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THE MARIJUANA DILEMMA AND THE ARMY
OF THE SEVENTIES

Wilbur D. Getz, et al

Army War College
Carlisle Barracks, Pennsylvania

28 February 1972

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USAWC RESEARCH PAPER

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THE MARIJUANA DILEMMA AND THE ARMY OF THE SEVENTIES

GROUP STUDY PROJECT-GROUP RESEARCH REPORT

by

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and

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US Army War College
Carlisle Barracks, Pennsylvania
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AUTHOR: COL Wilbur D. Getz, MPC, and LTC Clarence E. McKnight, Jr., SigC
FORMAT: Group Research Report
DATE: 1 March 1972 **PAGES:** 58 **CLASSIFICATION:** Unclassified
TITLE: The Marijuana Dilemma and the Army of the Seventies

Marijuana continues to rise in popularity, especially among the youth of our nation. Legalization at this time seems rather remote, however, a dilemma exists today with the millions of Americans ignoring the law and using marijuana to varying degrees. This paper addresses the current issues surrounding the myth and symbology of marijuana and recommends ways to minimize its use by soldiers. Data was gathered primarily from the various US Government agencies which are concerned with drug abuse and narcotic control. It was concluded that law enforcement efforts, both in civil and military jurisdictions, have failed to stem the rising use of marijuana. An attempt was made to present a balanced discussion of the pros and cons of the marijuana legalization question. Recommendations were made to change the harsh marijuana laws which currently exist in the Uniform Code of Military Justice and to revitalize the chain of command. (This paper postulates that the chain of command has been weakened through the permissiveness of junior leaders who condone marijuana smoking.) The authors believe that many soldiers smoke marijuana only because of peer pressure and should not be placed in the same category as the criminal types who sell drugs for profit. By adopting common-sense practices in dealing with the marijuana dilemma, the Army can go a long way towards destroying the symbology and mystique of this popular drug.

PREFACE

The writers of this paper have endeavored to present some of the latest issues from the kaleidoscope of opinions which surround the marijuana dilemma. The personal opinions of the writers are interwoven throughout the paper and are based on their own experiences in dealing with drug abuse in the US Army during the 1969-1971 time frame. Colonel Getz, who has served as a Military Police Commander in both Vietnam and the US, has considerable experience in the "drug scene" especially from the law enforcement aspect. Lieutenant Colonel McKnight commanded two different types of signal battalions in Vietnam during 1969-1970 and recently commanded the signal battalion of a Mechanized Infantry Division in Europe.

Both writers believe that the symbolic myth which surrounds marijuana must be destroyed if the Army of the Seventies is to have an effective system of discipline. Their opinions may appear a bit emotional to the reader who has been outside the troop areas for a few years; however, it should be stressed at the onset that both writers have had extensive first-hand experience with soldiers who use drugs, and they bring to this paper deep personal convictions and not just academic interest.

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CHAPTER I

INTRODUCTION

Since 1969 the United States Army has become increasingly involved with the serviceman and drug abuse. Estimates by "experts," commanders, military police, doctors, users, dealers, pushers and wholesale operators vary around the world as to the actual percentage of servicemen involved in the real gut issue--drug dependence which has been defined as "a state of psychic or physical dependence, or both, arising in a person following administration of a drug on a periodic or continuous basis."¹

Drug abuse is a recognized problem not only in the Army but throughout our nation.

In July 1971, President Nixon asked Congress for \$10 million to be used solely for drug education. In addition, the President established a Special Action Office of Drug Abuse in the White House headed by Dr. Jerome Jaffe, former director of drug abuse programs for the state of Illinois.²

Despite the harsh, restrictive laws designed to deter its use, marijuana, the most abused drug both nationally and internationally (excluding legally sanctioned tobacco and alcohol), has risen in popularity. There are many citizens who feel that marijuana is definitely in a class by itself and is not a one-way street to hard drugs and addiction. They feel that great injustices are resulting from harsh antimarijuana laws which foster disrespect for our entire judicial system. In their view,

legalization of marijuana would correct many wrongs and would free our law enforcement agencies to fight our real enemies in this arena--the dealers, pushers, and wholesale distributors of hard drugs such as heroin.

