

PROVEN IN WAR: THE AMERICAN EXPEDITIONARY FORCE  
AND THE EFFORT TO ESTABLISH A PERMANENT  
MILITARY POLICE CORPS

A thesis presented to the Faculty of the U.S. Army  
Command and General Staff College in partial  
fulfillment of the requirements for the  
degree

MASTER OF MILITARY ART AND SCIENCE  
Military History

by

ANTHONY T. HOWELL, MAJOR, U.S. ARMY  
B.A., University of Dayton, Dayton, Ohio, 2004

Fort Leavenworth, Kansas  
2014-01

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<b>REPORT DOCUMENTATION PAGE</b>			<i>Form Approved</i> <i>OMB No. 0704-0188</i>		
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<b>1. REPORT DATE (DD-MM-YYYY)</b> 13-06-2014		<b>2. REPORT TYPE</b> Master's Thesis		<b>3. DATES COVERED (From - To)</b> AUG 2013 – JUN 2014	
<b>4. TITLE AND SUBTITLE</b>  Proven in War: The American Expeditionary Force and the Effort to Establish a Permanent Military Police Corps			<b>5a. CONTRACT NUMBER</b>		
			<b>5b. GRANT NUMBER</b>		
			<b>5c. PROGRAM ELEMENT NUMBER</b>		
<b>6. AUTHOR(S)</b>  Anthony T. Howell, MAJ			<b>5d. PROJECT NUMBER</b>		
			<b>5e. TASK NUMBER</b>		
			<b>5f. WORK UNIT NUMBER</b>		
<b>7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)</b> U.S. Army Command and General Staff College ATTN: ATZL-SWD-GD Fort Leavenworth, KS 66027-2301			<b>8. PERFORMING ORG REPORT NUMBER</b>		
<b>9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES)</b>			<b>10. SPONSOR/MONITOR'S ACRONYM(S)</b>		
			<b>11. SPONSOR/MONITOR'S REPORT NUMBER(S)</b>		
<b>12. DISTRIBUTION / AVAILABILITY STATEMENT</b> Approved for Public Release; Distribution is Unlimited					
<b>13. SUPPLEMENTARY NOTES</b>					
<b>14. ABSTRACT</b>  This study investigates the use of military police from the American Revolution to the interwar period following World War I. Specifically discussed is the use and development of military police capabilities during the American Revolution, Civil War, and World War I. The use of military police during these wars establishes a cycle of entering into conflicts without military police resulting in the use of an ill prepared ad hoc force that ultimately creates a need to develop a dedicated military police element. This study examines why a permanent military police corps was not established following WWI despite the American Expeditionary Forces (AEF) creating a similar corps based on the requirements created by a large and complex war. This study emphasizes the need for a permanent military police corps as part of the overall United States (US) Army structure in order to maintain and improve a capability needed for future conflicts.					
<b>15. SUBJECT TERMS</b> Military Police; Provost Marshal General; American Revolution, 1775-1783; Civil War, 1861-1865; World War I, 1917-1919; Maréchaussée Corps; Invalid Corps; Prisoner of War; American Expeditionary Force; Bandholtz					
<b>16. SECURITY CLASSIFICATION OF:</b>			<b>17. LIMITATION OF ABSTRACT</b>	<b>18. NUMBER OF PAGES</b>	<b>19a. NAME OF RESPONSIBLE PERSON</b>
<b>a. REPORT</b>	<b>b. ABSTRACT</b>	<b>c. THIS PAGE</b>			<b>19b. PHONE NUMBER (include area code)</b>
(U)	(U)	(U)	(U)	78	

Standard Form 298 (Rev. 8-98)  
Prescribed by ANSI Std. Z39.18

MASTER OF MILITARY ART AND SCIENCE

THESIS APPROVAL PAGE

Name of Candidate: Major Anthony T. Howell

Thesis Title: Proven in War: The American Expeditionary Force and the Effort to  
Establish a Permanent Military Police Corps

Approved by:

\_\_\_\_\_, Thesis Committee Chair  
Richard S. Faulkner, Ph.D.

\_\_\_\_\_, Member  
Raun G. Watson, M.A.

\_\_\_\_\_, Member  
Dwayne K. Wagner, M.A.

Accepted this 13th day of June 2014 by:

\_\_\_\_\_, Director, Graduate Degree Programs  
Robert F. Baumann, Ph.D.

The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

## ABSTRACT

PROVEN IN WAR: THE AMERICAN EXPEDITIONARY FORCE AND THE EFFORT TO ESTABLISH A PERMANENT MILITARY POLICE CORPS, by MAJ Anthony T. Howell, 78 pages.

This study investigates the use of military police from the American Revolution to the interwar period following World War I. Specifically discussed is the use and development of military police capabilities during the American Revolution, Civil War, and World War I. The use of military police during these wars establishes a cycle of entering into conflicts without military police resulting in the use of an ill prepared ad hoc force that ultimately creates a need to develop a dedicated military police element. This study examines why a permanent military police corps was not established following WWI despite the American Expeditionary Forces (AEF) creating a similar corps based on the requirements created by a large and complex war. This study emphasizes the need for a permanent military police corps as part of the overall United States (US) Army structure in order to maintain and improve a capability needed for future conflicts.

## ACKNOWLEDGMENTS

This completion of this study would not be possible without the guidance, support, and patience of others. I would like to thank my Masters of Military Arts and Science thesis committee chairman Dr. Richard S. Faulkner. The guidance, knowledge, and personal research you gave me greatly improved this study as well as my knowledge and understanding of World War I. I would also like to thank Mr. Raun Watson and Mr. Dwayne Wagner for both serving on my committee as well as giving me professional guidance I will use throughout my United States Army career. This committee, as a group, provided me valuable suggestions, insight, and motivation necessary to complete this study. Additionally I would also like to thank the staff at the Combined Arms Research Library for their expertise and assistance in gathering research.

Lastly, I would like to thank my wife Allison for her continued support throughout this process. Despite our geographical separation and wedding during the research and writing process, your understanding and support kept me motivated and focused on achieving this personal goal.

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## ACRONYMS

AEF	American Expeditionary Forces
CID	Criminal Investigation Division
FSR	Field Service Regulation
GOP	General Organization Project
GWOT	Global War on Terrorism
PMG	Provost Marshal General
POW	Prisoner of War
US	United States
WWI	World War I
WWII	World War II

## CHAPTER 1

### INTRODUCTION

The experience of the American Expeditionary Forces in France has demonstrated the necessity of a well trained and organized military police in times of war. . . . This can only result from maintaining such a force in peace time. And its units may well be employed at this time at military posts and cantonments to preserve order, and particularly at maneuvers and field exercises will they be valuable in performing the important duties similar to those which are so necessary in war. An equally important feature is that of training officers and men so that in the event of any future wars the country will be provided with an organization already in existence.

— Brigadier General H.H. Bandholtz,  
*1917 Report of the Provost Marshal General*

On May 26, 1917 the Secretary of War, Newton D. Baker, named Major General John J. Pershing Commander-in-Chief American Expeditionary Forces (AEF).<sup>1</sup> The same day Pershing was named the Commander-in-Chief of the AEF, military police authorizations in the United States (US) Army were limited. The only military police related positions included a recently reinstated Provost Marshal General (PMG) department “consisting of eight officers and a small clerical force,” and a military police contingent consisting of three officers, 13 enlisted, 16 horses, and three mules for each division.<sup>2</sup> At the end of the war, the military police in the AEF alone would grow to 1,405

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<sup>1</sup>Center for Military History, Department of the Army, *United States Army In the World War 1917-1919: Volume 1 Organization of the American Expeditionary Forces* (Washington, DC: Government Printing Office, 1988) (hereafter cited as *Organization of the AEF*), 3.

<sup>2</sup>Center for Military History, Department of the Army. *Order of Battle of the United States Land Forces in The World War*, vol 3, part 1, *Zone of the Interior: Organization and Activities of the War Department* (Washington, DC: Government Printing Office, 1988) (hereafter cited as *Organization and Activities of the War Department*), 373; Department of the Army, *Tables of Organization United States Army*



officers and 40,670 enlisted men.<sup>3</sup> The swelling numbers of military police in the US Army during times of war did not begin with World War I (WWI).

The US Army has maintained a tradition of growing and fielding military police units during times of war, only to reduce or completely disband those units after the war. Repeatedly the US Army entered into conflicts without or with little military police capability. Eventually the need for military police during time of war proved valuable and the demand of their services sore. After the war, military police dissolved from the Army structure despite their need proven during war. During WWI military police grew to tremendous proportions, established a school, developed doctrine, and grew capabilities needed by the AEF. The extreme demand and new capabilities developed by military police during WWI should have served as a catalyst to establish a permanent military police corps within the US Army. Upon entering the war in Europe, the AEF identified their lack of trained and experienced military police and allocated resources to fill their requirements. After developing all of these military police structures, doctrine, and experiences the US Army drastically cut military police out of the active army following WWI. The threat of war in 1941 brought the military police corps back yet again and the US Army made the corps an enduring element of the active force. Why did the US Army void itself of a capability it has habitually needed during war?

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*1917* (Washington, DC: Government Printing Office, 1917) (hereafter cited as *Tables 1917*), 72.

<sup>3</sup>Harry Hill Bandholtz, "History of the Provost Marshal General's Department American Expeditionary Force: For the Report of The Commander-in-Chief" (Combined Arms Research Library, Special Collections), 4.

To fully understand the military police situation at the end of WWI, one needs to know the history of military police in the US Army. The US Army has not always used the soldier identification of military police but soldiers have conducted duties typically associated with them since the Revolutionary War. Whenever there has been an army, there has also been the requirement to maintain order and discipline. The requirement to maintain order and discipline within a unit falls upon that unit's commander. The added pressures and dynamics of certain wars has required the need to create positions and units to help the commander to enforce discipline and maintain order. For example, on May 27, 1778 General George Washington, displeased with the level of discipline shown by his army, formed the Maréchaussée Corps. The Maréchaussée Corps was the first unit in the US Army dedicated to policing the army and enforcing discipline. Captain Bartholomew von Heer led the Maréchaussée Corps and would provide necessary functions within the continental camps and on the battlefield. In addition to maintaining order within the camp, the Maréchaussée Corps would also maintain order around the camp by quelling riots, arresting fugitives and deserters, and overseeing the activities of the supply trains and merchants sustaining the army. The corps provided necessary battlefield functions by securing encampments and the rear of the army, and gathering stragglers and prisoners of war during engagements. The Maréchaussée Corps disbanded in 1783 at the end of the Revolutionary War.<sup>4</sup>

During the American Civil War the US Army would again need a force allocated for the purpose of maintaining order and discipline. In 1861, due to the lack of discipline

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<sup>4</sup>Robert K. Wright, Jr., ed. *Military Police*, Army Lineage Series (Washington, DC: Government Printing Office, 1992), 4.

displayed by looting and destruction of private property by his forces, Brigadier General Irvin McDowell mandated each regiment assign an officer to serve as a provost marshal. With the ten men assigned to him, the provost marshal's duty was to prevent disciplinary infractions and arrest those who damaged property and committed other regulatory infractions.<sup>5</sup> McDowell's policy became a standard practice in the Union Army throughout the war. Much like their Revolutionary War predecessors, the duties of the provost marshals would expand throughout the war to include enforcing the discipline of troops, safeguarding supplies, and ensuring fair trade between merchants and soldiers. Provost marshals would also conduct battlefield functions such as collecting information on the enemy, provide a security force during troop movements, securing encampments, and conducting straggler control. Other than the staff positions and the 10 men assigned to the duty, the formation of standing provost units did not occur. Instead, provost marshals used forces allocated to them by field commanders to conduct their assigned tasks.<sup>6</sup> The Civil War also marked the beginning of utilizing the US Army provost marshal general to enforce federal law amongst the civilian populace.

The Civil War did not only create a need to maintain order and discipline in the army, it created a need to enforce federal law throughout the Union states. In order to sustain the Union Army's manpower, the United States Congress passed the first conscription law in 1863. To enforce this new law the US Army staff appointed a Provost

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<sup>5</sup>General Order 18, Dept of Northeastern Virginia, 18 July 1861, reprinted in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* (Washington, DC: Government Printing Office, 1880) (hereafter cited as *War of the Rebellion*), ser. 1, vol. 2, 743-44.

