

SMALL WARS MANUAL
UNITED STATES MARINE CORPS
1940

CHAPTER XII
ARMED NATIVE ORGANIZATIONS



RESTRICTED

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CHAPTER XII

ARMED NATIVE ORGANIZATIONS

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12-1. **Local armed forces.**—In most sovereign states, the executive authority is enforced by the national military forces, national forces, and organized reserves under the control of the state. In addition, there may be an organized militia and police forces under the control of political subdivisions of the state. Police forces are normally maintained by municipalities. These armed forces represent the national-defense forces of the state and the armed forces employed to preserve peace and order within its borders.

12-2. **United States intervention.**—*a.* When the domestic situation of a foreign country is such that it is necessary for the United States Government to intervene, the national and local armed forces of the country concerned are usually powerless to suppress the domestic disorder or enforce the laws. At the time of intervention, the armed forces of the country will probably have disintegrated due to defeat by insurgent forces or because of desertions. In some cases, the armed forces may be engaged in action against an insurgent force, whose operations have created havoc and destruction throughout the country. Due to the magnitude of the domestic disturbance, the local police authorities are usually ineffective in the suppression of lawlessness, and may even have ceased to function entirely. Upon arrival within the foreign country, the armed forces of the United States Government immediately become responsible for the protection of the life and property of all the inhabitants of the foreign country. In order to discharge this responsibility, it may become necessary for the United States forces to assume the functions of the national armed forces of the foreign country in addition to the duties of the local and municipal police.

b. In assisting any country to restore peace and order, it is not the policy of the United States Government to accept permanent responsibility for the preservation of governmental stability by sta-

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tioning its armed forces indefinitely in the foreign country for that purpose. The United States forces seek to restore domestic tranquility as soon as possible and to return the normal functions of government to the country concerned. To accomplish this, the United States Government will usually insist upon the establishment of an efficient and well-trained armed native force, free from political influence and distatorial control.

12-3. **Restoration of authority to local government.**—Having assumed the obligation for the restoration of domestic tranquility within the foreign country concerned, the obligation is fulfilled by the use of United States forces. There is also present the obligation to restore to the foreign country its organic native defensive and law-enforcement powers as soon as tranquility has been secured. The organization of an adequate armed native organization is an effective method to prevent further domestic disturbances after the intervention has ended, and is one of the most important functions of the intervention since the United States armed forces may have superseded or usurped the functions of armed forces of the country concerned at the beginning of the intervention. It is obvious that such armed forces must be restored prior to withdrawal.

12-4. **Formation of a constabulary.**—*a.* In the case of smaller countries whose national and international affairs are of limited magnitude and whose finances support only a small budget, the defense functions of the country and the police functions within the country can usually be combined and assigned to one armed force. Such a force is termed a “constabulary.” The constabulary is a nonpartisan armed force patterned along the line of the military forces of the United States, with modifications to suit local conditions. The legal authority or approval for the formation of such an armed native organization must emanate from some person or body empowered with such sovereign right.

b. The authority for formation of a constabulary may be a decree of the *de jure* or *de facto* Chief Executive of the country in cases where a legislative agency does not exist. In such cases, the authority for any law enactment rests with the Chief Executive alone, who legally has the authority to issue a decree for the establishment of armed forces for his government. Provision is made for the appropriation of the necessary funds from the national budget for maintenance of the constabulary.

c. Authority for the formation of a constabulary may be granted by legislation initiated by the legislative body. In such cases, the

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existent armed forces of the country concerned are legally disbanded and the new constabulary force lawfully created by modification of the organic law of the country. Provision is made for the appropriation of the necessary funds from the national budget for its maintenance.

d. Authority for the formation of a constabulary may be the result of a treaty between the United States Government and the country concerned, providing for creation of such a constabulary. The treaty normally outlines the powers and limitations of the organization and provides funds for its maintenance. Often a treaty between the two governments will already exist, granting authority to the United States Government to intervene in the domestic affairs of the country concerned whenever the latter is unable to control domestic disorder within its boundaries. In such cases, this treaty is usually the basis or the authority for the creation of new armed forces within the country concerned, either through the executive or legislative agencies of the State, or through the powers of a military government set up within the country concerned by United States forces.

e. Authority for the formation of the constabulary may be the result of a decree of the military commander of United States forces in cases where a military government has been established to supplant the local government. In such cases, the maintenance of the constabulary is provided by means of appropriation of local revenues under control of the military government.

