

MILITARY CONSCRIPTION & WAR: AN ALTERNATIVE TO PRISON

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INTRODUCTION

. Lieutenant General Lewis Burwell Puller, United States Marine Corps, addressed his troops before the Inchon Landing in Korea:

"We are the most fortunate of men. There was a time when a professional soldier had to wait 25 years or so before he ever got into a war. We only had to wait 5 years for this one. For all that time we have been sitting on our fat behinds drawing pay. Now we are going to work at our trade. We have chosen to live by the sword. If necessary, we will die by the sword."

. A dominant approach to resolving social problems traditionally and in contemporary society is that recurrent human conflicts such as war and crime must be controlled, or held in manageable limits to reduce the threat to society (Horton & Leslie 1978 6). Some political and economic ideologies go further, and point to an ultimately evolving Utopian society in which such human aggression no longer occurs (Coser 1977 43).

. This idealist approach to the resolution of warfare and criminal behavior has had very limited success, and the practical consideration and employment of new and more realist approaches are overdue. Rather than continue the pursuit of a social order as it might exist under better conditions and controls, some of the costs and casualties of war and crime are presented with no attempt at idealization.

CONFRONTING REALITY

War Despite our abiding interest and efforts toward peace, the United States has a history of almost continual active military involvement with other nations. During 125 of the 200 years between the 1776 Declaration of Independence and our 1976 Bicentennial Anniversary as a nation, the United States officially fought

in 10 principal wars involving 43 million military personnel. In addition, United States military forces have been employed in many other foreign conflicts to protect our interests. For example, United States marines and army troops helped to relieve Peking in China in 1900 in the Boxer Rebellion. Sailors and marines were deployed in Nicaragua between 1922 and 1924. Marine and army units actively supported Lebanon in 1958.

. United States military casualties have continued to accumulate. Since 1940 we have had 486,000 battle deaths and more than 1 million wounded during World War II, the Korean war, and the Viet Nam war. Several troublesome war-related issues have emerged in our society that should be considered. Demographers have noted the serious latent consequences of heavy military casualties on the general population. Since most military deaths are inflicted on young men, their death or disabling reduces the life chances or probability of marriage for an equal number of young women (Thomlinson 1976 22).

. Other social scientists have observed that military conscription and casualty rates differentially favor some races, regions, and social classes over others. A statistical and ecological analysis of regional support for the Viet Nam war showed that where income and social status are lower, men are more likely to enlist in the military service, and are more likely to be assigned to hazardous duty in combat units. Thus certain economically disadvantaged groups are over-represented in the casualty lists (Tennant & Bynum 1973).

. A particularly critical current issue related to the United States' war making ability is the debate over military conscription or the civilian draft. Public demonstrations by many American youth during the Viet Nam war, including

the defiant burning of Selective Service registration cards and the flight of thousands of young men to other countries to escape the draft underscore this controversy. The debate may become intensified anew as many political and military leaders continue to argue that the present volunteer army is not large or effective enough to guarantee our national security or fulfill defense alliances abroad (Reedy 1969 18).

. Despite the many complex and serious consequences of war, we conclude that the United States will continue to perceive a need for military preparedness and confrontation in the world arena. Harris polls indicate that a growing majority of Americans favor military intervention or retaliation if United States Embassy personnel being held hostage in Iran are harmed. In addition to our perceived needs to protect national sovereignty and honor, external pressure to maintain a strong and viable United States military establishment comes about through a vast network of mutual defense alliances and treaties between the United States and dozens of other nations on the periphery of the Soviet Bloc and elsewhere around the world.

. "If one visualizes the alliance system in the form of a wheel, one could say that the friends and allies of the United States are spread out along its rim, each occupying the end of a spoke, while the United States is located at the hub of the wheel. Danger to any allied country - or to the end of a spoke representing the Formosa Straits, or the territories south of Soviet Turkestan, or on the Iron Curtain in Central Europe - is communicated to the United States at the hub as a threat to the entire wheel and elicits a correspondingly strong defensive reaction (Wolfers 1959 7).