<sup>6</sup>Wright, 5-7.

Marshal General and authorized a Provost Marshal General's Bureau. This bureau oversaw the draft process in every state utilizing a network of 178 provost marshals.<sup>7</sup> The PMG's bureau disbanded following the Civil War, due to its affiliation with the detested draft. The office of the PMG would not become part of the army again until 1917.<sup>8</sup>

World War I was indeed a great war for military police in the US Army due to their dramatic growth and responsibilities in the AEF. The war saw a dramatic increase in military police troops. When Pershing arrived in Europe, he discovered the current organization and employment of troops did not meet the needs of the battlefield.<sup>9</sup> The unanticipated demands for a dedicated force in the AEF to maintain custody of prisoners of war, control stragglers and traffic, and investigate criminal activities quickly caused the increase of military police soldiers in the AEF. Not only did the war see a tremendous boost to the number of military policemen, it also saw an increased inclusion of military police into US Army doctrine and the first establishment of a military police school. Duties, such as being designated the overall AEF authority for Paris, showed tremendous trust and responsibility given to the young department. Military police became an important part of AEF operations conducting traffic control, prisoner escorts, prisoner safekeeping, straggler control, and criminal investigations. During WWI the AEF established the Criminal Investigation Division (CID) supervised by the AEF provost

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<sup>7</sup>Robert W. Coakley, *The Role of Federal Military Forces in Domestic Disorders 1789-1878* (Washington, DC: Government Printing Office, 1988), 236.

<sup>8</sup>*Organization and Activities of the War Department*, 367-368.

<sup>9</sup>*Organization of the AEF*, 91-94.

marshal general. The establishment and growth of CID was largely due to US property loss attributed to a black market in France.<sup>10</sup>

The need for military police within AEF operations did not transfer to the post war army. The AEF recognized a need for military police on future battlefields; however, their inclusion in the post WWI army was minimal. Despite the new capabilities provided and their demand on the modern battlefield, the US Army did not include a permanent military police capability after the war.

With the likelihood of imminent war, the US Army would establish a military police corps preceding World War II (WWII). As war loomed, the US Army did not have an on hand military police capability or updated doctrine. The experiences and doctrine developed by the AEF 22 years previously provided the only insight for military police operations in modern war. Without a permanent military police corps during the interwar period, doctrine and experiences of the AEF remain dormant and undeveloped. The pending war spurred the development of this doctrine and capability which ultimately created the permanent US Army military police corps.

The post global war on terrorism (GWOT) army, as well as the rest of the US military is undergoing a reduction in forces. Similar to WWI, the Army grew to meet the needs of the various contingencies in Iraq, Afghanistan, and other places around the world. The US Army during GWOT created and developed many capabilities, some of which were new. The US Army cannot afford to revert back to a reduced strength by

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<sup>10</sup>Wright, 7-8; Department of the Army, *American Expeditionary Forces Commander-In-Chief's Report: U.S. Army Expeditionary Forces, France 1917 Report of the Provost Marshal General* (Washington, DC: Government Printing Office, 1942) (hereafter cited as *1917 Report of Provost Marshal General*), 231-232.

reducing those capabilities identified as inherent in modern war. Similar to the AEF military police corps, the needs of the modern battlefield identified necessary capabilities for future wars. It is imperative to maintain in the US Army those capabilities inherent in modern war.

### Thesis Statement

Throughout the US Army history, the creation of military police positions and units manifested based on the needs of the specific war they fought. These needs were temporary since they provided a capability for that specific war. This created a pattern of maintaining inadequate military police forces at the onset of war, developing ad-hoc military police capabilities during the war, and disposing of those capabilities immediately following the war. During WWI military police continued to provide temporary wartime services for the US Army but they also developed into an organization that provided capabilities inherent in any war. The need to establish a permanent military police corps directly following WWI was obvious given the roles and responsibilities provided to the AEF. The establishment of the military police corps should have been immediately following WWI rather than in 1941.

### Literature Review

As compared to many of the other branches, the topic of the military police component is a relatively sparsely documented aspect of the US Army. The military police during WWI, the reasons for its decline after the signing of the Armistice, and the eventual establishment of the United States Army Military Police Corps are not extensively recorded topics. Military police and provost marshals have important

supporting roles during many conflicts; however, documentation and discussion of their contributions are rarely the main topics of historic or academic written works. This is most likely due to the supporting role military police provide during operations. The operation itself and the main actors get the focus while those supporting the main actors receive limited commentary.

Robert K. Wright, Jr. has compiled probably the most extensive work written exclusively on military police. Part of the Center for Military History Army Lineage Series, *Military Police*, conveys the story of military police in the US Army from inception with the Maréchaussée in 1778 to Operation Just Cause in 1990. Wright discusses key dates, personalities, and roles of military police throughout its history. The compilation serves as a good summary of military police events but it does not expand upon the reasons for the repeated addition and removal of military police from the US Army.

Other histories have focused only on the activities of the military police in specific conflicts. For example, Dr. Harry M. Ward has explained the origins and birth of military police in the US Army. His book, *George Washington's Enforcers: Policing the Continental Army*, discusses the Continental Army and the multiple techniques used for maintaining a disciplined army both on the battlefield and in camp. Ward utilizes numerous primary sources to depict the issues faced by both Washington and those he charged with enforcing discipline throughout his army. Specifically important to this study is his analysis and depiction of the Continental Army and the use of provost marshals, provost guards, and the Maréchaussée Corps in conjunction with various other

means of enforcing discipline in the Continental Army. Despite their portrayal in some written works, the bulk of military police activities rest within historical records.

The documentation of military police actions typically occurs during the development of other assessments and reports. Accounts of Washington's activities as well as those around him are evident in his orders, correspondence, reports, and written speeches. The need for soldiers to enforce discipline in his army as well as the establishment and activities of the Maréchaussée are documented within the collection known as the Washington Papers. Likewise, publications such as *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies* provides similar official documentation covering the Civil War depicting the development and employment of provost marshals and the Invalid Corps. A report written by Brigadier General H.H. Bandholtz to the Commander-in-Chief of the AEF provides a detailed account of the need for military police, their development, and their activities during WWI. Bandholtz was the last PMG of the AEF and compiled this report in the months following the Armistice signed on November 11, 1918. This report coupled with inspectors general reports, general orders, and army published regulations and tables provide the bulk of the historical data needed to complete this study.

### Organization

This study is chronologically organized in five chapters discussing the historical need for military police in the US Army and the various reasons for its departure from the army structure. Chapter 2 discusses the history of military police in the US Army, specifically the reason for inception, functions, and termination in conjunction with the American Revolution and Civil War. This chapter depicts the roles and responsibilities of



military police during these wars as temporary and filling a requirement of the specific war itself. Additionally it will examine the origins of the term “military police” first used in the early nineteenth century.

Chapter 3 focuses entirely on military police during WWI. It discusses the reestablishment of military police in the US Army during WWI as well as what roles and functions of the military police during the war. Military police provided temporary wartime functions during WWI just as they had in previous wars; however, the needs of the AEF required military police to assume new responsibilities. It was apparent the new capabilities provided by AEF military police corps were required in modern war.

Chapter 4 examines the reasons why the US Army needed to establish a military police corps in the interwar period between WWI and WWII and ultimately why this did not occur. This chapter discusses the AEF recommendations for military police in the US Army structure and legislation drafted by the AEF military police corps. This chapter also discusses the reason why the US Army did not adopt a permanent military police corps following WWI and the ramifications as the nation prepared for WWII.

This thesis attempts to show the historical utility of a dedicated military police force and determine why the US Army failed to establish of a permanent military police corps following WWI. By using various sources, the history of the military police corps may help illustrate the need to preserve a permanent military police corps.

CHAPTER 2  
HISTORY OF MILITARY POLICE  
IN THE US ARMY

An inherent responsibility for any commander is to maintain order and enforce discipline within their army. Since 1775, the US Army has established a pattern of going to war without personnel dedicated to enforcing discipline within its ranks only to need establishing an ad hoc provost marshal, provost guard, or military police element, and other military police affiliated units based on the necessity to maintain and enforce discipline. Prior to WWI, the creation and use of provost marshals and their associated discipline enforcement units depended on the needs of the army. These needs were temporary, and caused by situations created by the specific war. During the American Revolution and Civil War, the US Army grew beyond the ability to properly regulate itself. The US Army created provost marshals, provost guards, and other enforcing units who maintained order, enforced law, and performed other temporary wartime duties created by the specific war itself.

The Continental Army is often portrayed in movies and lore as a gathering of American born, upstanding citizens rallying to the cause of freedom. This portrayal is a false representation of the actual composition of the Continental Army. A vast number of soldiers serving with the Continental Army were not American born. The highest ratio of immigrants in the Continental Army was in the Pennsylvania regiments with approximately 70 percent born outside America.<sup>11</sup> During the war prisoners of war and

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<sup>11</sup>Harry M. Ward, *George Washington's Enforcers: Policing the Continental Army* (Carbondale, IL: Southern Illinois University Press, 2006), 17.

deserters from foreign armies were even permitted to enlist in the Continental Army. This presented a challenge to commanders in the army responsible for maintaining order and discipline of an ever growing army augmented by enlistees who had different cultures, different backgrounds, and previous disciplinary issues.

Upstanding citizens did enlist in the Continental Army but typically for short durations. Citizens could also enlist and provide a substitute to serve in their place. Despite a congressional declaration in 1776, many criminals served in the army as their punishment for minor crimes such as assault and indebtedness and even some major crimes such as rape and murder. The New Jersey brigade had a regiment with one-third its population consisting of felons and convicted British loyalists also known as Tories. The Continental Army with a diverse population of cultures and enlisting convicted criminals created an army predisposed for disciplinary issues.<sup>12</sup>

When General George Washington established the structure for the Continental Army he used a system with which he was familiar. Washington served in the British Army against the French and was accustomed to the British staff model. The British did account for a provost marshal but their role was mainly that of an enforcer of rules by means of corporal punishment. The position did not have a great reputation amongst the British Army nor those American officers who served with the British. When Washington established the staff for the Continental Army he excluded the provost marshal. After observing disciplinary issues within his army, Washington decided he

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<sup>12</sup>Ibid., 11-18.

needed to dedicate a staff position to help enforce but more importantly deter discipline issues.<sup>13</sup>

Washington wrote to Congress on July 4, 1775 to request the addition of a provost marshal for his staff. Previously, Washington had worked with Congress to identify acceptable behavior for soldiers and civilians associated with the army and Congress approved the Articles of War on June 30, 1775. These 69 articles addressed the expected behavior of the Continental Army. It was the duty of the provost marshal to ensure soldiers, and those affiliated with the army, adhered to these articles.<sup>14</sup>

The provost marshal alone could not enforce discipline. The provost marshal did not have an allocation of troops so he relied upon the appointment of men from the regiments to aid the provost and enforce the Articles of War. In 1777, the position within each regiment grew from a provost recruited position in each regiment to a regulatory detail of soldiers that included one sergeant and 25 privates who helped the assigned regimental provost officer enforce discipline. Called the provost guard, this detail of Soldiers helped the provost marshal enforce discipline and the Articles of War amongst their designated camps. This duty was not a permanent function as the provost guard consisted of soldiers assembled by a detail that rotated daily.<sup>15</sup> This detail provided the provost marshal with manpower to enforce discipline issues identified by the command, however, as with any rotating detail, the provost guard did not maintain and build upon the experience or knowledge of their task.

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<sup>13</sup>Ibid., 6-7.

<sup>14</sup>Ibid., 32.

<sup>15</sup>Ward, 130-135.