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12-5. **Planning agency.**—*a.* The establishing of a constabulary is preceded by the appointment of a planning group to draft the necessary plans for its formation. The initiative in the creation of the constabulary devolves upon the United States forces, since it has assumed the obligation to restore law enforcement and defense forces to the country concerned prior to withdrawal of United States forces.

b. The planning group, or the majority of the members of such a group, are usually drawn from the military and naval forces of the United States Government within the country concerned. The selection of the planning group from among officers of the United States forces then in the country is advisable since such officers will normally be more familiar with existing political, economic, geographical, and psychological conditions. In addition to such members, it may be advisable to select officers who have had prior experience in constabulary duty in other countries.

12-6. **Approval of plans.**—After the planning group has completed its plans for the organization of the constabulary, the plans must first be approved by the proper officials before the constabulary may be considered existent. Among the officials who approve the plans are the Chief Executive of the local state, the diplomatic rep-

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representative of the United States accredited to the foreign country concerned, the senior naval officer in command of the United States forces operating within the foreign country concerned, the Secretary of the Navy, the Secretary of State, the Congress of the United States, and the President of the United States. When a legislative body exists, the approval of the legislature of the foreign country concerned is also secured. When a military government has been established, only the approval of the United States executive, legislative, and departmental agencies is required.

12-7. **Local creative law.**—In order that the constabulary may be the constituted military instrument of the local government, it must be legally established and provided with the legal power to execute its functions. In the law or decree establishing the constabulary, there should be definite provisions setting forth the authority and responsibility of the commander of the constabulary in order that the constabulary may be entirely free from autocratic or political control within the country concerned. The law or decree should state definitely the specific duties that the constabulary is legally empowered to perform.

12-8. **United States creative laws.**—*a.* The plans for the establishment of a constabulary will invariably contain certain provisions relative to the employment of members of the United States armed forces as officers or directing heads of the proposed constabulary upon its initial formation. The Constitution of the United States, Article I, Section 9 (8), states: "No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state." In order that members of the United States forces may accept office, including emolument for such office, from the foreign country concerned, it is necessary that the Congress of the United States grant specific authority by law. The necessary law for service with the constabulary is drawn up by the planning group, and, after approval, is presented to the Congress for enactment and subsequent approval by the President of the United States. Such authority may be included in a treaty between the United States and the country concerned.

b. Since all treaties of the United States are ratified only by the United States Senate, without action by the House of Representatives, it becomes necessary to enact a separate law approved by both Houses of Congress, even though authority for members of the United States

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forces to serve in the constabulary may be included in the treaty. When a general law has been already enacted by the Congress of the United States permitting members of the United States forces to serve in the armed forces of the foreign country concerned, no specific law is required.

12-9. **Composition.**—*a.* Initially, the officers of the constabulary are selected officers and enlisted men (usually qualified noncommissioned officers) of the United States military and naval forces. In time, as the domestic situation becomes tranquil and the native members of the constabulary become proficient in their duties, the United States officers of the constabulary are replaced by native officers. Officers and enlisted men of the United States forces appointed as officers of the constabulary should be acceptable to the local government and have the qualities considered essential for a position of similar importance in the United States forces. They must be physically fit to withstand arduous duty in the field and should be proficient in the language of the country concerned. A general knowledge of local conditions is an important requirement. They should be known for their tactful relationships, and should be in sympathy with the aspirations of the inhabitants of the country concerned in their desire to become a stable sovereign people. They should be educationally and professionally equipped to execute the varied functions that they will be called upon to perform.

b. Native troops make up the enlisted personnel of the constabulary. Service is not compulsory. Recruiting is carried on throughout the country, and the desired personnel is acquired by enlisting only those volunteers who possess the requisite qualifications.

c. Plans are made for the operation of recruit depots. Schools in academic and governmental subjects are conducted for enlisted personnel. Consideration must be given to the formation of a medical department. In some cases, a coast guard may be required. The medical department and the coast guard are included in the constabulary organization. Early establishment of a school for training candidates for commission should receive much thought and consideration. The establishment of such a school will provide orderly replacement of the personnel of the United States forces utilized initially to officer the constabulary. It also indicates to the local government the altruistic motives of the United States Government and indicates its intention to turn over the control of the constabulary to the local government at the earliest possible moment.