It is the purpose of this paper to focus on drug dependence of the cannabis sativa (marijuana) type in the US Army and to examine current factors which should be considered in formulating common sense, practical policies for marijuana control in the Army of the Seventies.

The underlying theme of this paper is to attack a problem-- which in the opinion of the writers, has both contributed greatly to the decay of sound discipline in the US Army and has created a critical dilemma for all Americans.

Marijuana is not the problem but merely a symptom of a sociological ill which has spawned a communication gap, not only between young and old, but among all classes of Americans.

The myth and symbology of marijuana must be destroyed. Hopefully the Army can lead the way!

CHAPTER I

FOOTNOTES

1. Sidney Cohen, M.D., The Drug Dilemma (1969), p. 7.
2. National Observer (Washington), (26 July 1971), p. 1.

CHAPTER II

AN HISTORICAL GLANCE AT MARIJUANA

Originating in the Central Asian plateau, the lowly hemp plant, an intoxicant second only to alcohol, has caused monumental problems in the United States in recent years. Botanically classified as *Cannabis Sativa*, it is known by many names, that of marijuana being the most common. The Persians knew it as hasheesh. In India the resin extracted from the plant is called Charas; when smoked it is ganja; when drunk it is bhang. It has been known for centuries in Africa as instangu. In Egypt and Asian Minor, where its use is widespread, a confection made with the drug is known as dawamesk.

Without geographical distinction, marijuana has been drunk, chewed, smoked, and sniffed by its devotees for centuries. It was lauded in the *Odyssey* of Homer as a drug to kill all pain and anger, and to bring forgetfulness of all sorrow. It is mentioned in the *Arabian Nights* and it was described in 2737 B.C. in a Chinese book on pharmacy written by Emperor Shen Nung.¹ An easily propagated weed growing abundantly in subtropical and temperate climates, *Cannabis*, or marijuana, is the easiest and cheapest of the so-called mind expanding drugs. Over the years, its consumption has spread from China to India, the Middle East, and Africa. From there it extended to South America, Central America, and in the past 50-75 years, to North America and Europe.² It is

undoubtedly the most widely used drug excepting alcohol and tobacco and probably the most controversial.

The name "Cannabis" is latin for hemp, and denotes the genus of the hemp family of plants. "Sativa," the species name, is latin for "planted or sown," and denotes the nature of the plant's growth--from seed rather than from perennial roots. The varieties of Cannabis are usually named after their country of origin, e.g., Cannabis Americana. These varieties vary tremendously in the amount of psychoactive material they contain, largely determined by the ancestors of the plant and the geographical location.³ The American variety, Cannabis Americana, is of relatively poor quality when compared with the marijuana produced in other countries. Perhaps this is a blessing in disguise.

Chemically, a large number of related compounds are found in marijuana. A substance called tetrahydrocannabinol (THC) has been established as the major active euphoric principle in Cannabis Sativa resins. THC is an unstable compound and this fact accounts in part for conflicting research reports on marijuana. The amount of active substance varies depending on the soil, moisture, time of harvesting, storage and other factors. Smoking is regarded as the most active way that the drug can be used. The eating of hashish, the resin of the plant, tends to reduce its activity, but very potent preparations are effective when taken orally.⁴

Not surprisingly, cultivation of the Cannabis plant for its fibrous content was practically simultaneous with the founding

of the American Colonies. Until the Civil War, hemp fiber was an important cash crop which provided the rigging ropes for our sailing ships and the canvas covers on our westwardbound pioneer wagons. The decline of the rope and canvas industry forced the ingenious American entrepreneurs to discover other uses--including the manufacture of high grade paper used primarily in Bibles and paper currency. And until passage of the Marijuana Tax Act of 1937, which effectively stopped even the innocent use of marijuana, tincture of Cannabis was a reliable therapeutic regularly prescribed by physicians for a variety of ailments.⁵