The Continental Army used the provost marshal system of utilizing an army staff provost marshal along with a network of regimental provost marshals given their daily detail of provost guard to enforce discipline until 1778. Not satisfied with the results of the regimental provost marshals, Washington decided to build a unit with the sole task of regulating and preventing discipline infractions. Washington petitioned Congress on January 29, 1778 to make multiple changes to the army. Among the many items he discussed was the request to form a dedicated “provost marshalcy” comprised of one captain called the grand provost, four lieutenants to function as provost marshals, two sergeants, five corporals, and 43 privates called provosts. This new provost corps would also include a clerk, quartermaster sergeant, two trumpeters, and four executioners.<sup>16</sup> On May 27, 1778 Congress passed a resolution approving the changes Washington wanted for the Continental Army including the new provost corps.<sup>17</sup>

Captain Bartholomew von Heer became the leader of the new provost corps with his appointment on June 1, 1778. Earlier, in 1777, Washington queried the Continental Army for officers with provost experience. He specifically sought officers who were familiar with the activities of the provost corps within European armies. Von Heer, a Prussian born officer serving in the artillery, replied to Washington on November 17, 1777. In his letter, von Heer told Washington he had served in the Prussian, French, and Spanish armies in both war and peace. He explained he had served in the cavalry and

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<sup>16</sup>John Clement Fitzpatrick, ed., *The Writings of George Washington from the original manuscript sources*, vol. 10 (Washington, DC: Government Printing Office, 1931-1944) (hereafter cited as *The Writings of George Washington*), 374-376.

<sup>17</sup>*Ibid.*, vol. 12, 30-33.

infantry but knew the functions of the provost corps. He offered to advise Washington on the establishment and training of this new corps.

Von Heer also provided instructions on the roles, organizations, equipping, and conduct of a provost marshalcy. In these instructions von Heer's identified duties for the new corps were protecting encampments, controlling stragglers, providing means of punishment, controlling camp followers, and arresting suspicious persons until further investigation or trail. The organizational structure was to consist of a commanding officer, a captain, two lieutenants, a quartermaster, a clerk, four sergeants, a trumpeter, four provos or executioners, and 40 privates. In order to conduct their responsibilities the unit was to be mounted and equipped as cavalry. Von Heer provided Washington with the recommendation to utilize upright citizens who were American born to ensure they were honest and true to the United States.<sup>18</sup>

Interestingly, on October 3, 1777, a little more than a month prior to von Heer's letter to Washington, von Heer was found guilty at a court marshal "for unofficer and ungentlemanlike conduct in abusing David Parks, an inhabitant of Pennsylvania and ordering said Parks' waggoner to be whipped." In the same court marshal he was found not guilty of misappropriating horses he acquired from a local farm and used to pull cannons. His punishment was a public reprimand from the brigadier general of the artillery.<sup>19</sup>

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<sup>18</sup>Founders Online, National Archives, "To George Washington from Captain Bartholomew von Heer, 17 November 1777," <http://founders.archives.gov/documents/Washington/03-12-02-0282>, ver. 2013-12-02 (accessed December 7, 2013).

<sup>19</sup>*The Writings of George Washington*, vol. 9, 304, and vol. 16, 385.

On June 6, 1778 Washington sent word to Major General Nathanael Greene to outfit the new provost corps. Washington called this new provost corps the “Maréchaussée,” which is French for mounted constabulary or police. Horses were necessary to patrol out to a mile from the pickets as Washington directed. The Maréchaussée would also need weapons to both protect the army as well as discourage deserters. Accounting for these requirements the Maréchaussée was equipped as light dragoons.<sup>20</sup>

On October 11, 1778 Washington wrote to von Heer instructing him of his principal duties and responsibilities. In these instructions Washington identified his main concern as securing the army while in camp. Washington wanted to keep accountability of his army as well as ensure their safety. Washington wrote, “patrol the camp and its environs, for the purpose of apprehending deserters, marauders, drunkards, rioters, stragglers, and all other soldiers that may be found violating general orders.”<sup>21</sup> Washington was not only weary of his army but also of civilians and possibly enemy agents collecting information or infiltrating the army. He ordered von Heer to check the credentials of anyone within a mile of the camp. Even if they had a proper reason to travel to the town or camp, von Heer was to ensure they did not malingering once their business was complete. He was to use his judgment and Washington cautioned him it was better to inconvenience an innocent than to risk harm to the army.<sup>22</sup>

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<sup>20</sup>Ibid., vol. 12, 26-27.

<sup>21</sup>Ibid., vol. 13, 68.

<sup>22</sup>Ibid., 68-70.

The Maréchaussée's duty went beyond securing the army while encamped. On April 16, 1778, Washington instructed von Heer and the Maréchaussée corps to take a position in the rear along with the reserve during battle. They were to patrol the roads and other avenues of egress from the battlefield in order to gather those who fled from the battlefield. Lastly, Washington instructed von Heer that his corps would be under the command of the Continental Army adjutant general, and required him to submit a daily report of prisoners as well as any charges filed.<sup>23</sup>

Washington's desired effect of instituting the Maréchaussée corps was not to punish but to prevent disobedience. In order to warn his army, on the same day Washington provided his instructions to von Heer, he published general orders to the army describing in a similar fashion the duties of the Maréchaussée corps. The general orders explained the Maréchaussée would enforce already standing orders. Washington discouraged officers from sending soldiers from camp if they did not have the authority to do so because the Maréchaussée would treat these soldiers as deserters. If anyone attempted to flee or resisted the members of the Maréchaussée, they would receive double punishment for their charges. Washington also put civilians on notice. Any civilian or soldier in or outside the camp without proper authorization was subject to arrest by the Maréchaussée. The Maréchaussée would arrest and charge anyone of being a spy if they acted in a suspicious manner and did not have a proper pass.<sup>24</sup>

The Maréchaussée performed an array of tasks from their establishment in 1778 to the end of the war. Von Heer and his men zealously carried out the instructions given

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<sup>23</sup>Ibid.

<sup>24</sup>Ibid., 61-63.



to them by Washington. They provided security for the encamped army as well as supervised the activities of camp dwellers and civilians. The Maréchaussée did more than just provide security for the army while in camp. The Maréchaussée provided services such as money and message couriers, security details for prominent officials to include Washington, and prisoner escorts. Von Heer and his men regularly provided additional battlefield functions by collecting intelligence and conducting reconnaissance. Faced with insufficient cavalry forces in 1780, Washington resorted to habitually utilizing the Maréchaussée on the battlefield as light dragoons. These tasks continued until the end of the war.

Von Heer and the Maréchaussée corps disbanded on November 4, 1783 after Congress granted furloughs for the entire army following the signing of a peace treaty with the British. With the signing of the peace treaty and disbanding of the Continental Army, there was no need for a unit to protect the army from harm as well as maintain order. The majority of von Heer's corps, to include him, disbanded with the rest of the army. Ten members of the Maréchaussée remained in service after the signing of the peace treaty and provided a personal guard for Washington until December 8, 1783 when Washington travelled home.<sup>25</sup>

During the American Revolution the Maréchaussée corps had several issues to overcome. According to von Heer's initial letter to Washington, ideally the soldiers of the Maréchaussée should have all been American born men. However, von Heer primarily recruited for his corps in parts of Pennsylvania settled by German immigrants. The American born soldiers of the Continental Army were not fond of their foreign enforcers.

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<sup>25</sup>Ward, 148-153; *The Writings of George Washington*, vol. 19, 41.

The immigrant population, a majority of which was Irish, was equally not fond of the German Maréchaussée. On multiple occasions members of the Maréchaussée, to include von Heer, were court marshaled for abuse or ungentlemanly conduct towards soldiers and civilians. Washington continuously exonerated von Heer and vetoed arguments aimed at dissolving the corps. The Maréchaussée's professional appearance, willingness to conduct unpopular tasks, and versatility on the battlefield made them an indispensable organization for Washington.<sup>26</sup>

Despite the need of provost marshals and the Maréchaussée during the American Revolution, the US Army did not mandate these elements as part of the army structure. The War of 1812 and the Mexican-American War did not necessitate the creation and development of dedicated units or mandated provost marshals to maintain order and discipline. The lack of documentation indicates these positions were not a necessity created by these wars.

The US Army did not form or maintain military police between the American Revolution and Civil Wars. The lack of a dedicated military police unit during this period does not mean the US Army did not need to police their ranks. In 1821, the army produced general regulations for not only the army but any militia activated in the service of the army. Article 58 outlines the use of general police. This article identifies the authority for an army, corps, division, or regiment to enact a provost guard. The tasks outlined in article 58 are protecting, transporting, safekeeping prisoners, and providing a safeguard for persons or locations the army wanted to protect. This article did not outline a separate formation of troops. The soldiers necessary to perform these functions came

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<sup>26</sup>*The Writings of George Washington*, vol. 16, 385; Ward, 11-18, 146-147.

from a detail of troops selected from the formation in the numbers required to accomplish the task. The Article suggests that a written note left behind by a unit could adequately perform the duties of a safeguard.<sup>27</sup>

The outbreak of the American Civil War again demonstrated the need for the army to maintain a separate military police organization. From the outset of the war, Union commanders noticed a severe disregard for discipline within its ranks. Soldiers saw the conquered territories of northeast Virginia as spoils of war and available for looting. On July 18, 1861, Brigadier General McDowell, commander of the Department of Northeast Virginia, issued general order 18 expressing his contempt of those in his command who failed to act professionally and maintain their soldierly discipline. Troops, presumably under his command, looted and set fire to homes in the captured areas of northern Virginia. McDowell knew these actions were counterproductive to his efforts. In response to his subordinate leadership failing to identify those who committed the criminal acts, McDowell ordered the appointment of regimental provost marshals. Every regiment would maintain a permanent police force of ten men to enforce McDowell's orders. Their primary duties were to protect private property of inhabitants and arrest "wrong doers" regardless of what unit they were affiliated. When McDowell was relieved of his command, Major General McClellan continued the use of regimental provost marshals and it continued throughout the war.<sup>28</sup>

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<sup>27</sup>*General Regulations for the Army* (Philadelphia, PA: M. Carey and Sons, 1821), 135-138; Wright, 5.

<sup>28</sup>*War of the Rebellion*, ser. 1, vol. 2, 743-44.

Equally seeing the need for additional discipline enforcement mechanisms, McClellan appointed a provost marshal for the district of Washington. Appalled by the amount of soldiers who would frequently visit the city, McClellan appointed Colonel Andrew Porter as provost marshal of the Washington district on July 30, 1861. McClellan charged Porter with the responsibility of enforcing his orders in and around the district of Washington. McClellan assigned Porter a battery of artillery, a squadron of cavalry, and all available infantry to enforce standards in Washington. Porter and his men quickly suppressed discipline issues by preventing stragglers, diminishing gambling and drinking houses, and regulating places of public amusement. In a very short time, a non field commander received almost a regiment of manpower to enforce discipline in the nation's capital.

McClellan also feared Washington was vulnerable to enemy attack. After taking command of the Army of the Potomac, McClellan observed an unsatisfactory defensive posture in and around Washington. He felt that any attack on Washington would undoubtedly succeed. Organized forces were not available to defend Washington if there was an attack. McClellan charged Porter with maintaining a ready defense force as well as maintaining order and discipline within the district. McClellan praised Porter's effort and speed at which Washington's streets became safe and purged of soldiers and officers not conducting official business.<sup>29</sup> The national's capitol was not the only major city deemed unsafe requiring the appointment of a provost marshal.

At the outset of the Civil War succession fever was spreading quickly. Fearing succession sympathizers in influential positions, on June 24, 1861 President Lincoln's

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<sup>29</sup>Ibid., 770.

military advisor, Major General Nathaniel Banks, ordered Lieutenant General Winfield Scott to arrest four members of the police commissioner's board for the City of Baltimore, Maryland. Colonel John Kenly was appointed provost marshal of Baltimore and became the law official for the city. The affiliation and loyalty of the rest of the police force was uncertain and the War Department ordered the suspension of the entire Baltimore police force. Kenly organized and commanded a force of 400 men who would serve as police officers. Baltimore was under provost marshal control until March 8, 1862 when elections appointed suitable commissioners.<sup>30</sup> Even though the threat in Baltimore was political in nature, the precedence of utilizing provost marshals to maintain order in a major city had already seen success. The US Army would use this practice again in WWI.