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12-10. **Duties and powers.**—*a.* The police duties formerly performed by the organic military and naval forces of the country concerned are assumed by the organized constabulary. The constabulary is the national-defense force of the country concerned and also performs police duties and civil functions.

b. The military duties of the constabulary consist of the defense of the country against outside aggression and the suppression of domestic disorder when local police in the territorial subdivisions of the country are ineffective in the maintenance of law and order.

c. Among the police duties of the constabulary are the prevention of smuggling and the control of the importation, sale, and custody of arms, ammunition, and explosives. It is also empowered to arrest offenders for infractions of local laws, not only of the state, but also of the territorial subdivisions and municipalities. It is charged with the protection of persons and property, the control of prisons, and the issuance of travel permits and vehicular licenses. The constabulary provides guards for voting places and electoral records, and exerts plenary control during natural disasters, such as floods and earthquakes.

d. The civil duties of the constabulary include the distribution of funds for the payment of civil employees in outlying areas and the distribution of executive, legislative, and judicial notices. When required, the constabulary operates the lighthouse and lifesaving service by means of a coast guard. Members of the constabulary may act as communal advisors to municipalities. The constabulary may be assigned the task of supervision of the construction of roads and bridges. Census compilation, supervision of local sanitation, and operation and control of telephone and telegraphic systems, including air and radio communication may also be included among the civil duties of the constabulary. Other civil duties are the supervision of weights and measures, the enforcement of harbor and docking regulations, compilation of reports on the use of public lands, supervision of the occupancy of public lands, and periodic reports of agricultural conditions.

12-11. **Size of force.**—In determining the strength of the constabulary force, it is necessary to consider carefully the domestic situation in each territorial division of the country concerned, particularly the situation in the principal cities and seaports. The strength of the constabulary detachment required for one locality may be entirely inadequate or excessive in another locality. Factors that enter into the determination of the strength of the constabulary are the organic

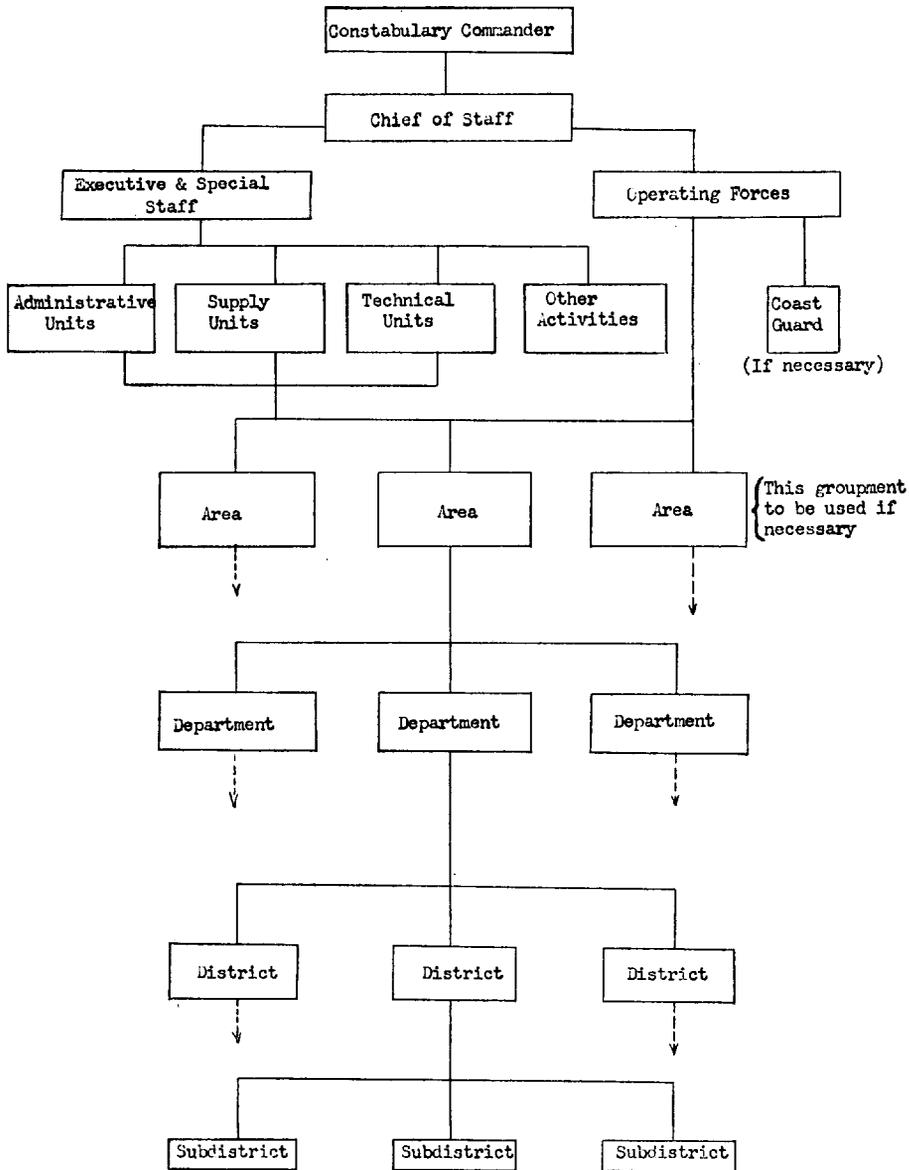
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strength of the military forces employed prior to the intervention, the organic strength of the civil police forces in territorial divisions and municipalities, the normal domestic situation relative to law observance and law enforcement in the territorial subdivisions, and the relative importance of the larger cities within the state. The political, economic, and geographical importance of the various territorial subdivisions should also be considered. The constabulary should be large enough to suppress active rebellion, as well as to repel outside aggression. The original estimate of the strength required is based upon the normal domestic situation in all territorial subdivisions of the country concerned. Local conditions in a particular section may call for a material increase in the strength that would be normally required for that section. Such conditions should be taken into consideration in order that the initial strength may be adequate to meet all situations that may require the employment of the constabulary. Although the foregoing considerations may dictate the necessity for a larger force, restrictions on the strength of the constabulary may be imposed by the limited finances of the local government, as well as the financial requirements of other governmental activities.