Crime Another persistent social problem that demands acknowledgment as a valid indicator of contemporary social conditions is the prevalence of criminal behavior of

most types among an ever-growing number of citizens. Regardless of massive efforts to improve law enforcement and to prevent these antisocial forms of deviance, most criminologists agree with available statistical reports that show long-range trends of increasing crime in most categories. The rising rates of violent crimes are especially serious.

. Crime rates relate the incidence of reported crime to population. A crime rate may also be interpreted as a victim risk rate. National crime rates are computed annually by the Federal Bureau of Investigation, based on a standard Index of Offenses including statistics on murder, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft.

. "The Crime Index rate of the United States in 1975 was 5,282 per 100,000 inhabitants. This was a 9 percent increase from the crime rate of 4,850 per 100,000 in 1974. The national crime rate, or the risk of being a victim of one of these crimes has increased 33 percent since 1970." (US Dept of Justice 1975)

. As with our previous discussion on war, there are several serious issues concomitant to dealing with crime in the United States. It is becoming an increasingly heavy financial burden for society to maintain correctional institutions and their ever-growing populations of prisoners. A significant part of the social cost of crime can be ascertained if we think in terms of meeting the needs and sustaining incarcerated felons. In December 31, 1977, an all-time record of 291,667 prisoners were in custody in state and Federal prisons (US Dept of Justice 1978). There has been a 44 percent increase in the number of prisoners in custody between 1972 and 1976. Serious overcrowding in the nation's correctional institutions has produced a national deficit of 20,000 beds (Johnson & Kravitz 1978). A 1976 construction cost estimate to remedy this deficit amounts to \$50,000 per bed, or a

total expense of one billion dollars for minimal new correctional facilities (Kaplan 1978 526).

More money is needed to fund the expanding numbers of state and federal employees required to staff and operate the criminal justice system. In October 1977 there were a total of 1,197,777 employees, including police, judicial, correctional and miscellaneous personnel with a combined annual payroll of \$17 billion (US Dept of Justice 1980). Individual costs per prisoner vary between \$10,000 and \$26,000. Thus, the law-abiding citizens are twice victimized; first through the direct losses experienced when a crime is perpetrated against them or their community, and second, through the taxes they pay to apprehend, convict, and maintain the criminal during incarceration.

A second issue related to our national crime problem revolves around the rehabilitation and reintegration of imprisoned persons into society. Parole and probation are widely used, not only as humanitarian and necessary steps in these processes, but as the logical means to reduce our prison populations and related expenses. The severe economic, occupational and social problems of adjustment encountered by newly released prisoners are well known (Sandhu 1974 262). Unfortunately, 40 percent of released prisoners are reimprisoned within 5 years (McKee & Robertson 1975 470). More specifically, 77 percent of persons imprisoned for robbery and released in 1972 were rearrested within 4 years. Similarly, 73 percent of persons imprisoned for rape, 64 percent of those imprisoned for murder, and 74 percent of those imprisoned for assault and released in 1972 were rearrested within 4 years (US Dept of Justice 1975). Clearly, the success of rehabilitation, parole and probation is questionable. Many members of society feel trapped in an intolerable situation of double jeopardy: either pay for the support of dangerous incarcerated criminals, or risk returning them to

our streets.

A difficult emotional and controversial issue related to crime in the United States is the efficacy of capital punishment as a crime deterrent, and the ethical and legal implications of state permission and participation in human executions. Some of the questions and propositions that continue to be debated include the following: "Do we not sink to the level of the murderer by taking his life?" "The death penalty unfairly discriminates against the poor and minority groups." "Fear of capital punishment does (not) deter capital offenses." "Can't civilization progress beyond the 'eye for an eye' ethic of revenge?" "When we take a person's life we have forever eliminated the possibility of positive and constructive contributions from that person to society." There is no consensus now nor the prospect of agreement on these questions in the future. In any case, capital punishment for a few convicted criminals would be an insignificant reduction in prison populations and the related financial burden to taxpayers.