Provost marshals would not only assume control of the cities of Baltimore and Washington to maintain discipline and enforce federal law, they would also enforce the first American conscription law. The Conscription Act passed March 3, 1863 established a network of provost marshals who would oversee the drafting process. Prior to the passing of the conscription Act of 1863, the Militia Act of 1862 established a system in which the governor of each state was responsible with providing soldiers to the federal government. The governor of the state assembled and provided forces to the federal government through the army adjutant general. The militia act did not provide sufficient federal forces so Congress passed new legislation that established federal oversight and enforcement to ensure states complied with the conscription needs. To do this, the law

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<sup>30</sup>*War of the Rebellion*, ser. 1, vol. 2, 149-154; *War of the Rebellion*, ser. 1, vol. 5, 738.

created a provost marshal general's bureau for the primary purpose of enforcing and controlling the conscription act. The law established 178 districts and each district had an army officer to serve as provost marshal. Each provost marshal answered to the provost marshal general who would in turn answer to the secretary of war. The district provost marshals did not have troop authorizations but they could request forces if they were needed.<sup>31</sup>

The Veterans Reserve Corps, also known as the Invalid Corps, supported the various provost marshals within their districts. This corps was comprised of soldiers whose wounds received in battle precluded further field duty or those who had general health issues that prevented them from serving in the field. Of these men some were serving the remainder of their enlistment while others desired continued service after their discharge. The corps' role in supporting the district provost marshals included the protection of draft officials and sites as well as quelling armed resistance in opposition of the draft. In many cases the Invalid Corps did not prove as an effective deterrent for armed resistance. As early as the draft riots of Ohio in 1863, provost marshals often called on federal forces to enforce the completion of the draft or disperse pockets of resistance. The largest and most notable example of draft riots was New York City in early July 1863. The disgruntled rioters quickly overwhelmed the battalion of Invalid Corps. It took five regiments of federal troops along with the support of naval vessels surrounding the island of Manhattan to quell the riot.<sup>32</sup>

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<sup>31</sup>Coakley, 236; US Congress, "An Act for enrolling and calling out the national Forces, and for other Purposes," Congressional Record, 37th Cong. 3d. Sess. Ch. 74, 75, March 3, 1863, <http://www.yale.edu/glc/archive/962.htm> (accessed December 16, 2013).

<sup>32</sup>Coakley, 237-265.

The conscription act of 1863 brought the war to every community in the union. The provost marshal was the face of the draft as well as the War Department within every community. Seen as the men responsible for sending friends, family, and members of the community to war, the role of provost marshal was equal to that of executioner. With the war over for more than a year, on August 28, 1866 the provost marshal bureau closed. There was no need to maintain the unpopular provost marshal bureau to support the reduced conscription needs. All personnel, pending actions, and authorities transferred to the Adjutant General's Office.<sup>33</sup>

The Civil War introduced two functions previously not performed by provost marshals. The army assigned provost marshals as representatives of districts to enforce federal law as well as to maintain order when local authorities were unwilling or did not have the assets to do so. On June 18, 1878, Congress passed the Posse Comitatus Act of 1878 preventing the use of the army to enforce state law. The army could no longer utilize provost marshals to maintain order within the US as they did during and following the civil war.<sup>34</sup>

Despite the Posse Comitatus Act of 1878, the US Army would not forget the tactic of utilizing provost marshals to maintain order over civilian populations. Since the Posse Comitatus Act of 1878 only restricted the use of federal forces to enforce law within the US, the army could continue the practice that worked well during American Civil War on foreign soil. The US Army utilized a provost marshal in Manila at the end

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<sup>33</sup>*Organization and Activities of the War Department*, 367-368.

<sup>34</sup>*The Statutes at Large of the United States of America, From October, 1877 to March, 1879* (Washington, DC: Government Printing Office, 1879), 152.

of the Spanish-American War. Major General Arthur MacArthur, father of General Douglas MacArthur, became the military governor and provost marshal general of the Philippines. During this occupation, MacArthur acted similarly to Porter as provost marshal of Washington during the Civil War. MacArthur utilized local authorities and his military assets to police the population. He called the local authorities “native police” and the US Army organizations “military police.” This is when the term “military police” became part of the US Army lexicon. MacArthur utilized provost guard forces in the Philippines but reserved the term military police for military units, regardless of original branch designation, that policed the local population.<sup>35</sup>

From the American Revolution to the Spanish-American War, the US Army has recognized the need for an organization dedicated to enforcing orders, regulations, and laws among its forces and those inhabitants affected by military operations. Commanders at all levels have always maintained the authority to enforce discipline within their units. The use of a temporary detail of soldiers to preserve order and prevent disciplinary issues did not work as well as required during the American Revolution or the Civil War. During both wars, commanders went beyond the use of temporary details by dedicating units, which otherwise would serve as combat units, to maintaining order and discipline in the army. The use of a provost marshal with dedicated forces proved effective as depicted by Washington’s continued use of the Maréchaussée and Potter’s rapid

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<sup>35</sup>Brigadier General George W. Davis, *Report on the Military Government of the City of Manila, P.I., From 1898 to 1901* (Manila, Philippines: Headquarters Division of the Philippines, 1901), 4; Major General Arthur MacArthur, *Annual Report of Major General Arthur MacArthur, U.S. Volunteers, Commanding, Division of the Philippines: Military Governor of the Philippines* (Manila, Philippines: Headquarters Division of the Philippines, 1900), 1:85; Wright, 7.



restoration of order in Washington. Prior to America entering the war in Europe, the army allocated a total of 16 military police positions for each division.<sup>36</sup> With the reenactment of the draft in 1917 and the tremendous growth of the US Army, the reestablishment of a military police force was inevitable.

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<sup>36</sup>*Tables 1917, 72.*

## CHAPTER 3

### THE AEF MILITARY POLICE CORPS

The duties of the Department, especially of the Military Police Corps, consisting as they have of the enforcement of law and order, the control of traffic and circulation, the custody of prisoners of war, the apprehension of absentees and the recovery of stolen property, have been of an especially trying and onerous nature. Working under difficult conditions, in a strange country whose laws and customs differed fundamentally from their own, they have succeeded in maintaining the best of relations with the civilian population and in all respects upholding the good name of their countrymen. From the base ports to the firing line they have represented the American Government and its laws to the mutual benefit and well-being of all concerned. The uniformly efficient and successful manner in which their duties have been performed is to me a source of genuine satisfaction.

— General John.J. Pershing, AEF Commander-in-Chief  
Letter to Brigadier General Bandholtz, March 28, 1919

Prior to WWI, the creation and use of military police, provost marshals, and other discipline enforcing groups came from specific requirements of a war time army. During the American Revolution and the American Civil War commanders appointed provost marshals and augmented them with soldiers or sometimes entire units in order to enforce discipline. To ensure compliance with conscription laws enacted during war, the US Army created a network of provost marshals. During WWI, military police would provide similar specific wartime only functions as they had in previous wars, but the requirements of modern war would demand an increase not only in the amount of military police but in the scope of their responsibilities. Some of the new responsibilities bestowed upon military police during WWI proved to be capabilities inherently required in modern war.

During WWI the need to muster military police evolved from the temporary functions typically provided during war, to that of providing necessary capabilities

required by an army in modern war. As in previous wars, military police in WWI would again provide temporary wartime roles. Acknowledging contemporary doctrine and organizational structure was not sufficient for the complex modern battlefield; the AEF examined and developed the scope and expansion of responsibilities of their forces. In order to meet the needs of an increasingly complex war, the AEF created new capabilities, some of which became the domain of military police.

At the outset to WWI, military police, specifically the PMG of the US Army, would again provide temporary war time functions for the US Army. The PMG department closed at the end of the American Civil War due to its affiliation with the draft. On May 18, 1917 congress enacted the Selective Service Law to gather the manpower for WWI. The US Army reinstated the PMG department to register and draft conscripts for military service with a similar regulation established during the Civil War. The PMG would oversee district and local boards to ensure compliance with a national conscription act. Learning from experiences during the Civil War, the national conscription Act of 1917 relied upon a network of provost marshals in every district similar to the Civil War, but the new Act made each Governor and his electives responsible for enforcing the draft within their states, not the provost marshal. The PMG Department implemented several other recommendations given to the Secretary of War in 1866. Instead of giving quotas to the congressional districts, entire states were responsible for filling quotas. Also the new Selective Service Act strictly prohibited the use of substitutes and bounties for volunteers. The use of bounties or substitutes during the Civil War was a common practice for some to escape or buy their way out of a draft obligation. Seen as a way of circumventing the system primarily by the wealthy, the Act

of 1917 specifically made it illegal.<sup>37</sup> Another aspect of the conscription process that differed from the Civil War method was determining who was eligible for the draft.

Working with the US Army adjutant general, the PMG supervised and enforced a vetting process to screen each registered male. All registrants underwent a physical examination and given an evaluation rating that would determine if they were fully capable or unfit for military service. After their physical evaluation, all registrants received classifications based on deferments. A registered male could receive a deferment for their immigration status, maintaining a service exempting job, having dependent family members, status as already serving in the military, being morally unfit, or classified as a delinquent. The Selective Service Act did not recognize conscientious objectors. Conscientious objectors did not receive deferments but the 1,461 registrants considered sincere, and not evasive, had their registrations discarded. In all, of the 10,679,814 registrants, 6,973,270 received deferments in 1917.<sup>38</sup>

The PMG department would manage the Selective Service Act process from the registration of applicable men through to their arrival at the 16 training camps throughout the United States, Hawaii, and Puerto Rico. The PMG department transferred the Selective Service duties and records to the Adjutant General when it closed on July 15, 1919 at the end of WWI.<sup>39</sup> During the war a total of 24, 234,021 men were registered

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<sup>37</sup>*Organization and Activities of the War Department*, 368-375.

<sup>38</sup>*Ibid.*, 379-385.

<sup>39</sup>*Ibid.*, 405-409.

under the Selective Service Act.<sup>40</sup> Despite their role in developing manpower, the US Army PMG did not maintain any control of activities overseas nor did it influence the organization or regulations pertaining to military police. The PMG department was able to quickly adapt conscript service doctrine they used during the Civil War for that of WWI, but all other doctrine pertaining to military police duties was lacking. The PMG department of the US Army was a temporary function needed only during war. Just as in the American Civil War, the requirements of war necessitated the creation of the PMG to enforce and implement regulations needed during war. At the close of WWI, the need for conscription ended, and so did the need for a PMG providing this wartime capability. Prior to WWI, the use of military police in the army exceeded enforcing the national conscription laws.

Military police doctrine in preparation for WWI was outdated and underdeveloped given the demands placed of military police on the modern battlefield. In 1914 the War Department published, *Field Service Regulations (FSR) United States Army* as a guide for US Army combat operations. The War Department updated the *FSR* in 1916 and 1917. Article VII of the *FSR* identified the duties of military police in the army. The eight paragraphs that pertain to military police identified their duties in very broad terms. The first responsibility discussed is the use of military police to protect local

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<sup>40</sup>“Second Report of the Provost Marshal General to the Secretary of War on the Selective Service System to December 20, 1918” (Washington, DC: Government Printing Office, 1919), 2.

inhabitants from disorderly soldiers.<sup>41</sup> The instructions outlined in the *FSR* are similar to the instructions Washington gave von Heer and the Maréchaussée Corps in 1778.

Despite prescribing generalized historical roles for military police, the *FSR* of 1914 also identified new uses for, and aspects of, military police. The *FSR* outlines the continued practices of coordinating and organizing military police under the commander of the divisional trains. The commander of the trains was responsible for assembling a detail of soldiers within the unit's ranks to perform military police duties. These instructions are not historically uncommon practices regarding military police; however, the *FSR* continues to specify that in an emergency, military police have the ability to call on other members of the military to provide additional services or assist military police in their duties.<sup>42</sup> For the first time in the US Army, those assigned to conduct military police duties have delegated command authority to task other soldiers when necessary. Authority previously afforded to military police type units, such as the Maréchaussée corps, merely required soldiers to comply and not resist the duties of the military police.<sup>43</sup> Now soldiers needed to comply with the orders of military police as if they were ordered by their commander.

Beyond this new authority the only aspect of military police doctrine that changed from Washington's use of the Maréchaussée corps was the need to identify military police as authoritative figures on the battlefield. Since the role of military police was

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<sup>41</sup>Department of the Army, *Field Service Regulation United States Army: 1914—Corrected to April 15, 1917* (Washington, DC: Government Printing Office, 1917) (hereafter cited as *Field Service Regulation 1914*), 179.

<sup>42</sup>*Ibid.*, 180.