The use of the plant as an intoxicant during the first centuries of American history was rare, and it is generally assumed that knowledge of its intoxicating properties were unknown. It was not until the 20th Century that the abuse of marijuana began attracting attention with the introduction of the "reefer"-- a marijuana cigarette. While documentation is nonexistent, it is generally assumed that the custom of smoking marijuana in cigarette form was first introduced in quantity by itinerant Mexican workers about 1910. By the 1930's, marijuana usage was sufficiently widespread to cause newspapers to carry stories of the "Marihuana Menace."⁶

The use of marijuana has been increasing steadily in the United States since the turn of the century. However, its use since 1960 appears to have been increasing at a truly fantastic rate. A few simple statistics indicate the magnitude of the problem. Bulk seizures of marijuana by federal enforcement

authorities totaled 5,641 kilograms in 1965 as against 1,890 kilograms in 1960.⁷ California reports 14,200 arrests for possession of marijuana in 1966; 26,500 arrests in 1967; and 34,000 arrests in 1968.⁸ One doctor has estimated that 10,000,000 Americans smoke marijuana either regularly or occasionally.⁹ Although this estimate was made over two years ago, however, it would appear to be close to the actual usage level as reported by the most recent surveys. The first results of a survey conducted for the National Commission on Marijuana and Drug Abuse indicates that 8,340,000 Americans are using marijuana. More importantly, the survey reflects that 24,000,000 have at one time used marijuana--15 percent of the population--including 40 percent of the young adults between 18 and 25 years of age.¹⁰

Looking from any angle, the problem of illegal use of marijuana is of considerable magnitude. Certainly any problem which could cause 15 percent of our population to be branded as criminals is worthy of our immediate attention.

CHAPTER II

FOOTNOTES

1. Eugene Stanley, "Marijuana as a Developer of Criminals," The American Journal of Police Science, Vol. 2, No. 3 (May-June 1931), quoted in Charles K. Eden, "One More Analysis of Marijuana and Society," The Military Police Journal, Vol. XXI, No. 4 (November 1971), p. 23.
2. Sidney Cohen, M.D., The Drug Dilemma (1969), p. 50.
3. Edward R. Bloomquist, M.D., Marijuana, The Second Trip, (1971), p. 2.
4. Cohen, p. 52.
5. Lester Grinspoon, M.C., Marihuana Reconsidered (1971), pp. 11-14.
6. Ibid., pp. 15-16.
7. Task Force on Narcotics and Drug Abuse, President's Commission on Law Enforcement and the Administration of Justice (1967), quoted in Charles K. Eden, "One More Analysis of Marijuana and Society," The Military Police Journal, Vol. XXI, No. 4, November 1971, p. 22.
8. John Kaplan, Marijuana - The New Prohibition (1970), p. 29.
9. Joel Fort, M.D., "Pot: A Rational Approach," Playboy, (October 1969).
10. Stuart Auerbach, "Marijuana Called a Problem for Doctors, Not Policemen," The Washington Post (January 22, 1972), p. A3.

CHAPTER III

HISTORY OF MARIJUANA PROBLEMS IN THE US ARMY

To document a long history of marijuana use by large groups of active duty soldiers is beyond the scope of this paper. It would, nevertheless, be naive to assume that soldiers have only recently learned to "turn on" with marijuana. The "weed"¹ has been readily available to servicemen both at home and abroad throughout the history of the US Army; however, it would be safe to deduce, since the Army is a reflection of society, that the genuine problems connected with extensive use of marijuana by active duty soldiers began sometime in the 1960's.