In spite of the many serious efforts to alleviate our national crime problem, we believe that the problem will continue to grow, based on current crime statistics. We also expect an intensification of related issues, such as the cost of incarceration, parole and probation, unless new and imaginative programs are developed.

CONJUNCTION OF PROBLEMS & NEEDS

The abolition of war as a manifestation of human aggression cannot be expected. This unhappy conclusion generates and fuels the public controversy focusing on military manpower. This issue may be reduced to the questions: "Who shall serve our society in a military capacity, and who shall run the greater risk of becoming a casualty of war?"

We next acknowledge Durkheim's social reality that criminal deviance is axiomatic in human society. This precipitates the practical secondary consideration of

the social and economic strains associated with maintaining huge numbers of incarcerated prisoners. Warfare and criminal deviance are abiding human propensities and therefore intrinsic to modern American society. These two social problems will defy solution and will persist in the future just as they have in the past.

. That it is possible to capitalize on these human propensities is a practical and realistic approach to meeting societal needs. The two social problems of war and crime, together with their respective issues, can be theoretically joined in a complementary junction. The continuing threat of possible war requires military preparedness and a constant supply of trained manpower. The continuing criminal activity necessitates the incarceration and maintenance of hundreds of thousands of prisoners, most of whom are in the appropriate age range for military service.

. National leaders warn repeatedly that the United States decision to support its armed forces with volunteers has made the Army unable to maintain its strength at an adequate level to meet global commitments. Even the United States involvement in military operations considered vital to national security does not prompt an adequate surge of volunteers (Coffey 1978 1 36). At the same time, thousands of men with criminal records from federal and state prisons and from civilian life after release from prison have volunteered for military service only to be rejected because of their criminal record (Ginsberg 1959 32). Civilian industry has long followed the same practice since employers are usually unwilling to give a former convict a job. Perhaps the time is ripe for the United States to consider this untapped pool of manpower for military service. If the Army's need for men is as desperate as the prisoners' desire to get out of prison, perhaps a kind of symbiotic relation could be developed that would benefit society with enhanced military security, reduced

prison populations, reduced incarceration expenses and taxes, and the opportunity for socially redeeming and constructive employment for many prisoners.

PROPOSAL We propose the creation of a new United States military force as a supplement to our existing and traditional branches of service. This new force would be highly trained, versatile, and mobile, with an elite combat-ready orientation. About 100,000 men could be recruited that would constitute a force equivalent to 5 to 6 infantry, armored, and paratrooper divisions. These combat units would be a careful blend of volunteer officers and non-commissioned officers from the Green Beret and commando-type units in other branches of the service, American prisoners paroled for the purpose of enlistment, and foreign mercenaries. These troops would be ready and available for action anywhere American forces are needed or requested in the world. They would be the outer rim of our defensive shield and the point of our offensive spear, supplemented and supported as necessary by the other branches of the armed forces. Paradoxically, this new corps or legion would be the literal guardian of the society that the ex-felons had threatened and victimized, thus fulfilling a genuine, and socially redeeming kind of restitution.

. Adults initially consigned to prisons for non-violent crimes such as burglary, theft, and white collar crime, and similar offenders already in prison would be offered the alternative of serving their sentences as professional soldiers in the new military organization. Those convicted of more serious crimes, such as murder, rape, and kidnapping would require more rigorous screening, but it is conceivable that many of them could serve the nation as soldiers in the new military organization.

. These troops would be trained and garrisoned at bases remote from the mass of American society

like Midway and Wake islands in the Pacific Ocean, and remote desert areas, yet strategically located for rapid military deployment. Strict military discipline and the system of military justice would prevail at these isolated bases.

A PRECEDENT & MODEL

. Many other nations have had military organizations established solely for commitment to the worst battles in the most inhospitable places. The most famous of these is the French Foreign Legion, generally credited with being the muscle that built and preserved the French colonial empire for more than 120 years (Swiggart 1953 15). Though the Legion has been romanticized until it is hard to separate fact from fantasy, valid history is sufficient to give a rough model of the new American military organization which we suggest.