<sup>43</sup>*The Writings of George Washington*, vol. 9, 304; and vol. 16, 61-63.

comprised of a detail from the general army population, the detail needed some means to identify them as military police. The *FSR* outlined the use of a brassard. The soldiers performing the duties of military police would wear, half way between the shoulder and the elbow, a blue brassard with “M.P.” in white lettering.<sup>44</sup> This is the first time the use of a military police brassard appears in army regulations. These instructions, identified by the *FSR*, governed military police at the onset of WWI. Despite the change in authority verbiage and the means to identify them on the battlefield, the military police doctrine handed down to the AEF remained relatively unchanged since its initial development in 1778.

On July 5, 1917, General Orders 8 outlined the general staff of the AEF and included a PMG. The PMG, identified as the commander of military police, received the responsibility of tasks prescribed by the *FSR* reprinted in 1917. The PMG was responsible to oversee the protection of friendly inhabitants from troops, maintenance of order in areas assigned to US troops, control of road traffic, apprehension of deserters, absentees, and stragglers, observations of camp followers, receipt of prisoners of war and their custody, general police protection of areas assigned to US troops, records of prisoners of war, records of enemy dead, and the co-operations with similar French and British authorities as well as intelligence section police.<sup>45</sup>

On July 20, 1917 Lieutenant Colonel Hanson E. Ely became the first provost marshal general of the AEF. The first important undertaking of the PMG was to

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<sup>44</sup>Ibid.

<sup>45</sup>Center for Military History, Department of the Army, *United States Army in the World War 1917-1919*. vol. 16, General Orders, GHQ, AEF (Washington, DC: Government Printing Office, 1992) (hereafter cited as General Orders), 14-24.

determine the structure of military police forces in the AEF. The PMG office studied both the French and British systems pertaining to the use of military police. No report or written documents exist to determine the results of this study but neither the British nor the French systems were adapted. Trial and error would guide the development of a military police structure in the AEF.<sup>46</sup>

The PMG's study was part of a continual effort by the AEF General Headquarters to establish an organizational structure for the AEF that was best suited to fight the war in Europe. Prior to American forces arriving in Europe, Pershing conducted a study called the General Organization Project (GOP). The aim of the project was to determine how to organize US Forces to best meet the needs of the war in Europe. Pershing utilized studies of the French and British forces already in Europe to determine how to organize the AEF.<sup>47</sup> The aim of the GOP was not only to scrutinize the organization of the AEF but it was also necessary in indentifying the priority for what soldiers by skill sets were needed most in France. Soldiers received a label of either a combat function or a non combat function based on their designated skill set. The categorization of a combat function or non combat function determined the priority in which soldiers sailed to Europe. The initial estimate provided by the GOP for forces needed in Europe accounted for 20 percent of the total force providing non combat functions.<sup>48</sup> The GOP did not account for any additional military police. The commanders of the division trains were authorized the same sixteen dedicated military police personnel prescribed by the Tables of

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<sup>46</sup>*1917 Report of Provost Marshal General*, 5.

<sup>47</sup>*Organization of AEF*, 91-94.

<sup>48</sup>*Ibid.*, 143-149.



Organization published May 3, 1917. The GOP did not recommend corps or army echelons to contain military police; however, one regiment of infantry per army echelon was to serve as traffic police and headquarters guards.<sup>49</sup>

The AEF established a decentralized military police control system. Military police were under the direct control of the commander of the division trains as prescribed by the tables of organization 1917, the *FSR*, and the GOP. The AEF PMG was to be merely a technical expert and was to serve as an advisor and inspector of military police similar to that of an inspector general. Prior to September 1, 1917, the PMG did not have direct control over the unit military police details other than the 26 members of the PMG office staff.<sup>50</sup>

On September 1, 1917 the AEF General Headquarters moved to Chaumont, France. The PMG office was part of the AEF General Headquarters but it was assigned to Paris and placed in command of all troops in that area. Furthermore, General Order 30 placed all soldiers on detail as military police, in Paris and surrounding cities, under the control of the PMG. It further states that anyone visiting Paris had to register with the PMG office. This technique of requiring those traveling from other sections to register with the PMG in Paris would spread and become a common practice in other cities and sections throughout the war. The PMG quickly became the proponent of supervising and regulating authorized travel from the battlefield and in the rear areas.<sup>51</sup>

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<sup>49</sup>*Ibid.*, 122-129.

<sup>50</sup>*1917 Report of the Provost Marshal General*, 5-6; *Organization of AEF*, 141.

<sup>51</sup>*General Orders*, 66-67; *1917 Report of the Provost Marshal General*, 5-6.

Toward the end of 1917, the amount of forces as well as necessary supplies transported throughout France created a strain on the American lines of communication. To assist the commander of the Lines of Communication, later called the Services of Supply, the PMG moved to Chaumont, France to oversee the establishment of a network of provost marshals. In General Orders 71, the AEF directed the establishment of a network of assistant provost marshals located throughout the entire Lines of Communication area of control. The PMG was to assist the Lines of Communication commander in regulating traffic. This General Order also placed all military police and provost marshals, other than those supporting corps or divisions, under the command of the AEF PMG.<sup>52</sup>

Military police work was very detailed and specialized. With an ever increasing amount of traffic both to and from the front lines, multiple general orders instituted a pass or credentialing system. From August 31, 1917 to April 18, 1918 ten separate orders outlined a traffic control system utilizing passes, stamps, identification cards, and individual orders for both military and civilians. Each of these control measures had separate meanings and authorized specific liberties or restrictions to the possessor. Those detailed as military police working traffic circulation control points needed to know the various nuances of these orders for their military police duty. This proved a difficult task for a soldier detailed from his daily duties to perform military police roles.<sup>53</sup> Knowledge of the ever changing standards was critical to the execution of the traffic control and

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<sup>52</sup>General Orders, 134-135; *1917 Report of the Provost Marshal General*, 6.

<sup>53</sup>*1917 Report of the Provost Marshal General*, 308-324.

circulation plans in the rear areas. The use of a temporary or rotating detail to enforce these continually developing systems was ineffective.

Seeing the issues in continuity, General Orders 71 placed the PMG in command of all military police details in the echelons above corps and established the military police detail as a permanent duty. For example, if a soldier was a saddler in the army headquarters but detailed to control traffic, they were no longer a saddler, but permanently part of the PMG department. Generating new military police manpower required commanders to specifically assign soldiers to the PMG department.<sup>54</sup> This development in the AEF organization created continuity amongst the assistant provost marshals and military police operating in the rear areas and the echelons above corps, but it did little for supporting traffic circulation and straggler control closer to the front lines where it was needed most.

Despite the early efforts of the AEF to establish a strong military police organization the decentralized control of military police in the AEF created continuity problems from the AEF rear areas and depots through to each divisional area. The PMG supervised a network of assistant provost marshals and military police regulating traffic in the rear areas while in the corps and divisional military police were providing functions as outlined by their individual commanders. The PMG could only supervise the standardized enforcement of traffic circulation at the army level and above.<sup>55</sup> Not having visibility and control of traffic circulation at the corps and division level created an

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<sup>54</sup>General Orders, 134.

<sup>55</sup>*1917 Report of the Provost Marshal General*, 6-7.

incomplete plan. The PMG could not plan for or circumvent issues they did not know existed.

The division and corps military police reportedly did great work; however, since they were a detail, the military police did not receive special training to execute their duties. This created a lack of understanding of the full scope of their duties or the need for more untrained soldiers to do the work of trained soldiers. Inspector general reports of various echelons indicated a need for more and better trained military police. Inspector general reports annotated that when questioned or asked to conduct other roles soldiers detailed for military police duties explained they were only there to conduct their specific tasks, for example traffic circulation at particular crossroads or escort prisoners. Their knowledge of and ability to conduct other tasks associated with military police varied from unit to unit.<sup>56</sup>

Divisions utilized their military police as they desired. Typical roles of divisional military police were handling and transportation of prisoners, circulation regulation, and straggler control. Military police received additional tasks based on the guidance from their commander. For example, the 29th Division instructed their military police to search dug-outs and trenches during forward movements for stragglers that did not advance with

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<sup>56</sup>National Archives and Records Administration (hereafter NARA), RG 120, Entry 588, Box 108 “Colonel Edward Carpenter Inspector General IV Army Corps letter to Inspector General AEF dated 27 September 1918”; National Archives Building, Washington, DC; and NARA, RG 120, Entry 590, Box 1, “Inspector, 82nd Division memorandum to Inspector General, AEF dated 6 October 1918”; National Archives Building, Washington, DC.

their units.<sup>57</sup> This example does not imply misuse of military police by division commander; it merely illustrates the non standardized use of military police throughout the AEF. This was not a prevalent problem throughout the AEF, but if military police are tasked with providing other functions on the battlefield then they are not performing traffic control and circulation enforcement.

Division and corps military police details were typically used for traffic and straggler control. As an example of the straggling problem afflicting the AEF, on October 18, 1918 a report from the 82nd Infantry Division Inspector General noted that in one day military police and provost guard units gathered and returned 375 stragglers to their units. Of these 375 men, three-fourths of them came from a unit that marched to the front the previous day to conduct an attack. Overwhelmed by the numbers of stragglers, division commanders provided additional forces to augment the military police or establish straggler control screens in the division rear areas. The sheer numbers of stragglers, along with the need to search potential hiding locations and escort stragglers back to their units created a shortage of military police manpower. Rather than extend the already thin coverage of military police forward away from their usual places of duty and straggler control points, the 82nd Division tasked one platoon from every brigade conducting offensive operations as a “special provost guard.” This special provost guard was to gather lost soldiers, stragglers, and prisoners of war as the combat forces moved

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<sup>57</sup>NARA, RG 120, Entry 590, Box 2, “Headquarters First Army, American Expeditionary Forces Office of the Inspector General Report 14 October 1918”; National Archives Building, Washington, DC.

forward.<sup>58</sup> Unlike the 29th Division, the 82nd kept their military police in place and utilized other details to help the military police during offensives. Division and corps commanders did what they could in order to make the ad hoc military police organizations effective. The need to further improve military police support to the entire AEF was evident.

On July 8, 1918 the AEF established a military police corps as part of its overall structure. As early as May 1918, Pershing contacted the War Department for the authority to organize a military police corps. Pershing desired centralized control of police unit as well as the standardization of their training. Pershing was able to convince the War Department to approve the creation of this new organization into the overall AEF structure.<sup>59</sup>

The AEF implemented the military police corps structure to create centralized control but still maintain the support to the division and corps echelons. The new corps size was limited to seven-tenths of a percent of the total force, or more specifically one military police company for every 20,000 troops. In addition, the AEF military police corps received control over each of the infantry regiments per army echelon designated to conduct traffic control and guard various unit headquarters. The PMG was to train and organize new personnel into military police companies or provost marshal sections, and replace the details conducting military police duties. The details would remain until the military police corps elements replaced them. One company of military police replaced

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<sup>58</sup>NARA, RG 120, Entry 796, Box 3, "Inspector, 82nd Division memorandum to Inspector General, AEF" dated 12 October 1918"; National Archives Building, Washington, DC.

<sup>59</sup>*1917 Report of the Provost Marshal General*, 6.

the divisions' two company detail. At the behest of the divisions, military police companies replacing division military police details increased in size from three officers, 125 enlisted to five officers and 200 enlisted. In order to provide the additional military police for the division commanders, the previous authorization of no more than seven tenths of a percent of the total AEF was increased to no more than one percent.<sup>60</sup>

Essential for the compliance of General Orders 111 the AEF military police corps was required to provide soldiers specifically trained for military police duties. The reason for establishing an AEF military police corps was to have continuity among all military police in the AEF and for them to all receive formal training that would make them more effective than their ad hoc predecessors. The guiding reason to create a military police corps was to provide specially trained soldiers who could conduct military police roles more efficiently than that of a detail.

The AEF established the first military police school in the US Army.<sup>61</sup> On September 5, 1918 General Orders 150 identified a small caserne named Changernier in Autun, France as the location for the new military police training depot. Unfortunately, a French regiment, who did not vacate the location until October 1, 1918, occupied the caserne. Nevertheless, First Lieutenant Thomas Cadwalader, a cavalryman, was the first commandant of the military police training depot. The reason for the establishment of the school was to create military police that were efficient at their duties.<sup>62</sup> Since no school existed previously, all current military police learned their duties through experience.

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<sup>60</sup>General Orders, 380-383; *Organization of AEF*, 148-149.