What caused the sudden upsurge in the use of marijuana? Did the nation's commitment to an unpopular war in Vietnam drive our draft-age youth into a drug-oriented subculture which attracted many others who challenged the accepted mores of the American society? Or was it suddenly time for our nation to pause in its accelerated technological development and through introspection examine the soul and moral fiber of "America the Beautiful?" The Vietnam War, American mores, and the "quality of life" in America today, all suggest partial answers to the question "Why marijuana?"; however, a complete answer, quite frankly, may be beyond the state of our art of analysis. On the other hand, as stated by Dr. E. R. Bloomquist, a noted expert on marijuana and drug abuse, "America is apparently in desperate need of a cheap, safe, effective tranquilizer. To date, none has been developed. Currently, some

suggest that the answer may be found in the chemistry of cannabis (marijuana). Perhaps. But it is possible that once again, with professional assistance, we may be climbing "fool's hill."²

Bearing in mind that the young soldier is a bonafide reflection of the society from whence he came, it is still productive to probe into the recent history of the military establishment's attitude toward pot smoking to get a clearer picture of the current marijuana problem.

In the 1920's, a committee was appointed in the Panama Canal Zone to study marijuana and, if found to be harmful, to recommend steps to be taken to minimize the detrimental effects on troops. After a nine-month study, the committee reported that "the use of marijuana was not habit-forming and had no deleterious influence on the individuals using it."³ A second study was carried out in 1931 in the Canal Zone with marijuana grown at the Canal Zone Experimental Gardens to assure consistency of the drug. Thirty-four soldiers smoked the "weed" and the study results indicated that marijuana was a

mild stimulant and intoxicant . . . , that it was not habit-forming, that crime and antisocial behavior failed to result from its use, and that delinquencies caused by marijuana smoking which might result in the user's being court-martialed were negligible compared to problems caused by alcohol by the troops.⁴

Dr. E. R. Bloomquist points out that perhaps this was true in 1925 and 1931 when few soldiers were using marijuana and a peacetime Army could condone "poor judgment and decreased ability on the

part of its soldiers. But what about times when soldiers are facing active combat."⁵

Dr. Bloomquist cites the findings of Marcovitz and Myers, a team of two Army medical doctors who published their observations on thirty-five confirmed marijuana abusers in 1944 in War Medicine, a publication of the American Medical Association.⁶ Over a period of seven months in an Army Air Force regional station hospital, Myers and Marcovitz observed that marijuana users:

Present a serious problem in their failure to perform any useful duties, in breaches of discipline, in constant need for medical attention, in constant failure to respond favorably to disciplinary measures or to attempts at rehabilitation and in their disruptive effect on the morale of their organization.⁷

Many commanders today would agree with the above findings and would be amazed that such observations were made more than 25 years ago by US Army doctors.

Myers and Marcovitz recommended that Government institutions for chronic marijuana users be established since the problems of disposition of these drug users could not be "adequately solved by punishment, short-term imprisonment or discharge."⁸ The authors' recommendations were not followed.

"Pot smoking" by servicemen was neither extensive nor newsworthy during World War II or the Korean Conflict. The few reported cases of marijuana use were related mostly to the ghetto-type backgrounds of the violators and were not considered evidence of any rising trend which would affect the health, welfare, or

capability of Army troops in general. However, by 1968--three years after our GI's had entered Vietnam as members of combat forces--marijuana had emerged as a youthful symbol of defiance, not only to the Vietnam War but to the American way of life.

