

Restore the Militia for Homeland Security

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The Congress shall have power ... To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions;

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress...

The Constitution of the United States, Article I, Section 8

The United States should restore the militia to its original, constitutional role of homeland security to provide the large numbers of trained, armed, and disciplined military units that are needed to deal with terrorist attacks on America.

Defending America from terrorist attacks requires a lot of people. Managing the consequences of the 11 September attack involved hundreds of firefighters, police officers, emergency medical technicians, health care workers, engineers, military personnel, and just plain citizens. Military forces in particular will be needed-most of them for population control, physical security, and logistical support. One of the most striking features of the 11 September response and recovery operations was the large number of military personnel used to manage crowds, secure the incident areas, and guard key facilities against follow-on attacks. Most of the military personnel who helped out in the aftermath of the attack were from the National Guard, many of them under state command and a few called to active duty for various reasons.

But the National Guard is no longer the militia. In accordance with the Total Force Policy, the National Guard is funded, organized, trained, and equipped by the Federal Government to wage war overseas. The National Guard and the Federal Reserve Components (Army Reserve, Naval Reserve, Air Force Reserve, and Marine Corps Reserve) are maintained "to be the initial and primary source of augmentation of the active forces in a future emergency requiring a rapid and substantial expansion of the active forces."^[1]

The National Guard sufficed during the Cold War in a dual status-as state forces to respond to natural disasters and civil disorders in peacetime and as federal forces for the hypothesized big war with the Soviet Union. That dual status is no longer feasible during the war on terrorism when governors will need to have assured access to substantial numbers of military personnel for homeland security. Even if a portion of the National Guard is dedicated to homeland security, the bulk of the National Guard is needed to augment the active Air Force and Army. Governors cannot count on using National Guard units for homeland security if those units are going to be mobilized to fulfill their federal missions.

Instead of expanding the National Guard to carry out its federal and state missions at the same time, it would be better to rely on militia for the state missions. Compared to the militia, the National Guard is expensive. It has costly equipment (tanks, jet fighters, missiles) not needed for homeland security operations, and it requires highly trained personnel, 10 percent of whom are full-timers provided to ensure the combat readiness of the part-timers. Even in wartime, the size of the defense budget will limit the strength of the armed forces, including the National Guard, to those needed for winning the war against terrorism, continuing ongoing smaller-scale contingencies, transforming to a future force, and remaining ready to deal with other major theater wars.

Some of the large numbers of military personnel needed to defend America can be provided at low cost by using militia to provide troops for the governors to use to maintain law and order and protect the citizens of their states in the face of the full range of emergencies-particular terrorist attacks. While terrible, the 11 September attack and the subsequent anthrax attacks are small in comparison to possible future campaigns, which could include a major coordinated set of attacks that disrupt essential services over a large section of the country for weeks or months. In that

kind of complex, coordinated terrorist campaign, governors would need state military forces in addition to the federally funded National Guard to maintain law and order. Unfortunately, these state military forces-the real militia-do not exist in effective form today.

To understand why the United States no longer has the militia provided for in the Constitution, it is useful to start at the beginning of American military policy. Like so many other things, our current condition is the result of years of adjustments to the original vision of the Founding Fathers.

The Legacy of the Seven Years War

Sometimes a book comes along at just the right time to change one's entire way of thinking on a particular topic. That is the case with Fred Anderson's fascinating book about the Seven Years War.ⁱⁱ[2] The book is not only a good read, but it also makes it clear that the foundations of American military policy stemmed from a war that most people consider to be merely a rather mysterious prequel to the American Revolution. Specifically, this book provides the basis for new understanding of the role of the militia in national defense.