<sup>61</sup>*Ibid.*

<sup>62</sup>*1917 Report of the Provost Marshal General*, 35; General Orders, 447.

Depending on the assignment of the military police soldier, his duties and experiences could vary from that of other military police soldiers. The school provided formal and standardized training so each trained military police soldier had a base knowledge of their duties and their responsibilities.

The PMG department, having direct control over the training depot, assembled a cadre of instructors. Since military police experience in the US Army was minimal at best, the PMG department selected Lieutenant Colonel Peter Foley of the British Army as chief instructor. The rest of the cadre, 21 enlisted soldiers recommended by their commanders, received the first class at the new training depot. The cadre graduated on October 20, 1918. The training depot cadre grew by selecting those who graduated and excelled in the course. The growing cadre gave instruction at the training depot in Autumn and to military police units in the field.<sup>63</sup>

In the beginning, the two week curriculum consisted of lectures and dismounted close order drill for all students. The course later developed two separate courses: one for officers and one for enlisted. These two courses shared many commonalities. Both classes would receive lectures, conduct drill, and range practice. The major difference in the two courses was the supervisory orientation of the classes for the officers of both the lectures and drill practice. Officers were also required to qualify with their assigned pistol prior to graduation. Enlisted soldiers merely received practice with the pistol. Both groups received core classes on the provisional manual of the military police, rules of evidence, preparing statements and charges, and criminology.<sup>64</sup>

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<sup>63</sup>*1917 Report of the Provost Marshal General*, 35-37.

<sup>64</sup>*Ibid.*, 35-36.



The school itself served as a means of vetting soldiers, officers, and potentially future leadership of the AEF military police corps. The school maintained an examining board aimed at expediting the appointments of enlisted soldiers thought to embody the qualifications of officers. The training depot also dismissed soldiers deemed not possessing the qualities of a member of the military police corps. In all 3,767 enlisted soldiers enrolled in the course, of which 210 were excused and 22 candidates received commissions. All 244 officers who received training graduated.<sup>65</sup>

The military police training depot is an example of the AEF identifying and developing a deficient capability created by the lack of a dedicated and trained military police force prior to WWI. Military police did not have the necessary doctrine, organization, experience, or training to effectively provide support as a direct result of the lack of trained and dedicated military police prior to the war. Even in the construction of the training depot itself the AEF knew it did not have adequate experience to teach its own military police and required the assistance of a foreign army. The US Army prior to WWI maintained the role of military police as a soldier's secondary task, but through experience the AEF realized the value of a dedicated and specially trained military police.

If a capability is marginalized in a peacetime army, that capability atrophies. In no other example is this more evident than the AEF's ill preparedness for prisoner of war (POW) operations. A major undertaking for the PMG department throughout the war was the transportation, handling, and custody of enemy prisoners of war. The task of managing and overseeing the treatment and custody of prisoners of war was even more daunting considering the failure to foresee the need for such a capability. Having no other

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<sup>65</sup>Ibid., 35-37.

plan, replacement troops, sent to France and trained in other functions, were gathered and placed under the control of the PMG. The AEF was unprepared for the massive amounts of prisoners of war captured during their initial engagements. Hastily developed systems and a cooperative prisoner population bought time to refine the prisoner of war dilemma. As Bandholtz notes, “fortunately our prisoners in this war were particularly well disciplined easily controlled by their own non-commissioned officers.”<sup>66</sup>

During the war the PMG continued to develop systems and policies pertaining to prisoners of war. Until May 1918 divisions and corps kept their captured prisoners of war. The catalyst for change occurred after the battle of Cantigny, May 28, 1918. AEF gathered a tremendous number of prisoners of war requiring an unsatisfactory expenditure of resources by the divisions.<sup>67</sup> On May 31, 1918 General Orders number 31 tasked the PMG to take custody of a majority of prisoners of war. The AEF adjutant decided the disposition of captured enemy prisoners and equipment. The PMG organized escort companies, established locations for the prisoners of war, and established holding facilities for both officers and enlisted. These holding facilities were a temporary solution to the overall problem because they lacked the capacity to sustain the estimated numbers of future prisoners of war. Eventually locations called the Central Prisoner of War Enclosures, established at Chateau Vrillays and Richelieu, served as permanent facilities through the rest of the war. From the first prisoners of war transferred in June of 1918 through March of 1919, the PMG and the soldiers under its command handled 48,280

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<sup>66</sup>*1917 Report of the Provost Marshal General*, 8.

<sup>67</sup>*Ibid.*, 77-89.

prisoners of war.<sup>68</sup> Not only did the PMG need to request forces to fill the POW guard and escort companies, the creation of POW camps required funds for construction and operation. The creation of a completely new facility required the construction and equipment costs of one million dollars in 1918, about \$15,600,000 in 2014.<sup>69</sup> The issue of funding a POW operation was even more intense given that some of the ad hoc facilities created out of necessity were in violation of the Geneva conventions.<sup>70</sup> Modern warfare created the need for a long term POW care and custody capability that became the domain of the AEF military police corps. The needs of WWI created another AEF capability that also become the domain of the military police corps.

The needs of the AEF during WWI created a new function for the military police corps by developing the Division of Criminal Investigation. The organization, later called the CID, was not a fully recognized element at its conception on May 11, 1918 but was part of the PMG staff. General Orders number 217 reorganized the PMG department staff and in doing so established the CID on November 27, 1918. CID prevented, detected, and apprehended criminals within and surrounding AEF locations. Eight CID companies with an average strength of five officers and 100 men called “operatives” provided criminal investigation capabilities and worked closely with French authorities, as well as allied investigative services, to prevent crime, apprehend criminals, and return property if

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<sup>68</sup>Ibid.

<sup>69</sup>Coin News Media Group LLC, “US Inflation Calculator,” <http://www.usinflationcalculator.com> (accessed May 10, 2014).

<sup>70</sup>*1917 Report of the Provost Marshal General*, 89-91.

possible.<sup>71</sup> Prior to WWI, investigations fell under the responsibility of the commander. In the American Civil War the US Army used Allen Pinkerton and his assembled agents to investigate corrupt suppliers and ensure the army received what the US government supplied.<sup>72</sup>

Many of the crimes investigated by the military police corps CID involved US supplies intended to support the war. Supply items, stolen by soldiers and civilians were routinely sold by criminals at markets and shops. Thieves targeted army freight cars and supply depots and would sell their spoils to local shop keepers. An example of this was two privates posing as First and Second Lieutenants stole various items from American docks. When CID caught these two they recovered 21,419.30 francs, proceeds from their sales of government property.<sup>73</sup> The creation of CID helped preserve the integrity of the AEF by providing adept investigators to liaise with foreign law enforcement and investigate criminal activity by and against the AEF. Regardless of all the accomplishments of CID, with the end of the war and the decline of AEF troop strength in Europe, there was no need for specialized investigators in the AEF.

On May 27, 1919, with many of the AEF soldiers returning to the US, the military police corps disbanded. An entire corps was unnecessary given the repatriation of POWs and the shrinking numbers of US soldiers overseas. The PMG department remained as an

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<sup>71</sup>*1917 Report of the Provost Marshal General*, 231-236; General Orders, 547-548.

<sup>72</sup>Joseph Gringer, "Allen Pinkerton and His Detective Agency: We Never Sleep," Crime Library, [http://www.crimelibrary.com/gangsters\\_outlaws/cops\\_others/pinkerton/1.html](http://www.crimelibrary.com/gangsters_outlaws/cops_others/pinkerton/1.html) (accessed April 18, 2014).

<sup>73</sup>*1917 Report of the Provost Marshal General*, 234-236.

integral component of the AEF general staff but it relinquished control of all military police corps units to the armies, base sections, and city district commanders for whom they worked. The AEF PMG started as one officer with a staff of eleven and grew to include 133 military police companies, 8 military police CID companies, 122 prisoner of war escort companies, and a training depot all together totaling 42,075 soldiers.<sup>74</sup>

Just like the American Revolution and the Civil War, the US Army entered WWI with a severely reduced military police force compared to what it would need during the war. Early in the war, military police assumed temporary functions as they had during the Civil War, but the needs of the modern battlefield necessitated new roles and responsibilities. Throughout the war, trial and error and ad hoc military police forces resulted in the need for a trained military police corps to meet the requirements of the AEF. The AEF found itself creating systems out of necessity and developing those systems as they fought a war. It is evident from the tremendous growth based on need during the war that military police were necessary on the modern battlefield. With the Armistice signed and AEF soldiers returning home, the reduction to a peacetime army was inevitable. Even if force reduction was inevitable, every effort should be made to preserve those capabilities proven necessary for a wartime army. The doctrine and experiences learned by the AEF would undoubtedly prepare the US Army for future conflicts.

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<sup>74</sup>*1917 Report of the Provost Marshal General, v; General Orders, 772-773.*

## CHAPTER 4

### A NEED FOR A PERMANENT

### MILITARY POLICE CORPS

Not until the present time have we been provided with an efficient working organization and I am convinced that the lack of a sufficient military police corps when it was greatly needed would not have occurred had there been a permanent military police establishment to form a nucleus for the larger organization required by the war.

— Brigadier General Bandholtz,  
Letter to Commander-in-Chief, AEF on May 19, 1919

At the beginning of WWI the military police in the AEF were not prepared to meet the needs required by modern war. The necessities of the war placed a demand not just for a greater number, but for a better trained and well organized military police corps. The previous practice of assigning details of soldiers to serve as military police proved insufficient for a large and increasingly complex war time army. It was not only the military police organizations at the tactical level that were inadequate. At the beginning of the war the AEF did not have the capability to provide long term custody of prisoners of war or dedicated criminal investigators. Throughout WWI the AEF refined and developed the use of military police in Europe. After WWI, given the improvements in both organization and employment provided by the establishment of an AEF military police corps, the implementation of a permanent military police corps in the US Army was the next logical development during the interwar period. Yet, the US Army followed the paradigm created by the American Revolution and the Civil War by disbanding the battle proven organization. Despite the suggestions of the AEF, the US Congress did not authorize a permanent military police corps following WWI and all the developments and

experiences learned in combat would provide little benefit for the army in preparation for future wars.

The Superior Board, convened on April 21, 1919, recommended that the US Army retain the AEF organizational military police strength at the division, corps, and army echelons. The Superior Board's members scrutinized the organization developed and used by the AEF during WWI. The board produced a proposal for the future organization of army forces as well as the ideal use for and employment of units based on the experiences of the AEF. The military police strength outlined by this proposal was for each division and corps to contain one Military Police Company, and the army echelon to contain four military police companies.<sup>75</sup> The report also stressed the need for a provost marshal within each echelon. Based on the experiences of the AEF, the Superior Board advised using the commander of the military police organization attached to the various elements as that echelon's provost marshal. For instance, the company commander of a divisional military police company would also serve as the division staff provost marshal.<sup>76</sup> Using the highest ranking military police commander assigned at each echelon as both a commander and the supported unit's staff provost marshal ensured continuity of all military police activities within the supported echelon. The staff provost marshals created a network to standardize the efforts of all military police among the various division, corps, and army echelons to ensure continuity of efforts. This equally provided a direct means for the supported unit commander to control the military police assigned to

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<sup>75</sup>GHQ AEF, "Report of the Superior Board on Tactics and Organization, April 27, 1919" (Combined Arms Research Library Digital Library, 2011), 25, 114, 118, 122.

<sup>76</sup>Ibid., 129-130.

them. The military police corps was not a chain of command but coordination and synchronization mechanism put in place to ensure the quality and effectiveness of military police throughout the AEF.

The Superior Board recommended the use of dedicated military police units instead of the traditional use of a detail drawn from the echelon's headquarters. In a break with past traditions, the experiences of the AEF had shown that the use of a headquarters detail was less effective and efficient than that of a dedicated military police unit. Most importantly for the future of the military police corps, the Superior Board recognized the utility of military police on the modern battlefield and supported the concept of each army, corps, and division organization maintaining their military police capability. The Superior Board's conclusions and recommendation document a consensus amongst senior AEF officers that military police were required on the battlefield as well as a necessary element of the US Army organizational structure. The Superior Board urged the retention of dedicated military police units but Bandholtz and Pershing believed the US Army needed a permanent military police corps.