The Washington Post, in July 1968, published a lengthy article which went into detail about the 400 pounds of marijuana that was allegedly smoked at Fort Hood, Texas each month. Officers charged with enforcing antimarijuana regulations agreed that usage by GI's was extremely heavy. It was estimated that about 12,000 soldiers at Fort Hood were using "grass" regularly. Many Vietnam veterans indicated that they used marijuana in combat and even took marijuana off dead enemy bodies for their own personal use. Most of the heavy users at Fort Hood who espoused political aims at interviews with the Washington Post reporter indicated that they were against war in general and would vote for Senator McCarthy in the forthcoming presidential election. One spokesman for the heads (heavy users) summed up his views: ". . . The Army is getting into everybody else's thing. I hope my generation can end the power thing and move into a peace bag. . . . Am I afraid of Communism? Only juice heads (alcohol users) freak out on Communism."⁹ Challenges to authority at Fort Hood by marijuana users included growing droopy mustaches, trying to extend the legal length of sideburns and circulating clandestine anti-Army newspapers.

By 1969, the Nixon Administration was beginning to bow slightly to the youthful plea for repeal of harsh antimarijuana

laws. Dr. Roger Egeberg, Assistant Secretary of the Department of Health, Education and Welfare, testified before a House Committee on Crime that "Marijuana is not a narcotic There is no scientific evidence to demonstrate that the use of marijuana in itself predisposes an individual to progress to 'hard' drugs."¹⁰

Dr. Egeberg stated that he was in favor of reducing the penalties relating to marijuana use by individuals, but he was very concerned

about the fact that millions of our citizens, most of them young people, are tampering with a drug whose long-term effects neither they nor anyone else fully understand. . . . We do not know, for example, what--if any--effect the frequent use of marijuana may have on the intellectual and emotional maturation of a person who begins to experiment with the drug at, say 18 or 15 years of age, or even younger.¹¹

A new federal law dealing with marijuana was passed in 1970; however, punishments remained relatively stiff and had little effect on solving the dilemma.

A New York Times article in 1970 quoted a former Marine Sergeant who testified before a Subcommittee of the Senate as saying that he had almost been killed by pot smokers in Vietnam, According to the Chairman of the investigating committee, Senator Dodd, the purpose of the hearings was to prod the military into action to solve the marijuana problem.¹²

It is interesting to note that marijuana use started to climb rapidly in 1969, especially in Vietnam, after President Nixon

announced the first phase of troop withdrawals. Rising trends are reflected in DOD statistics relating to the number of investigations made by military police agencies for marijuana violations during this period (see Table 1).¹³

Had our young soldier suddenly realized that he was--for the first time in our history--fighting a war where classical victory was not possible? It would be impossible to provide a generalized answer acceptable to all as to why many of our young soldiers became disillusioned in the summer of 1969 but, in the opinion of the writers, there is a correlation between the announcement of the first troop withdrawal from Vietnam and the sudden upsurge in use of drugs and marijuana by youths both in and out of the Army. It can be noted that a similar increase occurred in the US Marine Corps. A more detailed discussion of this hypothesis will be made in Chapter V of this paper.

TABLE 1

WORLDWIDE HARD NARCOTICS, MARIJUANA
& DANGEROUS DRUGS

CALENDAR YEARS--1968-1969-1970

	Number of Military Individuals Investigated		
	1968	1969	1970
HARD NARCOTICS			
Army	434	961	2,306
Navy	382	433	623
Air Force	171	259	319
Marine Corps	203	636	733
Total U.S. Forces Worldwide	1,190	2,289	3,981

	Number of Military Individuals Investigated		
	1968	1969	1970
MARIJUANA			
Army	7,450	12,739	17,472
Navy	4,395	5,909	7,511
Air Force	2,553	3,118	2,715
Marine Corps	2,470	4,210	4,795
Total U.S. Forces Worldwide	16,868	25,976	32,493

DANGEROUS DRUGS

Army	318	1,453	3,013
Navy	1,188	1,447	2,476
Air Force	151	245	773
Marine Corps	447	985	1,600
Total U.S. Forces Worldwide	2,104	4,130	7,862

Rate per 1,000 of Individuals Investigated

HARD NARCOTICS

Army . . . . .	.30	.69	1.91
Navy . . . . .	.45	.64	1.00
Air Force . . . . .	.18	.24	.35
Marine Corps . . . . .	.69	2.14	2.75
Total U.S. Forces Worldwide . . . . .	.32	.67	1.29