12-12. **Administrative organization.**—The constabulary is organized administratively in the following manner: the headquarters, consisting of the commander and his staff; the administrative, technical, and supply departments or groups; the operating forces, organized as administrative or tactical units and stationed in tactical localities or at posts and stations in conjunction with other governmental activities. The geographical divisions of the state are normally the determining factor in the formation of "groupments" or territorial commands.

12-13. **Supply and equipment.**—*a.* Any estimate that is made to determine the required strength of a constabulary must naturally include provisions for the supply and equipment for such troops. Among the items of equipment are weapons and military uniforms or distinctive dress for the troops and, in some cases, vehicular transportation. The confidence and loyalty of the native troops is promoted by careful supervision of their material needs. More often than not, they will have been accustomed to meager salaries irregularly paid, scant food carelessly provided, as well as indifferent shelter, clothing, and equipment. When they are regularly paid in full on the date due, when fed adequately as provided by the allowance, and when good shelter, clothing, and equipment are provided, native troops will usually respond in the quality of service rendered.

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In establishing and maintaining an organization of native troops, attempts should be made to provide better clothing and shelter and particularly better food than native civilians of the same social class enjoy. This is decidedly an important morale factor. The equipment of the constabulary is governed by the type of service required. Often different types of equipment are employed in various localities.

b. In many countries, the distinctive uniform or dress of native troops prior to intervention by United States forces is likely to be of a type more adapted to purely peaceful military display or ceremony than to combat. In some cases, the uniform is of a type that cannot be termed a "distinctive dress" within the meaning of the Rules of Land Warfare. There is a natural inclination on the part of United States forces when organizing a constabulary to outfit the troops with a uniform similar to that of the United States forces, with slight modifications in the distinctive ornaments, texture of clothing, and design. Any uniform adopted for the constabulary should be suitable for the combat and climatic conditions likely to be encountered.

c. The organic armed forces of the country may have been only indifferently armed. Such weapons as they have are likely to be in a poor condition, due to carelessness in upkeep. However, modern weapons are becoming more accessible to all countries, due to the lowered costs as a result of modern mass production. Such arms as are in good condition are retained and reissued to the constabulary after the disarmament of government and insurgent forces. Plans for arming the constabulary should take into consideration all probable tasks that may be assigned, as well as the capabilities of the troops in the employment of the various types of weapons. It may be advisable to arm the constabulary with weapons of different types, make, and in different proportions from the organic armament of the United States forces.

d. There are three methods for subsisting the constabulary. The first method is by the organization of general messes at those points where sufficient troops are quartered together to make the method feasible. The second method is to permit individuals to subsist themselves upon the payment of an adequate subsistence allowance in addition to their normal pay. The third method is the subsistence of personnel by contract with civilian contractors. The ration allowance should be announced in orders. The psychology of making the ration allowance the same for general mess, subsistence