At the close of the war Bandholtz, the PMG of the AEF, advocated for a permanent military police corps in the active US Army. Bandholtz saw the creation of a US Army military police corps as a logical conclusion given the AEF experience in WWI. Bandholtz submitted the proposed legislation to the AEF staff along with a cover memorandum that suggests he was complying with Pershing's "verbal instructions" to draft the proposed legislation.<sup>77</sup> Bandholtz also noted "The necessity for legislation of this kind is so obvious to anyone who served with the American Expeditionary Forces

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<sup>77</sup>*1917 Report of the Provost Marshal General*, 365.



that argument in its favor seems unnecessary.”<sup>78</sup> Bandholtz did not need to prove the utility of a permanent military police corps to anyone in the AEF, however, the authorization of this new corps needed Congressional approval.

In March of 1919, Bandholtz wrote an act he believed the US Congress would approve establishing a permanent military police corps in the US Army. As the AEF PMG Bandholtz successfully advocated for the creation of the AEF military police corps during the war and saw the benefits it provided the entire AEF. He foresaw that the capabilities provided by this new corps would be beneficial for future wars and drafted an act to establish a permanent military police corps in the US Army. The act he proposed reflected the AEF’s hard won experiences during the war.<sup>79</sup>

The proposed legislation for the creation of a permanent military police corps mirrored the creation of the AEF military police corps in organization and in creation. The draft act created a permanent PMG department with the responsibility to develop and enforce regulations associated with military police and manage the personnel of the corps. The military police training depot, which was essential in providing specially trained military police to the AEF, was also part of the proposed legislation. The school was necessary to provide the specific military police training that made the AEF military police more effective than the ad hoc or assigned detail predecessors. The draft act also included the creation of a US Army department of criminal investigation with the function of investigating crimes of or against members of the US Army. A large portion of the act described how the newly created military police corps would fill its ranks with

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<sup>78</sup>Ibid.

<sup>79</sup>Ibid., 365-371.

both officers and enlisted soldiers using a combination of recruiting, vetting, and promotions. The last portion of the act described the funding necessary to create a permanent military police corps. Bandholtz's act identified funds necessary for the creation of a permanent military police corps to include rent for office and building space, purchasing military police equipment and furniture, building new structures, purchasing allocations of land on a camp or cantonment, housing or barracks space, and most importantly personnel. All together Bandholtz outlined the need for \$1,500,000, equal to approximately \$23,400,000 in 2014,<sup>80</sup> to create a permanent military police corps.<sup>81</sup> Bandholtz understood what it took to create such an organization given his experience in the AEF, what he failed to realize was the AEF was given funds to ensure it had what was necessary to win the war. The post WWI army would not have the same luxuries afforded to the AEF.

Bandholtz and the Superior Board based their recommendation for establishing a permanent military police corps on the AEF experience of trying to utilize an untrained detail of soldiers versus a trained and organized military police corps. Both Bandholtz and senior AEF leadership agreed, the US Army needed to adopt a military police corps to meet the needs of future warfare. At the close of WWI it was apparent to those in the AEF that a permanent military police corps was in the best interests of the US Army. Despite the benefits the US Army gains by including a permanent military police corps, the ultimate decision was beyond the army's control.

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<sup>80</sup>Coin News Media Group LLC.

<sup>81</sup>*1917 Report of the Provost Marshal General*; Wright, 369-371.

The definitive reason why the US Army did not establish a permanent military police corps after WWI was the National Defense Act of 1920. In the years following WWI, the US Congress molded legislation that regulated the overall strength and basic structures of the US Army. The National Defense Act legislation passed in 1920 amended legislation passed by the US Congress in 1916 called “an act for making further and more effectual provision for the national defense, and for other purposes.”<sup>82</sup> The legislation passed in 1916 established a minimal active army structure with the intention of expanding the overall force if necessary. The amendments to that legislation created in 1920 had the same basic philosophy of maintaining a smaller, economically responsible force and increasing the total strength of the force only when essential.<sup>83</sup> The congressionally authorized maximum level of troop strength as well as the need to pass legislation to create new army structure further constrained the ability of the army to implement and develop the recommendations of the AEF.

After WWI, the branches, corps, services created by the AEF in order to meet the needs of modern warfare became a focal point for how to structure the future active army. The purpose of the National Defense Act of 1920 was to create a smaller more economical army, but it also sought to implement the experiences of the AEF. Congress considered all organizations that the AEF created in order to meet the requirements generated by the war, specifically branches and separate services as subcomponents of

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<sup>82</sup>U.S. House, To amend national defense act, with minority report, Hearing, February 26, 1920 (Washington, DC: Government Printing Office, 1998) (hereafter cited as *National Defense Act of 1920*), 1.

<sup>83</sup>Headquarters, Department of the Army, *Compliance with the National Defense Act of 1920* (Washington, DC: Government Printing Office, 1922) (hereafter cited as *Compliance with National Defense Act of 1920*), 4.

the total army structure. The specific branches and services deemed necessary were the chemical and air services as well as the finance department. These three branches were included into the total army structure by the National Defense Act of 1920. Despite all the promise shown by the military police during WWI the National Defense Act of 1920 did not create a military police corps.<sup>84</sup>

The future need of the army based on battlefield merit was not the only factor considered by Congress in determining the approval of new army branches. Congress authorized separate branches for the air and chemical services because they saw them as necessary in future war. Branches such as the tank service and the military police corps, proved themselves in the AEF but after the war congress did not create an autonomous branch for either of them. One of the biggest issues for Congress was creating an economically viable peacetime army. The minority report submitted by the US Congress Committee of Military Affairs on February 26, 1920 argues the US Army itself should determine their organizational structure instead of Congress. The report explained the only reason Congress determined the structure of the army was to track funds more easily. Congress appropriated funds to each branch of the army instead of a lump sum to the army as a whole. In doing this the US Congress determined the structure of the US Army not the General Staff. This payment method created more congressional oversight but limited the ability of the army to change as needed.<sup>85</sup> In order to create a separate military police corps as part of the army organizational structure, Congress needed to

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<sup>84</sup>*National Defense Act of 1920*, 1-5.

<sup>85</sup>*Ibid.*, 21-22.

allot the \$1,500,000 Bandholtz identified in his proposed act.<sup>86</sup> For a fiscally constraining Congress, the wartime success of the military police did not outweigh the cost of establishing a permanent peacetime military police corps.

The National Defense Act of 1920 did not authorize a separate and permanent military police corps, but it did provide for changes to army structure if necessary. The US Congress did acknowledge it was impossible to know how to structure the army to meet future needs. Given the amount of time needed to pass legislation in order for this to occur legally, part of the National Defense Act of 1920 authorized the General Staff and the President to make organizational changes. The General Staff could change each branch up to ten percent of their allotted strength as long as they did not exceed their total force allocation. The US Congress gave the President authorization to change the army's organization "at will" but again not to exceed the established maximum strength.<sup>87</sup>

Despite not having a separate military police corps, the National Defense Act of 1920 authorized the General Staff to make their own organization allocation if necessary. The General Staff did utilize this authorization on occasions to appoint officers as the PMG in order to conduct military police planning and development. However, the use of an ad hoc and temporary PMG instead of a dedicated and permanent military police corps had a negative effect when preparing for a future war.

The lack of a dedicated military police corps charged with maintaining and developing the capabilities created by the AEF, in conjunction with the changing international environment, handicapped the US Army with inexistent doctrine and no

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<sup>86</sup>*1917 Report of Provost Marshal General*, 371.

<sup>87</sup>*National Defense Act of 1920*, 1-3.

existing capability when the need to perform military police functions arose at the outset of WWII. Without a permanent military police corps, the US Army unintentionally purged a combat proven capability and created a void of experience and maintained obsolete doctrine. The decay and mismanagement of the experiences of AEF as well as the lack of planning pertaining to the custody and treatment of POW would leave the US Army ill prepared to meet the needs of the next war. Bandholtz's remarks to Pershing advised that it was not necessary to maintain military police at wartime strength during peacetime. What is imperative is to maintain some experts and a military police capability during peacetime to refine and train those tasks needed in war. In the case of war, or if the need arose, these experts and the limited retained capability could expand to meet the needs of the army.<sup>88</sup> Without a permanent military police corps, the US Army did not have a proponent with experience to continually refine the lessons learned in WWI and develop them to meet the needs of a future war. The US Army in 1920 repeated the mistakes that ill prepared the AEF for POW operations prior to WWI.

Despite the prewar international discussion concerning the treatment of POWs, before WWI the US Army did not have adequate doctrine to address this issue. The POW doctrine prior to WWI provided little to no guidance for the AEF to carry out the immense task. The only mention of POWs in the *FSR* updated in 1917, explained their importance for intelligence purposes, how to march them to the rear, and the responsibility of the provost marshal to hold them and submit reports. The report submitted by the provost marshal was to include the numbers and names of the POWs,

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<sup>88</sup>*1917 Report of the Provost Marshal General*, 365.

and on the same report record information about any enemy dead.<sup>89</sup> The most extensive discussion of POWs in the *FSR* was a copy of the Hague Convention of 1907. The Hague Convention merely outlined the agreements pertaining to the treatment, custody, and use of POWs. It provided no direction of how to operate a POW program.<sup>90</sup> These brief statements did not prepare the US army for future POW operations on the scale they would see in WWI. The *FSR* did not provide a means for executing the international agreements it merely listed them in an annex, failing to apply their implications in conjunction with a major conflict. The *FSR* and structure of the US Army prior to WWI provided for a staff provost marshal and his military police detail of 12 soldiers to maintain long term custody of all POWs captured by a division. The international discussion provided insight of how large and important this function was for future wars and the US Army failed to plan for the inevitability.

The US Army did not prepare the AEF to handle POWs despite the international discussion and agreements developed before WWI, which forced the creation of a hasty POW operation. When US involvement in the war began in 1917, the AEF, the War Department, and the State Department could not agree if the POWs should stay in Europe or transported across the Atlantic Ocean and interned in a US based facility. Despite the argument, both sides prepared for long term custody of enemy POWs.<sup>91</sup> As previously

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<sup>89</sup>*Field Service Regulation 1914*, 68-69, 179.

<sup>90</sup>*Ibid.*, 206-213.

<sup>91</sup>Headquarters, Department of the Army, Department of the Army Pamphlet (DA-PAM) No. 20-213, *History of Prisoner of War Utilization by the United States Army 1776-1945* (Washington, DC: Government Printing Office, 1955) (hereafter cited as *POW Utilization by the US Army*), 47-53.

discussed, the AEF found itself sending soldiers from replacement depots in Europe to create a guard force necessary to maintain custody of the enemy POWs.<sup>92</sup> In the US, the guard force was an amalgamation of a guard company taken from the US Disciplinary Barracks at Fort Leavenworth, Kansas and augmented by retired officers, married men, soldiers nearing retirement and retired non-commissioned officers.<sup>93</sup> Regardless of being ill prepared for the immense task, the AEF and the US Army developed a robust Prisoner of War Department that successfully managed the transportation, custody, and care for thousands of POWs during WWI. The AEF military police corps was able to manage POW duties as well as create a detailed record of their experiences. Given the extent of the operation it was evident that the handling and custody of POWs was an implied factor of any future war. Despite this hard learned lesson, little to no prisoner of war planning occurred between WWI and WWII.

During WWI the US Army developed and refined a capability it would undoubtedly need in a future war. Throughout WWI the AEF developed and documented a successful means of managing POWs. In his April 15, 1919 report to the AEF Commander-in-Chief, the AEF PMG submitted a detailed 112 page report on the evolution of the POW program in Europe. This report provided comprehensive information on the AEF POW program to include the hasty operations in the beginning, a fully operational system, and how the AEF conducted POW repatriation at war's end. The most important aspect of the document discussed what the POW division started with, mistakes made, what corrected those mistakes, and how the POW department,

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<sup>92</sup>*1917 Report of the Provost Marshal General*, 8.

<sup>93</sup>*POW Utilization by the US Army*, 47-53.



along with the various facilities and headquarters, operated at the end of the war.<sup>94</sup> This record created a case study and manual of how to manage POWs in a theater of war. It was important to continue to develop those experiences learned by the AEF and above all else continue to update this doctrine to nest with both international developments in POW care and custody as well as the development of army doctrine. With the understanding that any war would inherently require the need to maintain custody of POWs, it was imperative to retain some means of continually updating its doctrine. A permanent military police corps was the ideal proponent to maintain and update POW doctrine during the interwar period.