MARIJUANA

Army	5.17	9.07	14.31
Navy	5.55	8.95	12.30
Air Force	2.81	3.07	3.46
Marine Corps	7.76	13.99	18.08
Total U.S. Forces Worldwide	4.84	7.60	10.56

DANGEROUS DRUGS

Army . . . . .	.23	1.02	2.47
Navy	1.62	2.19	4.10
Air Force . . . . .	.16	.23	.98
Marine Corps	1.50	3.31	5.92
Total U.S. Forces Worldwide . . . . .	.50	1.21	2.55

(Chart used June 9 by Assistant Secretary of Defense (Manpower and Reserve Affairs) Roger T. Kelley to discuss drug abuse in the U.S. Armed Forces before the Senate Subcommittee on Alcoholism and Narcotics.)

CHAPTER III

FOOTNOTES

1. Marijuana will be referred to throughout this paper by many local names such as "weed," "pot," "grass," "gace," or "tea."
2. Edward R. Bloomquist, M.D., Marijuana The Second Trip (1971), p. 329.
3. J. F. Siler, et al., "Marijuana Smoking in Panama," Military Surgeon (1943), pp. 269-280.
4. Bloomquist, Marijuana the Second Trip, p. 203.
5. Ibid.
6. Ibid.
7. Ibid., p. 204.
8. Nicholas Von Hoffman, "Seven MPs Smoke Pot at Fort Hood," Washington Post (14 July 1968), pp. A1, A12.
9. Eli Marcovitz and Henry J. Meyers, "The Marijuana Addict in the Army," War Medicine (December 1944), pp. 382-394.
10. "Nixon's New Plan to Deal with the Marijuana Problem," US News & World Report (October 1969), p. 14.
11. Ibid.
12. "Marijuana Foe Says GI Threw a Grenade at Him," New York Times (October 19, 1970), p. 16.
13. Chart extracted from Commanders Digest (July 1, 1971), p. 7.

CHAPTER IV

CURRENT PROFESSIONAL ATTITUDES TOWARD MARIJUANA

Professionals in medicine, science, law, psychiatry, and various other fields have written volumes about the current marijuana dilemma. There is much agreement in the fact that marijuana is rising in popularity; however, this is one of the few points where mutual agreement exists. It would be dangerous to arrange the various comments in a pro and con sequence since no "expert" is really totally "for" or totally "against" the use of marijuana. The views expressed in this chapter illustrate the complexity of the marijuana dispute and are an indication of the kaleidoscope of professional opinions which face lawmakers as they ponder about what is best for their constituents.

In April 1970, experts of the National Institute for Mental Health (NIMH) testified before Congress that 65 percent of the 12 million Americans who have tried marijuana are "experimenters" and after a few times have abandoned its use. They estimated that 25 percent were social users of marijuana and used it fairly regularly with a few friends at home or at parties. The remaining 10 percent were heavy users and considered that marijuana was a major factor in their lives.

A key recommendation of the Committee of Experts from NIMH was to reduce penalties for first offenders for possession or use of marijuana to no more than one week in jail, instead of fines and 2 to 10 years in jail.¹

John Kaplan, professor of law at Stanford University, concedes that the dangers of marijuana are "far from negligible," but he has made a plea for legalization in his recent book, Marijuana the New Prohibition.

Kaplan believes that revenues on legal marijuana would be substantial, and with Government supervision buyers would know what they were getting.² "According to a confidential estimate supplied to the White House, taxes on legal marijuana could produce as much as \$900 million a year in revenue."³

On the other hand, Edmund K. Faltermayer, in the March 1971 issue of Fortune, postulates that legalization would be unwise at this time because:

(1) Society has too many problems now with alcohol-- "use of which is irrevocably woven into the fabric of American life."