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allowance, and contract mess is self-evident, since the troops will feel that under each system they are receiving the same treatment in regard to their food. The organized mess is practicable only at those posts and stations having a sufficient number to make this method economical. Recruit depots, officers' schools, and commands of over 20 men are normally fed in general messes. However, even in commands of over 20 men, activities in the field may dictate that a subsistence allowance is more practicable. In small detached posts of only a few men, it is usually more practicable to furnish food by contract messing, or to pay the troops a subsistence allowance. In outlying posts and stations, troops normally ration themselves on the cash allowance. As a general rule, a cash allowance should not be granted if a general mess can be organized or if contract messing is practicable. When a cash allowance is paid, there is a tendency to squander the cash allowance and to contract indebtedness for food, with no assurance that troops are subsisted on a well-balanced ration. When food is procured under contract, the contractor may be so interested in making a profit, that troops will not receive the proper amount or quality of food. The commanding officers of detached posts should continually check on the quantity and quality of food served when troops are subsisted in a contract mess. In the conduct of a general mess, no attempt should be made to supply foreign food products. The ration component should be confined to local staples and garden products, since it is this type of food to which the troops are accustomed.

e. Estimates should be made covering the type and quantity of miscellaneous supplies required by the constabulary. Many materials may be purchased locally. To facilitate the acquisition of supplies not obtainable locally, they are normally procured from the continental United States.

12-14. **Records and reports.**—*a.* The records and reports in general use by military organizations are used by the constabulary. In addition, periodic reports may be required covering local economic and political conditions, reports of arrests and disposition of such cases, reports of military activities of the various units, and such special reports as may be required by higher authority.

b. Reports and records should always be in the language of the country concerned. It is unreasonable to require natives to learn the English language simply because that is the language of the United States forces. In the preparation of texts to be used in the training of troops and in the preparation of instructions for

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handling of legal cases, the language of the country concerned should always be employed.

12-15. **Finances.**—*a.* When planning the creation of a constabulary, the financial status of the country concerned is naturally a feature that will influence the strength of the constabulary as well as the acquisition of supplies for such a force. When the necessary funds have been estimated, it is imperative that such funds be allotted from the national treasury by presidential decree or by the legal sanction of the legislature of the country concerned. Funds are allotted from the revenues by the military government in those cases where the constabulary is organized during the tenure of a military government. Appropriations for the establishment and maintenance of the constabulary may be difficult to obtain, not only because administrative authority is required for such allotment, but also due to the fact that, in most instances, the country will have few funds available for such a purpose. The scarcity of funds is likely to be the consequence of unstable economic conditions due to widespread disorder, the despoilation of the treasury by individuals or groups, and the lack of an efficient system for the collection and control of taxes and custom duties.

b. Initially, a large part of the revenue of the country concerned will necessarily be devoted to the financing of the constabulary. After the initial allotment of funds has been authorized for the establishment of the constabulary, it is necessary to assure that the annual or other periodic allotments are continued, and that these allotments are given the highest priority in the national budget. This is insisted upon at all times, and efforts to decrease or subordinate this allotment for the constabulary should be resisted energetically.

c. The pay of officers and enlisted personnel forms a large part of the expenditures of the constabulary. Consideration should be given to the standards of living within the country in computing the rates of pay. The rates of pay should be such as to attract the best type of natives to join the constabulary. By making the rates of pay attractive, natives of the highest type will be encouraged to make the constabulary a career. This feature is particularly desirable since it will tend to promote tranquility throughout the country after the withdrawal of the United States forces, if the majority of the officers and men have served in the constabulary for a number of years. Initially, all the officers of the constabulary are members of the United States forces. The rates of pay granted

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them as officers of the constabulary are in addition to pay and allowances received from the United States Government.

