 2022, <https://www.armyupress.army.mil/Journals/NCO-Journal/Archives/2022/February/What-Soldiers-Want/>.

32. *Ibid.*