(2) Professional scientific knowledge on the dangers of marijuana to its users is not conclusive and complete enough to lower the restrictions.

(3) Pollsters find that three-fourths of the US population is against legalization.⁴

Faltermayer believes that a mild fine (similar to speeding fines) for personal use of marijuana, would maintain social disapproval and put personal use alongside prostitution in a gray legal area. "But a period of untidy legal status may represent the only wise course between counterproductive efforts at suppression and premature legalization."⁵

Dr. Lester Grinspoon, in his latest book, Marihuana Reconsidered, has reversed his original thinking on marijuana use and has joined the ranks of those who favor legalization of marijuana. In Marihuana Reconsidered Dr. Grinspoon states:

In this country alcohol is an agent which lubricates the wheels of commerce and catalyzes social intercourse. Marihuana is considered to be used "just for fun" and, therefore, is in conflict with powerful vestiges of the Protestant ethic which demands self-control (except at specially prescribed times, when the restraints are lowered briefly), hard work, rationality, order, moderation, and future-oriented planning. Drug use is viewed by adherents to this ethic as just one more manifestation of a growing interest in sensual gratification, both esthetic and hedonistic.⁶

Dr. Grinspoon disagrees that most people use pot for hedonistic gratification. He compares the three-day peaceful episode of Woodstock where 300,000 young people shared the rain, the loud music and the pot in complete tranquility, to the devastating effects of a typical youthful Easter vacation at Fort Lauderdale where extensive property damage was the result of young people sowing their wild oats with beer.

With our harsh laws on marijuana, Dr. Grinspoon points out, we are criminalizing thousands of young people who are using a drug which is less harmful than tobacco or alcohol. He further surmises that for every arrest concerning marijuana there are 1,000 or 2,000 who get away without arrest, i.e., the effectiveness of current harsh marijuana laws is nil, but the cost of going through the motions is staggering. (A similar statement would be appropriate for our current system of limiting the use

of marijuana by US soldiers.) Recent studies in California indicate that roughly three-quarters of civilian violators of marijuana laws have had no previous criminal or civil offenses.

The police tactics which must certainly follow if current laws are to be applied to the ever increasing population of marijuana users are of great concern to Dr. Grinspoon. He postulates that "police state types" of tactics by enforcers of the law could lead to actions such as entry of private living quarters with easily obtainable search warrants, and close scrutiny of private telephone conversations through wire-tapping.

In Dr. Grinspoon's proposal--legalization of marijuana would mean freedom for people above a certain age (probably 18) to use marijuana of a certain potency. Regulations and penalties for misuse would roughly parallel those for alcohol.

Legalization of marijuana, again according to Dr. Grinspoon, would give the drug educator more credibility among the young people when he addresses the dangers of LSD, amphetamines, and heroin. He believes that sufficient scientific evidence now exists to prove that marijuana is less toxic and addictive than alcohol or tobacco--"the only socially used drugs known to cause tissue damage and ironically, the only ones sanctioned by Western society."⁷

In contrast to Dr. Grinspoon's views in his second book on marijuana, Dr. E. R. Bloomquist, noted authority on drug abuse, warns that:

. . . all is not safe with pot and that these observations have valid medical backing . . . /marijuana/ has shown itself historically to be a menace to those whose personalities cannot handle it; it has proved to be a cause of adverse reactions even in the experienced user, and it can cause and/or precipitate incapacitating psychotic episodes.⁸

Dr. Bloomquist feels that conclusive research will be completed on marijuana within the next two to three years; to legalize pot would not be prudent at this time. Dr. Bloomquist, however, does not believe in harsh, antimarijuana laws or in law enforcement as a solution to the marijuana dilemma.

There appears to be no evidence that pot smoking leads automatically to hard drugs, but the correlation between frequent smokers of marijuana and those who are multiple drug users is more than casual.