An uneasy and contentious relationship between the militia and the regulars is a major theme in American military policy. Many students of American military policy assume that this relationship between the militia and the regulars originated in the Revolutionary War.ⁱⁱⁱ[3] The Battle of Lexington in 1775 epitomizes the minuteman tradition of the militia. The Battle of Chippewa, 1812, epitomizes the regular army tradition of contempt for the militia. (The British Commander, General Riall, noting the steadfastness of Winfield Scott's brigade under fire, is said to have uttered, "Those are Regulars, by God!" Actually, the joke was on Riall, for as David Eisenhower reveals in his excellent biography of Scott, those "regulars" were really raw recruits rigorously trained by Scott and his officers for 90 days-the same training period considered necessary today to train a National Guard combat brigade to be ready to fight.^{iv}[4] Anderson's work suggests that the fundamentals of American military policy with respect to the militia were established during the Seven Years War.^v[5]

This is an important point. If the Lexington-Chippewa paradigm is followed, there is a two-way division between militia and regulars. Until the Cold War, American military policy had been to retain a small force of regulars that would be augmented by militia in the event of war. However, practice did not match this putative policy. For the first 130 years of our military history, to wage war the minuscule regular army was augmented by volunteer units-not by the militia *per se*. Oh, yes, in some instances militia units volunteered *en masse* (or almost *en masse*) to become volunteer units, but they served as volunteers.

In the twentieth century, the militia became increasingly professionalized until under the Total Force Policy it became a *de facto* federal force. In the twenty-first century, the distinction between the militia and the regulars has narrowed even more as efforts to "integrate" the National Guard and the Reserves put them to work doing the same things that the active components do. The two-way division between the militia and the regulars does not explain the historical experience and makes it hard to envision the proper role of the National Guard and the Reserves in homeland security.

Anderson's book makes it clear that there was actually a three-way split—regulars, provincial troops, and militia. This formulation provides a historical precedent and a logical foundation that explain how the relationship that was the legacy of the Seven Years War has evolved into the situation of today.

In the Seven Years War, there were three separate military forces, or components, as we now call them: British regulars, provincial troops, and the militia. The British regulars and the provincial troops were both excellent military organizations, and they did the expeditionary fighting into the wilderness. The militia stayed home and guarded their own villages and towns. The British Army forces were long-term professionals schooled in the linear tactics of continental warfare, well armed, well trained, and disciplined for withstanding the rigors of musketry. Provincial troops were volunteers who enlisted for a fixed term of service of 6 months or a year and were paid by the colonies. In their own way, the provincials were also competent, well armed, well trained, and disciplined. They were not a ragtag militia in any sense. The First Virginia Regiment commanded by Colonel George Washington and the Second Virginia Regiment commanded by William Byrd were disciplined organizations made up entirely of volunteers who defended the frontier of Virginia while the militia was used for local internal security.^{vi[6]} Provincial troops from New England, particularly from the Massachusetts Bay Colony, served alongside the British regulars in the defeat at Fort William Henry (1758), battles in upper New York (1759), the conquest of Canada (1760), and the invasion of Cuba (1762).^{vii[7]}

The British Army had a superior attitude and condescended to the provincial troops. In fact, early on in the Seven Years War, the British policy was that a British Army subaltern (second lieutenant) outranked colonels and even generals in the provincial troops. The colonists objected to this rule and simply refused to go on campaigns with the British troops. That is why the two forces campaigned separately for much of the early part of the war. After a few years, the rule was relaxed, but the British Army maintained a haughty attitude toward the provincials to the end, which contributed no doubt to their subsequent defeat in the Revolutionary War.

The National Guard of today is the modern counterpart of the provincial forces of the Seven Years War. They are professionals, albeit part-timers, and their role is to fight alongside the regular forces on foreign campaigns. Gradually during the twentieth century, the militia, whose role is to defend the homeland, disappeared.

After the Spanish-American War, in which volunteer forces played an important part, the Army became more professional in order to meet the challenges inherent in supporting the nation's new international role. The militia, having been notably inept in previous wars, was also professionalized. It was provided with federal funding, equipment, and training, and in return it was expected to meet federal standards for recruiting, officer training, professional military education, promotion, and performance. In effect, the National Guard was being transformed from the militia into the modern equivalent of provisional forces.

During the two world wars, the National Guard was called into federal service and contributed trained officers, soldiers, and units to help the regular army expand. During the Cold War, the National Guard was transformed from an ill-equipped, undermanned, half-trained organization into a first-class fighting force capable of providing a strong second echelon of reinforcements to wage global conventional war

against the Soviet Union. The transformation culminated in 1989, at the end of the Cold War, by which time the National Guard had reached unprecedented heights of military professionalism and competence in its primary role as the reserve of the Army and Air Force.

