



Published on *The American Legion* (<http://www.legion.org>)

A well-regulated militia

By James Jay Carafano - April 1, 2008

Featured in [The American Legion Magazine](#) [2]

When America's founding fathers authored the documents that gave birth to the new republic, they strongly held that few institutions are more important than a well-regulated militia. Large-standing armies, they believed, could become instruments of tyranny. According to consensus, it would be better to rely on volunteer citizen-soldiers to take up arms in times of crisis. Signers of the Constitution enshrined the right of individual states to raise and maintain their own home guards, and local militia became one part of the bedrock of good governance and a vital instrument for the preservation of American liberty.

Since then, the concept of a citizen militia has grown and adapted to suit the needs of a changing nation. One of the first U.S. laws, the Militia Act of 1792, required all free white males between 18 and 45 to arm themselves and attend local musters. The law was never seriously enforced, and over the course of the century, militias consisted mostly of local volunteer military organizations that varied widely in scope and character. While the militia never evolved quite as Congress intended, citizen service became ingrained in American culture. During the Civil War, for example, Union volunteer forces dwarfed the numbers of the regular Army. The citizen-soldier concept became more formalized in the wake of the Spanish-American War, and by the outbreak of World War I, the American militia system was much more regularized, as it is today in the form of the Army and Air National Guard.

One element of a well-regulated volunteer militia, state defense forces, doesn't get much attention but could play a vital role in keeping the nation safe, free and prosperous in the 21st century, especially during a time of extended war-zone deployments by National Guard units. U.S. law allows states to raise and maintain SDFs. As the emergency response to Hurricane Katrina demonstrated, they can be an important supplement to the National Guard, particularly during disasters. When trained, disciplined and well-organized, local responders can provide immediate aid and security. Congress and the Bush administration should encourage states to better organize, train and equip these volunteer units. State to state, the levels of interest and support for SDFs vary greatly, from the vital and strong to the nonexistent.

Prominence to Passé and Back Again. State defense forces first rose to prominence during World War I, when most National Guard troops were federalized and shipped overseas. A few states, mostly in the Northeast, organized formal "home guards" made up of local volunteers. About 100,000 armed and trained SDF volunteers guarded key infrastructures and secured the coastlines and land frontiers during the war.

During World War II, about 200,000 of these home-guard volunteers, with U.S. War Department support, replaced the mobilized National Guard. California, for example, was so concerned with the threat of Japanese sneak attack that it spent \$40 million on its guard during the course of the war. After Pearl Harbor, the California State Guard expanded to 20,000 members. During the Cold War, many states relied on their defense forces to support civil-defense missions.

The Special Defense Force program was revived in 1980, on the premise that SDF personnel would have to replace the National Guard on the home front if troops were mobilized to fight in Europe. The total number across the nation peaked at about 20,000.

As the Cold War wound down, interest in the state forces lapsed. With the implementation of the total-force concept at the Pentagon and the success of the all-volunteer military, Washington increasingly emphasized the National Guard, increasing its funding, training, modernization and professionalism. As a result, states were content to rely on the Guard. Also at the time, concerns over civil defense had waned. Many state adjutant generals cut funding, ignored or even disbanded their SDF units. Post-Cold War SDFs throughout the United States soon became loosely organized volunteer organizations serving mostly in ceremonial capacities, along with a few small but effective state organizations. Currently, 23 states maintain state defense forces of some kind, with a nationwide total of about 14,000 personnel.

Now, however, with increasing worries over homeland security and natural disasters - along with the frequent and extended deployment of National Guard units - some states have renewed their interest in the SDF concept. One of the greatest values of the program is that it requires absolutely no new legal framework. States can build robust, practical, efficient organizations under existing authorities. The Constitution and U.S. Code Title 32, Sec. 309, authorize state defense forces. An SDF is under the command of the governor and reports to the state's adjutant general. The state's constitution and laws prescribe the force's duties and responsibilities.

Unlike the National Guard, SDFs are state-only and not funded by the federal government. In order to use armories, train at military installations and receive in-kind support, states have to comply with federal standards for the National Guard in matters of accession, training, uniforms and discipline. SDF personnel receive no pay for training but may be paid for active duty under state control.