12-16. **Recruiting.**—*a.* Age and height limits are established for recruits. Physical requirements are decided upon for regular enlistments, but these may be relaxed somewhat in case of emergency. If recruit depots are maintained, a definite period for recruit training is assigned. In some cases, it may be advisable to refuse enlistment of men from disturbed sections of the country. In many cases, the political affiliations of applicants must be considered. This matter may be adjusted satisfactorily by the enlistment of recruits of different political beliefs in proportion to the voting strength of the principal political parties. In some cases, it may be deemed advisable to refuse enlistment to members of former military forces of the country. In some countries, the best method of obtaining recruits may be to enlist troops from one locality to serve in that locality under their own noncommissioned officers after a period of training at a recruit depot. In accordance with the plan of organization of the constabulary into a chain of command through departmental control, it may be advisable to distribute the officers of the constabulary to their respective posts and stations in order that the recruiting of enlisted personnel may be accomplished under their direction and control. The officers of the constabulary act as recruiting officers in addition to their other duties. To assist in recruiting, notices are published in the official gazette of the local government, advertisements are inserted in local newspapers, and notices are furnished local civil officials for publication to the populace. Itinerant recruiting parties may be employed in thickly settled areas. Medical units are attached to garrisons in the more important towns and villages in order that applicants may receive prompt medical examination. In some cases, it may be necessary to utilize the services of contract physicians for the initial examination of recruits, further examination to be conducted later by medical personnel of the constabulary.

b. Before accepting applicants for service, the recruiting officer should assure himself of the proper qualifications of applicants. In addition to an oral examination, recommendations from reputable citizens of the home locality of the applicants are usually required. In many instances, the recommendations of local civil officials are invaluable in the selection of applicants.

12-17. **Housing and shelter.**—When the organic armed forces of the country have been disbanded upon the formation of the constabulary, it will be found that many public buildings are available to

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house the constabulary. These public buildings will consist of barracks, offices, forts, prisons, camps, police stations and, in some cases, naval craft. Public buildings are within the eminent domain of the local government and as such can be lawfully employed by proper authority to house and shelter the constabulary. When such housing does not exist, it may be necessary to rent suitable buildings or to erect permanent buildings. Prison labor may be used in such construction and every effort should be made to use construction materials obtainable locally. Warehouses may have to be leased for the storage of supplies when such space is not available in old arsenals, forts, or former military warehouses.

12-18. **Military courts.**—The system of military courts-martial set up by the constabulary must have the legal sanction of the local government. Usually, the constitution of any sovereign state will provide for military tribunals. In such cases, it is necessary only to secure legislative approval for the system of courts martial applicable to the constabulary. A modification of the courts-martial system employed by the United States forces, adapted to local conditions and the basic laws of the country concerned, will usually be acceptable. The system of courts-martial set up within the constabulary does not usurp any of the judicial functions of the civil courts. Members of the constabulary, who commit civil offenses, should be brought before civil courts for trial and punishment. (See par. 12-27.) Trial by courts-martial is reserved for military and for criminal offenses, when civil jurisdiction is lacking in the latter case.

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12-19. **Recruits.**—The methods adopted for the training of recruits are dependent upon the military situation at the time of enlistment. Normally, recruits are sent to a central recruit depot for a stated period of training. Several recruit depots may be conducted in different sections of the country. In some cases, recruits may be retained at the local station or military post, trained at that station, and later assigned to duty in that locality or sent to another military post that may have been unsuccessful in obtaining the required number of recruits. The adoption of a single method may be practicable in some areas while in others a combination of training methods may be necessary in order to meet local conditions. Some troops are more effective when serving in their own community, while others will be found to operate more effectively in other localities due to changes in climate, environment, and food. In some situations, it is better to employ troops away from their home localities to prevent the use of their authority improperly against personal enemies or for the benefit of friends. Recruiting officers should be supplied with uniforms and equipment sufficient to outfit the number of recruits desired from the various sections of the country. The training of the recruit has two distinct objects in view, namely, training as a member of a military combat organization and training for police duties. The military instruction of a recruit covers the basic individual training of a soldier including target practice and drill. A recruit training textbook in the language of the country concerned will be found extremely useful. Instruction of the recruit in police duties includes instruction in the constitution of the country, civil and criminal laws, powers and limitations in making investigations and arrests, and the assistance the constabulary is to render local civil officials. A handbook in the language of the country concerned, cov-

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ering these police duties will materially aid in presenting this instruction and will also provide a useful guide to all members of the constabulary. For the larger cities, it may be advisable to train units for the primary duties of municipal police with only secondary instruction in military duties. The early training of competent police forces for the larger cities is one of the most effective methods to strengthen the local government and secure the good will of the better class of inhabitants. Medical enlisted personnel is obtained by enlistment of qualified individuals for duty with the medical service.

12-20. **Unit training.**—Unit training is carried out by individual units of the constabulary as a part of their routine training in order to maintain their military and police efficiency. This training embraces unit combat training, target practice, field firing, specialist training, instruction in law enforcement and, in some cases, instruction in elementary academic subjects. Instruction schedules are so arranged that training does not interfere with the normal military and police duties of the unit. In preparation for special operations, units may be more effectively trained at a central point prior to engaging in such operations.