Following the end of the Cold War, the National Guard did not return to a militia posture. Facing unanticipated demands to conduct sustained smaller-scale contingencies while maintaining readiness for theater wars, the regulars found it necessary to call on the National Guard (and the federal Reserve components as well) to provide additional units and personnel to sustain current operations. The National Guard in effect was being transformed yet again, this time into a peacetime quasi-active force. The Air National Guard and Air Force Reserve had already become quasi-active forces in the 1980s, when by a process of self-selection their membership became composed largely of personnel who were willing to spend more than the minimum training time of 39 days per year and contributed significant effort to sustain Air Force operations worldwide.

In the 1990s, the trend toward peacetime use of part-time soldiers to augment inadequate regular forces accelerated. Increased use of National Guard and Reserve forces for peacetime operations was supported (and perhaps stimulated) by the presence in each Reserve component of a significant number of full-time active Guard-Reserve personnel—mostly officers and senior noncommissioned officers. These active Guard-Reserve personnel, whose active Guard-Reserve status was their primary job, soon moved into key command and staff positions. Many of these full-time military personnel welcomed the opportunity to participate in operational missions in support of the active components.

The result of all this is that the Guard and the Reserve are today highly professional forces that are structured, trained, and totally committed to their role as the reserve of the armed forces for major and minor wars and overqualified and too expensive to serve as militia in defense of the homeland, and maybe committed elsewhere.

Home Defense Forces in the World Wars

A note on nomenclature is needed at this point. Many names have been applied to the various forms of militia. Here, the general term *home defense forces* is used to describe existing state military forces other than the National Guard. These home defense forces have been called many things, including National Guard Reserves, State Guards, Home Guards, State Defense Forces, and State Military Forces. These terms will be used in connection with a particular era. The generic term *home defense forces* from here forward will be used in descriptions of policy and programs.

During World War I and World War II, the National Guard was mobilized into federal service and unavailable to serve as state troops. However, the governors' responsibilities for disaster response and civil security did not stop during the war, and some threats, such as sabotage and enemy raids, become more important than in peacetime. Home defense forces were authorized by Congress and formed in most states to meet the homeland defense needs of those eras.^{viii}[8]

The Constitution does not provide for home defense forces. In fact, the Constitution says: "... No State shall, without the consent of the Congress ... keep troops, or ships of war in time of peace ..." (Article I, Section 10).

During the preparedness period just prior to U.S. involvement in World War I, Congress for the first time consented to having home defense forces for the states in the event that the National Guard was federalized. The wording is somewhat convoluted. Section 61 of the National Defense Act of 1916 says: "No state shall maintain troops in time of peace other than as authorized in accordance with the organization prescribed in this Act." Section 79 of the Act, however, says that when the National Guard is federalized, "there shall be immediately organized" reserve battalions of infantry or cavalry to constitute the fourth battalion of each regiment ordered to active duty. Since the states were forbidden to form units other than police or constabulary in peace, they had little time to organize the reserve units required by the act.^{ix[9]} When the National Guard was federalized in 1916 and 1917 for World War I, several governors were reluctant to allow them to go overseas because of the need for state troops to maintain civil security.^{x[10]} In response to that need, localities formed police and paramilitary units, and as the nation approached war with Germany, the states also organized their own police and military forces. Although this was, strictly speaking, illegal, it was allowed. The result was a hodgepodge of unit types with varying degrees of training and varying quality of equipment. As the war got under way, Congress authorized the states to form home guards.

The Home Defense Act was enacted on 14 June 1917 in response to the evident need for military forces to serve as state troops. The act established the rules for federal support of the home guards and legitimized what had already been done de facto by the states. The act authorized the Secretary of War, during the emergency, to "issue from time to time to the several States and Territories and the District of Columbia for the equipment of such home guards having the character of State police or constabulary as may be organized under the direction of the governors of the several states ..." The law gave specific permission to provide "rifles and ammunition, cartridge belts, haversacks, canteens, in limited amounts as available supplies will permit."^{xi[11]} By December 1917, there were home guard units in 42 states, and these had an aggregate strength of about 100,000 men.