Called to Duty. Hurricane Katrina revived public awareness of SDFs. Several thousand home-guard personnel from at least eight states helped in the aftermath of the 2005 disaster along the Gulf Coast. Louisiana activated all of its SDF units. About 150 members were used in support of the Louisiana National Guard. Mississippi also activated all of its state guard personnel, principally in support of the Army National Guard, to provide security and to operate shelters. Under the direction of the adjutant general, Alabama SDF personnel assisted in providing security and supporting operations of the Alabama National Guard.

The Texas State Guard activated more than 1,000 members to paid active duty. Medical and military police units received evacuees at Kelly Air Force Base and supported operations at the Houston Astrodome, and at shelters in four other locations within Texas. Georgia SDF personnel were activated on unpaid status to process evacuees through Dobbins Air Reserve Base, and to provide medical and administrative support and security for shelters. Virginia used about 100 unpaid volunteers as part of the Katrina response operation. This allowed additional members of the Virginia National Guard to deploy to the Gulf Coast. Members of the Virginia defense force assisted in the deployment of National Guard units and provided security for armories. The Tennessee State Guard was alerted Sept. 1 and activated 150 volunteers to secure and support

shelter operations at several locations.

The Maryland Defense Force Medical Command made one of the most notable and interesting deployments. Within five days of the storm, the command had organized and was ready to send in 22 medical and support personnel to help with relief efforts. The team was linked with 68 volunteers drawn from health and mental-hygiene offices across the state. It was a unique mix that combined desperately needed medical services with a military-like command-and-control headquarters that could arrange transportation and support. In effect, the medical volunteers instantly became a temporary SDF team. The new unit was virtually created on the tarmac before two Maryland Air National Guard C-130 crews flew the volunteers straight into the disaster area. The command set up six treatment stations and provided care for more than 6,000 victims.

A Renewed Role. Katrina demonstrated the difference between a normal disaster and a catastrophe. Normal disasters call for a cascading response: local community resources have primary responsibility and, when their resources are overwhelmed, they seek aid from the state. When state assets are exhausted, the federal government steps in. The process usually takes days.

In catastrophic disasters, state and local responders are stressed from the start. In these situations, it is vital to draw on volunteer groups to help until federal authorities can mobilize.

State governors have great responsibility for preparedness and response to catastrophic emergencies, but they have few resources available to them other than their National Guards. SDFs provide a low-cost way for states to increase capability and to organize other volunteer groups during times of crisis. However, they have received hit-and-miss attention. Some state adjutant generals want strong and effective SDFs as part of their state military departments. Others resist SDFs because of the additional burden of managing them. Historically, the Pentagon has offered little support or advice to states about SDFs. While the Department of Homeland Security promotes volunteer participation in national preparedness and response programs, it, too, has paid scant attention to SDFs.

Neglecting this kind of service is a mistake. With National Guard forces being called to active duty more frequently than at any time since the Korean War, the need for SDFs to provide backup support to the states is not only apparent - it's obvious.

Making It Work. A special defense force should be at the core of any state's volunteer services in times of crisis. SDFs, according to some estimates, could muster up to 250,000 volunteers throughout the country to help handle disasters anywhere, providing a plethora of services from medical aid to rebuilding infrastructure.

Congress can help by establishing a legislative framework to require appropriate cooperation between DoD, Homeland Security and state governments on SDF matters. One bill, the State Defense Force Improvement Act, was introduced by U.S. Reps. Joe Wilson, R-S.C., and Lincoln Davis, D-Tenn. The act seeks congressional recognition of state defense forces as "an integral military component of the nation's homeland security effort" under state control, and for use at the state level in accordance with state laws. The measure would also authorize the Pentagon and Department of Homeland Security to provide limited support for SDF at no direct cost to the federal government.

States do not have to wait for Washington. Texas, Maryland and others offer a number of models and best practices that can be adopted right now to make local SDF units more robust and

effective. State officials and local leaders can achieve a great deal at little cost if they invest only a modest amount of effort in establishing, organizing or revitalizing their SDF capabilities.

In the national debate over how the United States can best respond to major disasters such as Katrina, Washington does not have all the answers. Strong community response through volunteer groups, such as state defense forces, is an essential part of preparedness and is not too far from what the founding fathers had in mind.

James Jay Carafano, a retired U.S. Army lieutenant colonel, is an expert in military defense and homeland security at The Heritage Foundation.

A former assistant professor at the U.S. Military Academy at West Point, he is the author of many books and studies.

Source URL: <http://www.legion.org/magazine/1533/well-regulated-militia>

Links:

[1] <http://www.legion.org/print/1533>

[2] <http://www.legion.org/magazine>