12-21. **Officers.**—As soon as practicable after the formation of the constabulary, a school for the training of native candidates for commission should be organized. The staff of this school is composed of officers of the United States forces, who are specially qualified for this work. Rigid physical qualifications are adopted to cover the admittance of candidates. All candidates should have sufficient scholastic qualifications to insure their ability to absorb the military instruction. The period of instruction for such a school is 1 year. At the end of this period, the candidate is given a probationary commission that is confirmed after 1 year of service with the troops. This method of instruction provides a steady supply of native officers to replace the members of the United States forces. The gradual replacement of commissioned medical personnel of the United States forces is effected by commissioning native physicians as vacancies occur. This is usually commenced just prior to withdrawal of all United States forces.

12-22. **Field operations.**—*a.* Each race of people has its peculiar characteristics and customs. These may be modified somewhat under influence, but cannot be entirely destroyed or supplanted. These characteristics and customs should always be recognized and considered when dealing with persons of different races.

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b. In the organization of the constabulary, consideration should be given the form of warfare to which the troops are accustomed. No attempt should be made to impose entirely new forms of tactics unless a long period of training and indoctrination is available. In emergencies, or when only a limited time is available for training, it may be better to organize the troops according to native methods. Different types of organizations, equipment, and tactics will often be required in various localities.

12-23. **Troop leading.**—*a.* Strict justice exerts a marked influence on the discipline of native troops. A few lessons suffice, as a rule, to impress upon them that orders are to be obeyed. When this idea has been implanted in their minds, they generally become amenable to discipline.

b. During the earlier field operations of the constabulary, it is usually advisable to employ mixed units composed of members of the United States forces and the constabulary. Later, the United States forces are used only as a reserve available to support the constabulary in emergencies. The constabulary gradually assumes full responsibility for the maintenance of law and order. In active operations, the officers of the constabulary should be models of leadership, inspiration, and an example to their troops. Members of the United States forces serving with the constabulary must possess good judgment and extreme patience, coupled with tact, firmness, justice, and control. Firmness without adequate means of support may degenerate into bluff. Tact alone may be interpreted as weakness.

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12-24. **Urban and rural agents.**—Small detachments of varying size are stationed throughout the country in towns, cities, and villages. Each detachment is assigned the task of restoring and maintaining law and order within a given area. To assist the detachments in the performance of their duties, urban and rural agents are employed as part of the constabulary. These agents are selected from among the inhabitants of communities and outlying sections. Only men of high standing in the community are selected for this duty. These agents are, in reality, the rural police of the constabulary. They are appointed or commissioned by the constabulary and are paid as a separate budgetary unit of the constabulary. They are granted powers similar to those granted a sheriff in the continental United States. They are not given any distinctive uniform, but are provided with a badge of office, together with a special police permit to bear arms in the execution of their duties. These agents are under the direct command of the local constabulary commander. Employment of such agents is invaluable, since they are thoroughly familiar with their section or community and know all the individuals residing in the vicinity, thus making the apprehension of any resident malefactor a comparatively easy task. They keep the local constabulary commander informed of the domestic situation within their respective sections, thereby forestalling any organized attempt at insurrection or rebellion against the local government.

12-25. **Special agents.**—In addition to urban and rural agents, individuals may be armed and endowed with police powers. These special agents are employed by owners of large estates, plantations, mines, ranches, banks, and other large financial and commercial houses. They act as guards for the protection of life and property from marauders, bandits, and robbers. They are paid by the estate or firm employing them and are legally empowered by the constabulary to make arrests of trespassers as agents of that force. They

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are given a distinctive badge of office and are issued a special police permit to bear arms in the performance of their duties. The appointment of special agents should be made only after a careful investigation by the local constabulary commander. Under no circumstances, should the practice of appointing special agents be permitted to grow to such an extent that any large land owner has a considerable number of armed men in his employ and under his control. The hiring of additional special agents should be strenuously opposed when sufficient personnel of the constabulary is present in the vicinity to provide protection.

12-26. **Auxiliary units.**—When an organized rebellion or insurrection develops, or when banditry assumes such proportions that the local units of the constabulary are unable to combat such domestic disorders successfully, volunteer units under the direction of the constabulary may be organized from the inhabitants to assist in quelling such disorders. These auxiliary units are composed of inhabitants who are armed and rationed by the constabulary. Auxiliary units are temporarily armed forces, and are employed only for the duration of the emergency. During their period of service, they are governed and controlled in the same manner as regular members of the constabulary.