U.S. involvement in World War I lasted 19 months, and the problems posed by home defense were met adequately by improvised local and state solutions. After the war, some of the home guards were transferred to the National Guard, but most of the units were dissolved. The home guards were gone, but the need for organized military units to provide home defense was still remembered when the nation started preparing for World War II.

Substantial efforts were made to provide for internal security in World War II. State guards were organized in 46 states and Puerto Rico, with an aggregate strength of about 150,000 members. These state guards were used for four principal missions during the war: peacetime duties of the National Guard, full-time guard duty in coastal areas during the year after the attack on Pearl Harbor, as auxiliary combat troops in the event of hostile invasion (1942-1944), and, after March 1944, primarily for internal security. The idea behind the state guards of World War II is well stated in the following excerpt from the HERO Study:^{xii[12]}

In keeping with the managerial requirements of total war, the federal government coordinated domestic military planning, participated actively in setting standards for state military forces, and provided arms, equipment, training, technical guidance, and some financial assistance to the states. Overlapping federal and state roles occasionally blurred the traditional constitutional distinction between the responsibility for repelling invasion and the duty to maintain local law and order. Wartime developments resulted in several changes of mission for home defense forces including a combat role. Although never called upon to fight, state forces in World War II provide a successful substitute for the National Guard in the more routine internal security duties.

The primary focus of the state guards, despite the excursion into a combat role, was on espionage, sabotage, and maintenance of law and order. The National Defense Act of 1916 was modified in 1940 to provide a legal basis for the state guards and authorized support for them by the Secretary of War. State guards were intended to be "solely state forces, whose employment and composition were determined by the governors. Federal involvement was still intended to be indirect and limited....Training objectives would be prescribed by state authorities..."^{xiii}[13]

Because of the uneven distribution and readiness of the state guard units, the government did not rely exclusively on them for internal security. The U.S. Army also played a prominent role in homeland security. After the attack on Pearl Harbor, the Army used 30,000 combat troops for a few weeks to provide physical security for vital installations, such as war production plants and key military facilities. In January 1942, the Army formed 51 Zone of the Interior military police battalions staffed by officers and noncommissioned officers too old for combat duty and limited-service enlisted personnel. The number of Zone of the Interior military police battalions was later increased to 89. These battalions were not used as guards at key facilities, but were stationed near important installations to act as reinforcements for the state guards in case of civil disturbances or other emergencies.^{xiv}[14]

The biggest problem facing the state guards during World War II was the demanding requirement for static physical security. The state guards were neither organized nor intended for continuous full-time service. State guardsmen were civilians with jobs, and they expected brief periods of active duty in case of disasters, riots, or attacks. Guarding facilities was labor intensive, boring, and costly. Moreover, the employment of large numbers of personnel on static guard duties reduced the number of personnel available for dealing with specific emergencies. To meet all the requirements, many states encouraged the formation of local home defense forces in addition to the state guards. Other measures were taken to provide for physical security of key facilities. The Coast Guard used special police to guard the ports. Private companies were held responsible for the security of their factories and warehouses.

The state guards were separate from the Civil Defense Program structure, which was supported by the federal government and staffed by civilians, many of them volunteers. In most states, the state guards and civil defense programs were linked only at the very top, in the person of the state adjutant general. As the war went on, these two organizations learned to cooperate.

After World War II, the state guard program was terminated. The enabling provisions of Section 61 that had been enacted in 1940 to permit formation of state guard units were rescinded. The National Security Act of 1947 made no provision for state guards.^{xv[15]} After worthwhile service in World War II, the state guards disappeared as the National Guard returned to reassume its traditional role as state troops.

There was a brief flurry of interest in home defense forces in 1949-1950, when the Cold War was just getting started. Studies of the Civil Defense Program by the National Security Council and the Department of Defense (DoD) concluded that state internal security duties were "only semi-military functions" and that the forces performing them should not be combat units because they would be taking the place of National Guard units, whose "military character derived from their federal mission."^{xvi[16]}

This effort was overtaken by the Korean War, for which National Guard units were mobilized from several states. The National Guard Association in August 1950 sponsored legislation to allow cadres of state military forces to be maintained at all times in addition to the National Guard. The Army objected to the provision of the bill that made the National Guard Bureau responsible for the coordination and planning with the states. The bill was passed on 27 September 1950.