Without a permanent military police corps following WWI, the US Army did not update and revise doctrine in preparation for its future application. The time after WWI provided an opportunity to refine and develop the POW experiences learned by the AEF. The AEF PMG provided a detailed report of a successful, large scale POW operation. Given the near inexistence of US Army POW doctrine prior to WWI, this report supplied a paradigm to shape future POW operations. The logical choice to continue the development of POW doctrine was the AEF military police corps returning from Europe in 1919. Since the National Defense Act of 1920 did not establish a military police corps, the task of planning POW operations passed to the Operations Division of the War Department. There was no effort to develop POW doctrine until 1924.<sup>95</sup> The lack of a dedicated corps or section to focus on continually update POW doctrine, deteriorate the capability overtime. The US Army as a whole was responsible for continually updating

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<sup>94</sup>*1917 Report of the Provost Marshal General, 77-189.*

<sup>95</sup>*POW Utilization by the US Army, 67.*

this capability. Other branches focused on refining and updating the developments created by their soldiers during WWI. Without a permanent military police corps to focus on their achievements during WWI, no other branch focused on updating POW doctrine.

In 1924 the US War Department believed it was prudent to develop military police regulations despite Congress's rejection of a military police corps. Brigadier General Rockenbach, assigned the role of PMG US Army in 1924, began writing regulations and planning for the establishment of a military police corps. The War Department charged Rockenbach with planning the establishment of a military police corps in the case of war or by presidential decree as provided by the National Defense Act of 1920.<sup>96</sup> Rockenbach developed a manual outlining the duties of military police. The AEF PMG report submitted by Bandholtz to the Commander-in-Chief heavily influenced the manual Rockenbach assembled. It was the only large scale case study provided to date on the execution of a POW operation.

In 1927 an Infantry Board convened to authorize the publishing of Rockenbach's military police corps manual. The board ultimately decided to cancel the manual's publication. The board's reason for the cancellation was they felt it was inappropriate to publish a manual for a corps that did not exist. After the decision of the Infantry Board, the Adjutant General assumed responsibility for military police planning. The US Army did not publish the manual. Planning and doctrine development for POW operations remained dormant until 1937.<sup>97</sup> Without a military police corps to vet and approve their

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<sup>96</sup>*POW Utilization by the US Army*, 67-69; US House, Hearing February 26, 1920, 3.

<sup>97</sup>*POW Utilization by the US Army*, 67-69.

own updates to doctrine, the attempt to improve obsolete doctrine, even when urged by the War Department, met opposition by doctrine approval boards of uninterested branches. Without a permanent military police corps, no one developed the experiences of the AEF, integrated international agreements with doctrine, or integrate POW operations into US Army doctrine. The result was a 22 year suspension of POW doctrine creation, integration, and development.

The build up to WWII brought the need for a POW capability and in turn solidified the need for and establishment of a permanent military police corps. As the US became involved with the hostilities overseas, the need for a large scale POW and internment operation became imminent. Due to an agreement between the US Army and US Navy, the US Army was responsible for the custody of POWs from detained enemy ships.<sup>98</sup> In order to prevent espionage during the build up to war, the War Department decided to intern 18,500 civilians, from prospectively hostile nations, who were living in the US.<sup>99</sup> Without a permanent military police corps, the army was without an on hand capability to perform such an endeavor. The War Department also realized that existing US Army doctrine did not account for international dialogue and agreements pertaining to POWs.

The US Army realized in 1941 that POW doctrine was incomplete or obsolete and there was a need to create a permanent military police corps to update and execute POW operations. After the Infantry Board rejected the publication of military police regulations in 1927, two major international conventions met to discuss and ratify agreements

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<sup>98</sup>Ibid., 49-50.

<sup>99</sup>Ibid., 70.

concerning POWs. The Geneva Prisoner of War Convention of 1929 produced 97 articles discussing the treatment of POWs.<sup>100</sup> The absence of a military police corps or advocate for the development of POW doctrine meant US Army regulations did not specifically address these articles. In order to merge doctrine with agreed upon international law, the Judge Advocate General, Major General Allen W. Gullion, became the Provost Marshal General in the summer of 1941.<sup>101</sup> Gullion, not only faced with integrating international law with POW doctrine, had to also produce POW doctrine. With no other POW doctrine produced in the 22 years after the AEF returned from Europe, Gullions only reference of contemporary US Army POW operations was the AEF PMG report published in 1919. If the US Congress approved a permanent military police corps charged with maintaining and updating doctrine, Gullion's responsibilities of integrating that doctrine with international law would have been far easier. Gullion did not have either an on hand capability or updated doctrine and he requested the establishment of a permanent military police corps in September of 1941.

Despite their success in developing an effective POW operation from scratch and their utility on the battlefield, the military police corps did not become a permanent aspect of the post WWI army. The AEF developed and refined an effective military police corps in spite of the little experience and ineffective planning prior to the war. The shear growth of the corps illustrated its need on the modern battlefield. Senior leaders in the AEF equally recognized the importance of specially trained and organized military police. As the US ratified convention agreements and international laws of war

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<sup>100</sup>Ibid., 66.

<sup>101</sup>Ibid.

concerning the treatment and custody of POWs, the corresponding army doctrine lay stagnate. Had the US Congress established a permanent military police corps following WWI, the US Army would have been equipped with a proponent to continually refine doctrine while also maintaining a pool of experienced personal to teach others and preserve a capability obviously needed in future war. According to Bandholtz, the obvious time to establish a permanent military police corps was following WWI and the ramification for this missed opportunity was the hindered ability to develop doctrine during the interwar period as well as rapidly provide a capability when needed.

## CHAPTER 5

### CONCLUSION

On September 26, 1941 the US Congress passed an act that established a permanent military police corps in the US Army. Despite the benefits afforded to the AEF by a military police corps, and the advantages of a permanent military police corps, the adaptation of this new organization did not occur directly following WWI when it seemed most logical. The US Army revisited the creation of a permanent military police corps when it realized it had failed to retain a capability it would soon need. Created by the AEF out of necessity, the military police corps became a permanent part of the army structure when the US Army realized it lacked a capability it would need in a future war and continues today based on its persistent effective and efficient support of army operations.

The logical moment in US Army history to establish a permanent military police corps was during the interwar period between WWI and WWII. The AEF entered WWI unprepared to meet the demands of an increasingly complex war. Throughout the war the AEF cultivated, out of necessity, improvements to organizational structure. These improvements to organizational structure, such as the military police corps, provided capabilities proven inherent in modern war. The logical conclusion should have been it was necessary to create a permanent military police corps in the US Army following WWI. However, a military police corps was not established and the failure to do so created a void in a capability proven necessary in war. Not only did the US Army lack a capability inherently required by modern war, the necessary cultivation of the embryonic doctrine created by the AEF ceased to exist. The value of a permanent military police

corps became apparent in 1941 with the emergence of possible hostilities and the eventuality of another world war.

The US Army did not have a need for a permanent military police corps until WWI showed the future of combat would include increasingly complex battlefields with a requirement for troops specialized in their duties. Throughout the history of the US Army, commanders have always been directly responsible for maintaining good order and discipline within their command. When confronted with disciplinary concerns increased by the natural stresses and complexity of war, General George Washington appointed provost marshals, temporary details, and eventually dedicated an entire unit, the Maréchaussée corps, to support the inherent duties of his subordinate commanders. At the conclusion of war, there was no need for the organizations created by Washington given the innate responsibilities of commanders without the distraction of war. This created a tradition of raising military police units during time of war only to disband the created units during time of peace. This same cycle of identifying a need, creating the necessary forces, and disbanding the created capabilities continued through the American Civil War and WWI.

The role of the provost marshal during the American Civil War was the result of unique needs of the war itself. Provost marshals appointed during the war maintained order and enforced discipline within the US Army and occupied cities, and enforced national laws created to fulfill the needs of war. Formed for the sole reason of fulfilling a unique need created by the Civil War, these positions, just like those created by Washington during the American Revolution, disappeared from the US Army at the conclusion of the war. Part of the reason for their removal from the army was the stigma

associated with provost marshals and the national conscription laws. Ultimately there was no need to enforce the national conscription law after the war in 1866, and so there was no need to retain the provost marshals bureau charged with overseeing the draft. The war created necessary duties but were only temporary and not required after the war.

The increase in scale and complexity of WWI created the need for specialty trained soldiers in their respective wartime functions in order to be effective. The preparation of soldiers to conduct military police duties at the onset of WWI was inadequate. The demand for military police was on a larger scale than that of which the AEF had prepared. In order to make them more efficient and effective on the battlefield the AEF organized and provided specialty training for military police. However, the US Army failed the AEF by not foreseeing the need for the large scale prisoner of war detention capability required by the modern warfare. The obvious need for this capability in a future war demanded the retention and development of this capability during peace.

The failure of the US Army to maintain a military police component created additional strain as well as a slow response when the need for that capability arose at the outset of WWII. Since the US Army did not dedicate a specific unit or section to continue to refine and progress the doctrine and experiences of the AEF military police corps, the doctrine and development of this capability remained unchanged. When needed at the outset of WWII, the POW doctrine in the US Army was obsolete in that it did not account for multiple congressionally ratified international agreements as well as a joint agreement with the US Navy. When the need for a POW capability loomed on the horizon, the US Army did not have an on hand asset or updated doctrine to build the required capacity to accomplish this mission. The situation necessitated the appointment of the Judge



Advocate General of the Army to the Provost Marshal General of the Army, who quickly realized a permanent military police corps was the only means to solve the capability gap. The WWII experience again highlighted it is imperative for an army to maintain and continue to refine capabilities during peace that are required in war.

As the US Army enters another post-conflict period and evaluates organizational makeup it is important to assess what elements are required for war and ensure they remain part of the fundamental army structure. During the GWOT, one military police platoon was organic to each Brigade Combat Team. The US efforts in Iraq by and large identified that each Brigade Combat Team was in need of more than one military police platoon. Despite these findings the 2015 US Army Brigade Combat Team structure eliminates the military police platoon leaving no organic police capability within the unit. Just as the Superior Board's recommendation for a company of military police for every division did not come to fruition, so have the recommendations of those of the GWOT army generation.

Many of the same factors that denied the creation of a permanent military police corps after WWI opposed the expansion or even retention of today's current military police strength. As we enter into a post war army, the army focuses on reducing its overall size to meet economic goals. This is similar to what the army faced after WWI. Some experiences of the AEF were lost due to the focus on shrinking the army to an economically responsible size. The GWOT has produced new advancements and capabilities necessary for retention in case of future war similar to how the post WWI army incorporated the army air service and the chemical service into the total army structure. The need to reduce overall size coupled with the responsibility to incorporate

new capabilities creates an environment where all branches may lose total strength and some elements of army structure may dissolve entirely. The military police corps, and every branch, must understand and clearly demonstrate what function they provide to the army of the future.

In order to remain relevant, the military police corps must continue to provide the US Army with well organized, trained, regulated, and professional experts in its domain capabilities. Despite what most military police would think or say, their individual duties could be accomplished by others in the US Army. Just as assembled details were able to provide necessary military police capabilities early in WWI, soldiers today could provide the functions associated with the military police corps. The benefit gained by both the AEF military police corps then and the permanent US Army military police corps now, was and is a well organized, trained, and regulated force. The relevancy of the military police corps now lies within the quality of support that it provides to the overall effort of the army.

This study, through its discussion of military police history in the US Army, provides topics that merit further research. Military police from 1775 through 1941 maintained a tradition of existing during war to provide a wartime function only to dissolve after the conflict. Established just prior to WWII to provide a wartime capability, the military police corps did not dissolve after WWII. What made the post WWII army conducive to the retention of a military police corps than the post WWI army? Another topic deserving of continued study is the constabulary in the Philippines after the Philippine-American War from 1899-1902. A common capability requested of military police during the GWOT was that of host nation security force advisors. The Philippines

constabulary is a case study of the US Army recruiting, organizing, training, and employing a host nation security force to maintain order in an occupied nation. The continued discussion and research of both of these topics would add to the understanding of why the military police corps exists and the evolution of a military police stability capability.

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