SECTION V

CIVIL AND MILITARY RELATIONSHIP

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12-27. **Relation to civil power.**—*a.* The constabulary represents the power of the executive branch of the government and its territorial subdivisions. Unlawful acts committed by members of the constabulary are usually found to be in contravention of the regulations of the constabulary or the civil or criminal laws of the country. In the former class are military misdemeanors and crimes that are within the jurisdiction of the military power; that is, the constabulary courts-martial system. In the latter class are those crimes and felonies that are set forth in the penal code of the country. Generally, any infraction of constabulary regulations by a member of the constabulary should be tried by the constabulary itself, either by the member's immediate commanding officer or by court martial. Likewise, members of the constabulary charged with conspiracy against the local government should be tried by court martial and the punishment executed by the constabulary after confirmation of the sentence by the Chief Executive. Alleged civil offenses are first investigated by the constabulary. If an offense is found to be sufficiently proved by evidence as to its commission, the member should be discharged from the constabulary and delivered into the custody of the civil authorities for trial and punishment as a civilian. If, however, after investigation of the offense by the constabulary, the evidence indicates that the member is guiltless, he should under no circumstances be delivered to the civil authorities for trial and punishment until such authorization has been secured from the commanding officer of the constabulary.

b. It is to be expected that some animosity and jealousy will be prevalent during the establishment of the constabulary by officers of the United States forces. Attempts may be made to interfere with or embarrass the constabulary in its operations indirectly by civil-court actions and by noncooperation on the part of minor officials. Complaints against members of the constabulary should

be thoroughly investigated. When warranted, a just trial should be immediately conducted, with prompt punishment of guilty individuals, thus indicating to the populace that the constabulary enforces the law among its own members and that they receive no preferential treatment not granted civil violators of the law. The chief of the constabulary is responsible directly to the Chief Executive of the country, who is the commander in chief of all the armed forces of the country.

c. In their contacts with civil officials, members of the constabulary must be courteous, firm in the execution of their duties, and just in dealing with any and all classes of inhabitants, regardless of rank, title, creed, or social position. Tact is one of the most necessary attributes which may be possessed by members of the constabulary. Fair and just operation of the constabulary must always be tempered with tact. Brutality in making investigations and arrests should be firmly and promptly suppressed. The inhabitants should be encouraged to regard the constabulary as an honest, impartial, and just law enforcement agency, friendly toward the law-abiding population. In times of emergency during fires, floods, and earthquakes, the constabulary should be quick to render aid to the distressed.

12-28. **Relation to United States forces.**—*a.* The line of demarcation between the execution of the military power of the United States forces and the constabulary should be definite. When it has attained full strength, the constabulary should have sole responsibility for the preservation of law and order. Since the United States forces have set up this military instrumentality for the local state and endowed it with a certain strength, the constabulary should have unhampered opportunity in its conduct of operations as the armed force of the country. Interference by United States forces not only seriously decreases the prestige of the constabulary, but also denies to the local state the ability to utilize freely the force that has been created to increase its power and prestige. The constabulary assumes its functions gradually, as it recruits to full strength, and takes over the police functions of the country under the guidance and observation of the United States forces. When the constabulary has demonstrated its competence to perform its duties, the United States forces relinquish control and command, and are withdrawn and concentrated at central points where they are available to be employed as reinforcements in case of unexpected emergencies. During the organization of the constabulary, the assignment of detachments of the constabulary to operate with elements of United

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States forces in joint action against hostile forces may be advisable. In this manner, the constabulary, as well as the native population, will feel that the local situation is being handled by their own governmental agency and not by a foreign power. Unlawful acts committed by members of the constabulary or by civilians against the United States forces are legally under the jurisdiction of the United States forces and may be punishable by an exceptional military court martial. Whenever possible, every effort is made to have the offenders tried by the constabulary courts-martial system or by the local civil judicial agency in order that such unlawful acts may be punished by agencies of the country and not by agencies of the United States forces.

b. When joint operations are conducted by United States forces and the constabulary, the principle of seniority according to rank of members of United States forces present should be retained. Thus, if the senior constabulary officer present, who is also an officer of the United States forces, is senior to the officer in command of the United States forces present, the senior constabulary officer assumes command of the joint forces. When the officer in command of the United States forces present is senior, he assumes command of both organizations.

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