Several states organized state military forces to replace mobilized National Guard units. Because the war required only a partial mobilization of the National Guard, there was uncertainty and uneven action to form National Guard Reserve units. The Army was preoccupied with avoiding defeat in Korea while creating an effective combat force in Germany. DoD did little to support the home defense internal security battalions that some of the states were forming. There was great confusion and little progress. The result was that some states had these forces, and others did not. The program was not a great success, despite the initial enthusiasm and the need. When the federal authority for state home defense forces expired in September 1952, the existing forces were disbanded.

For the next 30 years, there was almost complete inactivity in the state guard program. Federal authority had lapsed, and a few states, such as New York and Texas, retained state guard units, but for all practical purposes the home defense forces disappeared, along with knowledge about them.

The Attempted Revival of Home Defense Forces for the Final Cold War Campaign

In the 1980s, the Office of the Deputy Assistant Secretary of Defense for Reserve Affairs initiated a revival of the home defense forces.^{xvii[17]} At this time, the Office of the Secretary of Defense became really serious about "a major conventional option" in Europe in the late 1970s and early 1980s. President Carter, and then President Reagan, wanted to avoid nuclear warfare and preferred to have a credible capability to fight the Warsaw Pact without having to resort to first use of nuclear weapons. The national security strategy called for total mobilization of the entire force structure of all the military services-active, Guard, and Reserve. The war plan also called for the deployment of almost all of those forces to the theaters of war-primarily Europe. That meant that the homeland would be left without adequate forces to preserve civil security or deal with the threats of enemy actions. A massive nuclear attack and Spetznaz (Soviet special operations forces) raids were the threats

in those days. Although there would be many active-duty military personnel in the United States, these would be service troops engaged full-time in supporting the military forces operating overseas. There would be few if any federal military personnel available for home defense, and the National Guard would not be available to the governors.

The drive for a major conventional option in Europe was accompanied by the Strategic Defense Initiative and a renewed interest in the Civil Defense Program. When considering how to maintain civil government and save lives in the event of a Soviet nuclear attack, one of the missing ingredients was state troops.

The Reserve Affairs Office in the Office of the Secretary of Defense set about to take care of this problem. A historical review of previous efforts was commissioned. The law was researched. A program was initiated to encourage the states to form and sustain State Defense Forces to provide military forces for the governors in the event of war. Authority was obtained to provide from excess DoD stocks the rifles, vehicles, uniforms, and radios the State Defense Forces would need for training and to do their jobs if called on.

The State Defense Forces program was a vital element of plans to protect the population against a massive Soviet nuclear attack and to reconstitute society under civil rule in the aftermath of that attack. A major assumption in the Civil Defense Program was that the armed forces and their reserve components, including the National Guard, would be busy prosecuting the war that led to the nuclear attack and would not be available to participate in civil defense. The Civil Defense Program was designed to rely entirely on civil agencies and private-sector companies. However, the need for properly trained, equipped, and disciplined military units was evident, and the State Defense Forces were intended to meet that need.^{xviii}[18]

Responsibility for the revived State Defense Forces program was assigned within DoD to the National Guard Bureau and the adjutants general of the states. This was logical, for once the National Guard was on federal active duty, the National Guard would have no real mission in the war and could be gainfully employed in support of the governors in the homeland defense mission by seeing to the support of the State Defense Forces. The adjutants general and the state military headquarters also would not be placed on federal active duty and would continue to command the state military forces for the governors, except that these would be the militia (State Defense Forces) instead of the provincial troops (National Guard).

It seemed as if an effective program had been established to fill the needs of the governors for military forces when the National Guard was mobilized and deployed overseas. This was too optimistic.

Opposition to Homeland Defense Forces

There are no effective home defense forces in the United States today because of the opposition to them by the National Guard, the adjutants general of the states, and the National Guard Association of the United States. The proximate cause of this unsatisfactory situation is the failure of the National Guard Bureau to carry out its assigned mission to encourage and support strong home defense forces for Cold War duties.

The National Guard Bureau was not enthusiastic from the start about the State Defense Forces program of the 1980s. Responsibility for the program was assigned to the care of a mid-level civil servant and allowed to languish in the backwaters of the bureaucracy. After an initial period of growth, the State Defense Forces withered away.

