

## WHAT IF I DISAGREE? DISSENT IN THE FOREIGN SERVICE

*By Ambassador Thomas Boyatt*

Sporadically, the media becomes enthused by a “whistleblower” or an act of “telling truth to power.” Usually such interest is *ex post facto*. For example, a career employee of the Securities and Exchange Commission warned of the Bernard Madoff Ponzi scheme years before it collapsed in 2009—in time to save investors billions of dollars. He was ignored until the damage became public. The lesson is that to be effective within bureaucracies, dissent must be institutionalized.

In the U.S. federal government (and probably in the world) such institutionalization exists in only one place—the U.S. Department of State. For more than 40 years, whistleblowers and those prepared to tell truth to power have been protected and respected there. Such support exists equally within the formal bureaucratic system and within the informal—some would say more powerful—system in which professional reputation is paramount.

In the State Department itself, the combination of the turmoil over the Vietnam War and the advent of white-collar unions in the early 1970s led to the establishment of an official mechanism for disagreement called the “Dissent Channel.” Procedures were promulgated in the *Foreign Affairs Manual (FAM)*, State’s regulatory compendium, enabling any Foreign Service employee to write a dissent message addressed to the Secretary of State and sent through the Secretary’s Policy Planning Staff. Such messages cannot be stopped or altered by supervisors at any level, ambassadorial or otherwise. The director of Policy Planning is required to provide a substantive response within 30 to 60 days.

The Dissent Channel has been used to ventilate differing views on sensitive policy challenges from Vietnam, the Middle East, and Cyprus in earlier times to Bosnia, Iraq, and Afghanistan more recently. Hundreds of dissent messages have been sent over the decades. Some have led, immediately or eventually, to policy changes. Perhaps most important, the dissent process has influenced the quotidian policy debate. Senior officers are more tolerant of differing views, more willing to discuss and debate rather than issue dicta. The permanent policy discussion is more open and vibrant because of the existence of the Dissent Channel.

Outside the official State/Foreign Service structure, the informal system has strongly supported those with dissenting views even longer. In 1969 the American Foreign Service Association (the professional association and union for the Foreign Service) joined with the family of the recently deceased Ambassador William Rivkin to create the annual Rivkin Award. This award recognizes officers working constructively within the system to change policy and performance for the better. An independent panel of judges makes the

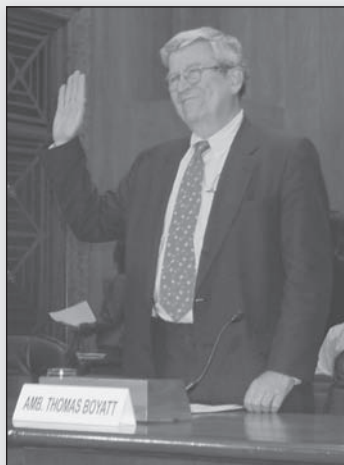
award that includes public recognition at a reception in the State Department's elegant Benjamin Franklin Rooms and a cash stipend. Since 1969, the Rivkin Award (now for mid-grade officers) has been joined by the Harriman (for junior officers), Herter (for senior officers), and Tex Harris (for specialists) awards. In a culture where peer regard is very highly prized, the AFSA awards for constructive dissent bestow extraordinary distinction. Moreover, most awardees have gone on to enter the Senior Foreign Service and to account for a much higher percentage of ambassadors than the Service as a whole.

In addition to the informal and official dissent structures, the unique aspects of the foreign policy process are also significant. First, foreign policy is in a constant state of becoming; the policy struggle continues 24/7. It is never settled. From a micro perspective, U.S. ambassadors make representations to the 190 countries and institutions with which we have diplomatic relations virtually every day. The reactions to these *démarches*, duly reported, change the status quo and provide opportunities to discuss, consider, and perhaps change American policy. From the macro perspective, every presidential or congressional election; every senior leadership change; major international events; and a host of other factors constantly bombard the policy process. The foreign policy debate is unending.

Second, upon entering the Foreign Service and after each promotion, FSOs swear to “uphold and defend the Constitution of the United States against all enemies, foreign and domestic.” We do not swear allegiance to a president or an administration. At least implicit in this oath is the requirement to “tell it like it is” and to give our best policy advice.

Finally, it is important to understand that dissent is part of a continuum that begins with advocacy. The most effective way to influence the permanent policy process is to convince superiors of the validity and utility of your views. Being right with some consistency helps. Being wrong is also an option. A certain humility on the part of policy advocates (and thus potential dissenters) is useful. There is always the possibility, however remote, that superior officers—like parents—may be right from time to time.

Official and informal dissent structures and the unique aspects of the foreign policy process provide background and context. Important questions of



**Ambassador Boyatt testifying on Capitol Hill in 2007.**

when and how to dissent remain. Certainly, formal dissent is not to be undertaken lightly. The key element is that you must believe the national interest is threatened. This assertion leads to the prime directive.

Dissent is about the national interest, not individual world views. You may object to the “War in \_\_\_\_\_” (fill in the blank). But if you are not an expert in the country or region and/or you do not have some level of responsibility for policies there, leave the dissenting to others. On the other hand, if you have the *bona fides* and your advocacy has not been successful, then you should consider formal dissent. If you choose that option, keep the following in mind:

Articulate the case for change succinctly. Be precise. Record your years (hopefully) of experience in the country or area and your current responsibilities in the matter. Your immediate supervisors will know of your experience and authority; others may not.

Have a plan for success (your dissent becomes policy) and for failure (your dissent is dismissed). If the former, have the next steps outlined in detail and ready to table. If the latter, know how you will proceed—simply go back to work and live to fight another day; seek a transfer; or submit your resignation and go public.

Many, if not most, Foreign Service officers will not face the hard choices of formal dissent. The vast majority will have an impact on policy through advocacy. Those who do choose formal dissent are too valuable to lose, in my view. Accordingly, I am not a strong supporter of resignation even though I understand that occasionally it will be the only way. From the perspective of 50 years of involvement, I would argue that particular foreign policies are not as critical with the passage of time as they seem to be in the heat of the moment.

Still, dissent has become institutionalized in the culture of the State Department and the Foreign Service, and the nation has greatly benefited thereby.

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