. The French Foreign Legion draws recruits from all over the world, and is much more interested in the physical condition of its candidates than their moral character (Doty 1028 22). Any given unit would probably contain soldiers of fortune, political exiles, rootless vagabonds, criminals, men running from some social or economic failure, living under assumed names, and speaking a score of languages. Tough discipline, rigorous training, and a powerful esprit de corps is credited with transforming this heterogeneous aggregate into an unsurpassed fighting machine with the unofficial motto: Legio Patria Nostra, "The Legion is our Country." During World War I, the Legion received the most citations of any corps in the French Army. Until recent years, the Legion was never stationed in France, but served in military outposts elsewhere in the world.

BENEFITS TO EX-PRISONERS

. We have already expanded on the pragmatic advantages to society of a new military force that includes successful assimilating of

a significant proportion of persons with criminal backgrounds and paroled convicts. Besides the obvious merit of substituting military service for prison sentences and capital punishment, there are 3 other benefits to such recruits.

1) Improved occupational identity. For the first time in their lives, many of these men, through enlistment in this military organization, would have a socially legitimate occupation and meet the basic needs for food, shelter, clothing and health care. Participants would receive the usual remuneration of American military service personnel of comparable rank, and would have opportunity for advancement. While soldiers do not have the highest social status, they are not socially rejected, as are ex-convicts. It has already been established that work furloughs for prisoners as an alternative to incarceration is positively associated with a reduction in recidivism (Jeffery & Woolpert 1977 448). We perceive meaningful employment of ex-prisoners in the military as a viable program of rehabilitation.

2) Improved values & attitudes. The military experience, in which people must live and work together in close cooperation for the attainment of common objectives should not only develop esprit de corps, but stronger respect in individual members of the group for the rights and property of others. Certainly, the social and community nature of barracks life opens virtually every aspect of one's life to observation, leaving little room for major deviance from group standards. Even those opposed to the military draft acknowledge that military service teaches discipline, patriotism, and concern for comrades to most recruits (Miller 1968 167). This may be the most valuable kind of resocialization for people with a past record of insensitivity and irresponsibility toward society and the immediate community.

3) Reintegration into society. Most prison recruits who satisfac-

torily fulfill a 5-year enlistment in the "United States Foreign Legion" could be honorably discharged and returned to civilian life in this country. In addition, when a foreign government requests and receives military assistance, it should be understood and agreed that such a government must make full citizenship available at the end of the conflict to those United States troops that fought on behalf of that country. In this way, even those former prisoners who, because of extremely serious crimes, might be denied reintegration in the United States, could find a home and citizenship with honor elsewhere.

CONCLUSION We propose that we moderate the sociological determinism that dictates so many programs developed for the prevention and treatment of crime. While much antisocial deviance can be traced directly to the offender's family, neighborhood, poverty, and lack of opportunity in the social environment, by transferring the criminal's guilt to society, we tend to forget and ignore the offender's own responsibility for personal behavior. The focus on society as a total explanation for deviance fails to explain adequately why and how the majority of people living in the same flawed social conditions do not also become a criminal threat.

. Our proposal to give military training to large numbers of prisoners and substitute them in warfare for more law-abiding citizens, while alleviating many of the problem issues is clearly not a complete or ultimate program for dealing with war and crime. Some argue that it is inhuman to force prisoners to choose between a prison sentence and the military service, where they might be injured or killed. But there is ample evidence that many prisoners would prefer military life over prison life. And there is something compelling in the question asked by many members of society: "Why must I be forced through taxation to support a

criminal and violent member of a street gang in prison, and either go myself, or send my 19-year old son in response to the military draft to fight in a foreign war?" Other critics will contend that we have failed our national responsibility if, in response to appeals for military assistance from our allies, we send our deviants, misfits, and criminals. But if the situation of our allies is desperate enough to request combat personnel, they will not question the character of the men who take the field in their defense. Finally, since we have been impotent in reducing criminal deviance in the United States, and the heavy social costs of crime victimize all of us, we should be ready to generate, refine, and test more imaginative and more daring approaches such as a United States Foreign Legion.

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