National Guard leaders, including many of the adjutants general, admit in moments of candor that they do not like the State Defense Forces program. They complain that the State Defense Forces were too political, had too many generals and colonels, and were just a bunch of old fogies interested more in wearing uniforms than in doing anything useful. It seems that some State Defense Force generals had obtained three stars, and this offended the adjutants general, who had only two. There was also talk about the Home Defense Forces putting on airs and competing with the "real" National Guard. There were turf battles in some states between the National Guard and the state guard, which appears odd because in all of the statutes but one the adjutants general command both the National Guard and the State Defense Force. But these complaints are petty and do not justify abandoning the State Defense Force program. After all, the National Guard Bureau and the adjutants general were in charge and were responsible for the decline of the State Defense Forces. The National Guard won a decisive victory in the turf battles, for the State Defense Forces today are moribund.

The official militia still exists in 19 states.^{xix[19]} They are called state guards or State Defense Forces and are authorized and commanded by the governors acting through the state adjutant general. They consist of volunteers who train and also provide emergency and community support services. Members are obliged to serve on state active duty if so ordered by the governor.^{xx[20]} The strength and level of activity of the state guards are determined by the attitudes of their adjutants general and vary widely from state to state. Strength has declined in recent years and they now have an aggregate strength of about 8,000, mostly older people, as they themselves admit somewhat bitterly.^{xxi[21]}

It is useful to consider why the National Guard, which has been transformed into professional provincial troops to fight alongside the regulars, has such contempt for the militia from which they sprang; it is curious because the National Guard in its new role as integrated provincial troops faces the same kind of contempt from the regulars in the active components. Despite the Total Force Policy and a long menu of integration efforts, the Army in particular does not like the National Guard very much and would really like to be able to fight without it. Apparently, the National Guard, which knows it is scorned by the regulars, feels compelled to look down upon the state guard in the same way. People are strange.

The sad story of the state guard would be merely another interesting bit of historical trivia were it not for the fact that there is today neither an effective force nor a workable plan to have state military forces either to substitute for the National Guard when it is mobilized or, more likely in the current war, to augment the National Guard when it is fully committed.^{xxii[22]}

Revitalization of the Constitutional Militia

The President and Congress should consider authorizing and encouraging the governors to establish effective state guards to serve as state troops for homeland defense. President Bush, Homeland Security Director Tom Ridge, and Attorney

General John Ashcroft have been governors, and they know the importance of state military forces.

The revitalized state guards should be under the command of the respective governors and be dedicated to homeland defense duties within their respective states. They should be supported by the states but subsidized by the federal government at least to the extent of making military uniforms, arms, field gear, vehicles, radios, and other supplies and equipment available from DoD stocks deemed as excess to the needs of the armed forces and the National Guard.

Based on analysis of threats and capabilities, each state's governor should propose the personnel strength needed for the state guard. While each state would vary in strength, if the average strength for the 50 states is 5,000 personnel (a small number given the need), the total number of state guards nationwide would be 250,000. This is quite likely a low figure, and the total that might be needed to deal with a massive attack could be more like 500,000.

The rules and regulations for members of the state guard would be prescribed in federal statute and state law. Here are some possible guidelines.^{xxiii}[23] The members of state guard units should be volunteers from the ages of 18 to 65. They would agree to serve for 2 to 3 years and complete successfully a short (2- to 3-week) initial training period plus one week of annual training. They would agree to serve from time to time on full-time state duty during emergencies. The recruiting base from which the state guardsmen would join includes older people (many with prior military service), young people disinclined to enlist in an active or Reserve component, and many of those who do not qualify for service in the armed forces. There would have to be minimum standards of physical condition and prior behavior. The governors would appoint officers on the basis of local recommendations.

The state guards should be organized and equipped for internal security duties—primarily population control, physical security, and logistical support. There could be three basic kinds of units. Mobile security battalions would resemble military police battalions and have small arms and light automatic weapons, light vehicles, and lots of radios. Physical security battalions would be organized to provide full-time security at key installations for extended periods. Support battalions would provide a capability to marshal and manage the use of civil resources for emergency response. Brigade headquarters would command several battalions for training and operations, and the brigades would report to the state military headquarters. Minimum training requirements, including qualification in small arms and light automatic weapons, would be established. A standard uniform should be adopted for all state guards, with state and local identity displayed by distinctive shoulder patches.

