In June 2010 ex-Royal Marine Ben McBean, who lost an arm and a leg in Afghanistan, shared with an audience at the Royal United Services Institute the problem with his original prostheses: they were white, he is black. He was speaking at a workshop on military welfare less than a week after the new prime minister’s visit to Helmand when he promised a ‘new covenant’ with the armed forces.

This undertaking highlights the impact of the military covenant, an idea that is barely a decade old. In some ways it echoes the commitment in the 1998 Strategic Defence Review to put ‘people’ at the centre of defence planning; now the military covenant has become the prism through which those issues are being framed by both government and public.

However, although David Cameron stated he would welcome a new atmosphere in Britain, where ‘we back and revere and support our armed forces’ — something that would surely benefit veterans such as Ben McBean — enshrining the principles of any new military covenant in law might also unleash the potentially troublesome law of unintended consequences.

Codified in 2000 in an army doctrine publication (Army Doctrine Publication, Volume 5: Soldiering — The Military Covenant), the military covenant describes the mutual obligation between Nation, Army and individual soldier.

In return for their service and possibly ultimate sacrifice, soldiers ‘must always be able to expect fair treatment, to be valued and respected as individuals, and that they and their families will be sustained and rewarded by commensurate terms and conditions of service’. The covenant migrated from army doctrine to wider civilian society from 2006 and was modified in the process: it became perceived by the general public as applying to all three armed services and was associated primarily with the bi-lateral relationship between the military and the government.

In addition, the military covenant tended to have negative connotations, becoming a shorthand term for the privations suffered by a military that was perceived to be both overstretched and under-resourced while war-fighting on two fronts.

The military covenant’s leading advocate was the former Chief of the General Staff, General Sir Richard Dannatt. Reminding the nation of the debt of honour it owed to the soldiers who fought on its behalf, the concept paradoxically broke the link in the public mind between the army and the unpopular intervention in Iraq: it separated the men from the mission, thereby letting loose large-scale but hitherto fairly latent support for ‘our boys’. As a weapon in the battle to save an army its chief feared might break because of the operational pressures under which it laboured, the military covenant did its job, recruiting allies to the cause including academics, armed forces’ charities and, most potently, the media.

By Autumn 2008, both opposition parties had produced reports on the state of the covenant, with the Liberal Democrats’ underscoring how the covenant is not an agreement in any strict legal sense but ‘an implicit contract based purely on expectations’.

Having been forced onto the defensive the previous year by a pro-military onslaught that included the Royal British Legion’s ‘Honour the Covenant’ campaign and the establishment of Help for Heroes, the Labour government fought back in 2008 with a series of welfare initiatives aimed at service personnel, their families and veterans. The MoD identified policy areas that were considered to come under the scope of the military covenant, including compensation, medical support for service personnel, accommodation, support for bereaved families and veterans’ healthcare.

In addition, two major policy documents attempted to restore the original spirit of the covenant by focusing on the role the nation — the public as a whole — can play in support of the armed services. The Report of Inquiry into National Recognition of Our
Armed Forces (the Davies report) along with the government’s response to it side-stepped such issues as the quality of housing or the medical care offered to troops that had become such media staples and instead identified ways of fostering greater understanding and appreciation of the military among the public.

Some of the report’s recommendations were endorsed by the response including the wearing of uniforms in public, an armed forces’ and veterans’ public holiday, greater support for homecoming parades and the expansion of cadet forces. Although neither the report nor the response refers specifically to the military covenant, both papers tacitly acknowledged its principles.

The command paper, published in July 2008 (The Nation’s Commitment: Cross Government Support to Our Armed Forces, their Families and Veterans), promoted two key principles: ending any disadvantage that arises from serving in the armed services for military personnel, their families or veterans, for example in relation to access to NHS services, affordable housing and school places, and improved support for the wounded, in part through the armed forces’ compensation scheme.

Armed forces advocates were to be introduced in each Department of State to assess the impact of proposed policies or legislation on the service community and an external reference group, which included representatives of forces’ families, would monitor delivery. The group’s first annual report, published in November 2009, drew a response from the Secretary of State that, while much has been achieved, much remains to be done.

Done by whom? With predictions that the Ministry of Defence faces a possible reduction in real defence spending of around ten to 15 per cent between 2010-2016, it can be assumed that the government might call on the ‘third sector’ of military charities to help it to fulfil its role in a renewed military covenant.

The RUSI workshop that Ben McBean addressed brought together the MoD’s various welfare branches, leading charities and those representing current welfare recipients. However, while the government might outsource its responsibilities towards military personnel to the voluntary sector that can rightfully claim relevant expertise, any heavy-handed government interference in that sector might cause difficulties.

Also, if the government were perceived to be off-loading its moral obligation towards serving or former military personnel and their families, it would be breaking the spirit of any renewed covenant.

Going as far as enshrining the covenant in law would mean that legal redress could be sought by those who perceive its terms as being broken. Whether the authors of the military covenant foresaw these potential litigation issues, and the associated difficulties of managing the expectations of those who feel aggrieved by what the covenant fails to do for them — all likely to be exaggerated by the spending review later this year — is unlikely.

Donations to forces’ charities are one means by which the nation — synonymous with the general public rather than government — shows that it wishes to honour the military covenant. In 2007 General Dannatt voiced his concerns about the gulf between the public and soldiers, something that today seems to have been bridged. Support for the armed forces seems to be unprecedentedly high (military officers often report that they have not seen such levels of support for 25 years), reflected by the reparations at Wootton Bassett and by initiatives such as ‘Tickets for Troops’.

Today, any backsliding concerning the welfare of service personnel by the government risks the opprobrium of the media who are alert to right any wrongs suffered by ‘our boys’. Although traditionally there are relatively few votes in defence, policy makers are courting a public relations storm if they are perceived to be failing to honour the military covenant.

Ending the ‘unnecessary frictions and inadvertent disadvantages’ that might be suffered by servicemen and women, which were highlighted in the 2008 command paper, is not just a matter of fulfilling the covenant, but vital for the recruitment and retention of personnel. As the previous government’s green paper observes, British forces have been involved in more than 100 operations since 1998 and will continue to be deployed in Afghanistan.

Problems of overstretch and under-manning, highlighted in the 1998 SDR, continue, while casualties in Afghanistan have now reached 300, with the exact number of those seriously injured uncertain. The widespread appeal of the military covenant and its central place in service personnel policy have meant that issues such as mental health support for veterans should not be an afterthought in the future Strategic Defence and Security Review.

History reminds us there is nothing new in reminding the nation of its responsibilities towards the military. On 11 November 1920, Earl Haig stated: ‘It is only by discharging fully our obligations to living ex-servicemen and to the dependents of all who fought for us, that we can hope to square our account with those who gave their lives for us and ours.’

Surely injured veterans like the 21-year-old Ben McBean would agree yet one problem that he might face is the prospect of a more indifferent public once the current war comes to an end, which could be sooner than was thought a year ago.

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