Responsibility for the formation, organization, and support of the new state guard units should be assigned to an agency in the executive branch of the federal government. The National Guard Bureau would still be the best headquarters to perform this task, but given its previous opposition to state guards, this might not work out well. It might be prudent instead to task the Federal Emergency Management Agency to manage the state guard program as part of its overall responsibility to coordinate civil preparedness. The assignment of this job is up to the president.

The United States needs a secure base from which to wage unrelenting war on terrorism. Many things need to be done to provide that secure base and defend America. One important step would be to provide at low cost a significant number of trained military personnel who would be dedicated to support state and local authorities in preparing for and responding to terrorist attacks. This can be done by restoring and revitalizing the militia-state guards-to perform their original, constitutional role.

xxiv[8] T. N. Dupuy, Grace Hayes, Bradley Chase, and Thomas Tulenko, US Homeland Defense Forces Study, Historical Evaluation and Research Organization, 1981. I commissioned this study while serving as the Special Assistant to the Deputy Assistant Secretary of Defense for Reserve Affairs. It is the definitive, and perhaps only, work on this subject.

xxv[9] Home Defense Forces Study, pp. 6-8.

xxvi[10] In this discussion, the term *state* includes territories and the District of Columbia.

xxvii[11] Quoted in the Home Defense Forces Study, p. 10.

xxviii[12] Home Defense Forces Study, p. 32.

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i[1] Secretary of Defense Melvin B. Laird, Memorandum to the Secretary of the Military Departments, 21 August 1970, quoted in Stephen M. Duncan, *Citizen Warriors* (Novato, CA: Presidio Press, 1997), pp. 140-141. This statement by Laird is the Total Force Memorandum.

ii[2] Fred Anderson, *Crucible of War: The Seven Years War and the Fate of Empire in British North America, 1754-1766* (New York: Alfred A. Knopf, 2000). (In Europe, the war lasted from 1756 to 1763, hence the name; in North America, the fighting covered a longer period.)

iii[3] I am one of those persons, and the Seven Years War was a real revelation for me.

iv[4] John S. D. Eisenhower, *Agent of Destiny: The Life and Times of General Winfield Scott* (New York: The Free Press, 1997). See Chapter 8, "Victory at Chippewa," especially pp. 77-84, for an account of this battle.

v[5] All events and policies have historical antecedents, but in some cases, including this one, the events of an era have great influence in shaping subsequent events and policies.

[\[6\]](#) Anderson, op. cit., pp. 159-160, 203-204, 230-231.

vii[7] Anderson, op. cit., passim.

xiii[13] Ibid., p. 37.

xiv[14] Ibid., p. 41.

xv[15] Ibid., p. 83.

xvi[16] Ibid., p. 85.

xvii[17] I was a senior executive in the Office of the Secretary of Defense during this period, serving in the Reserve Affairs Office, and was instrumental in recognizing the need and initiating action to revive the state defense force program.

xviii[18] As associate director of the Federal Emergency Management Agency for National Preparedness Programs, I helped formulate the conceptual framework and plans for population protection and continuity of government.

xviii[19] The official militia is not to be confused with the unauthorized and illegal "militias" that exist in some states to represent extreme political views.

xviii[20] Paul T. McHenry, "Militias Are Official in 25 States," State Guard Association of the United States official website: <http://www.sgaus.org/>, 28 October 2000.

xviii[21] Telephone interviews with Brigadier General M. Hall Worthington, President of the State Guard Association of the United States, and Colonel Paul T. McHenry, the association's former Executive Director, 25 October 2001. Colonel McHenry has written several articles about the recent history of the state guard. The articles may be viewed on the association's website.

xviii[22] Just about a year ago, when I was thinking hard about the problem of homeland defense, I ventured to ask a highly respected National Guard general about the chances of resurrecting the home defense forces, and he replied that this would be difficult because the adjutants general did not like them. Same old story!

xviii[23] These are merely possibilities. A working group consisting of federal and state officials should be formed to establish the policies and regulations for the administration of the state guards.