In one study of college students, the use of marijuana was correlated with other drugs as follows:

- 100% of daily marijuana users had used other drugs.
- 84% of weekly marijuana users had used other drugs.
- 22% of monthly marijuana users had used other drugs.
- 20% of experimenter marijuana users had used other drugs.
- 0% of marijuana abstainers had used other drugs.⁹

Most evidence today indicates that the majority of US marijuana users fall within the "moderate user" category. Even in India where the cannabis is strong, the greatest proportion of users tend to establish moderate habits.¹⁰ In the above mentioned categories, a moderate user would fall somewhere between the weekly and monthly classification.

Despite the moderate involvement by most marijuana advocates, it would be hard to deny or refute the evidence that any use of any drug increases the likelihood that the user will try other drugs. A documented report of the Department of Health, Education and Welfare (HEW) relating to a study of nine college campuses indicated: " . . . the heavier the involvement with a given drug the more likely it was that the student was involved in more than one drug."¹¹

Both HEW and the American Medical Association have reports which indicate the popularity of hallucinogenic and psychedelic drugs (mainly LSD) and correlate such drugs with marijuana.

One hundred and six male marijuana smokers were interviewed concerning their use of drugs. Seventy-four percent admitted experimentation with psychedelic drugs and 6% experimented with heroin. Compared to earlier findings, use of psychedelic drugs seems to be growing, while use of heroin remains about the same.¹²

Addressing an Armed Forces Medical Conference in Germany in 1970, Dr. Arthur Grollman emphasized the following:

Soldiers stationed during peacetime in an area devoid of conflict may manifest no tendency to violent action, but the same groups on the battlefield may be incited to commit acts of violence under hallucinatory influences. . . .

. . . The widespread idea that smoking marijuana is innocuous is contrary to the available facts. Its use may lead to progression to other drugs and even in small doses it causes an impairment of memory and the capacity to learn, loss of initiative, and other socially undesirable acts. In the proper surroundings it may lead to violent actions. . . .¹³

A survey conducted at the US Army War College in November 1971 which involved 50 former battalion commanders of various branches who had commanded in Vietnam, Korea, and Germany during 1968, 1969, 1970, and 1971 indicated the following:

(1) Pot smoking started to increase rapidly in 1969, particularly after the phasedown began in Vietnam.

(2) Few former commanders had major incident-type problems with pot smokers; however, the majority of those surveyed had extensive burdens relating to pot smoking in general.

(3) More than 65 percent of the former commanders were against legalization of marijuana.

(4) More than 30 percent of the former commanders were neutral concerning the legalization of marijuana.

(5) Only two former commanders favored the legalization of marijuana.¹⁴

Despite the contrasting views by doctors, lawyers, psychiatrists, psychologists, sociologists, and even commanders in the Army, there is mutual agreement that enforcement of current laws has not stemmed the growing popularity of marijuana for millions of Americans. Fresh thoughts and actions are required by policymakers at all levels of Government if the marijuana dilemma is to be solved.

CHAPTER IV

FOOTNOTES

1. "Marijuana: It's 'Big Business Now'," US News & World Report (20 April 1970), p. 103.
2. John Kaplan, LL.D., Marijuana the New Prohibition (1970), pp. 335-336.
3. Edmund K. Faltermayer, "What We Know About Marijuana So Far," Fortune Magazine (March 1971), p. 132.
4. Ibid.
5. Ibid.
6. Lester Grinspoon, M.D., Marihuana Reconsidered (1971), pp. 332-333.
7. Ibid., p. 371.
8. E. R. Bloomquist, M.D., Marijuana The Second Trip, (1971), p. 230.
9. "Marijuana and Health," A Report to Congress from the Secretary, Department of Health, Education and Welfare (March 1970), p. 90.
10. Ibid., p. 91.
11. Ibid., p. 90.
12. Albert S. Carlin, Ph.D., and Robin D. Post, M.A., "Patterns of Drug Use Among Marijuana Smokers," JAMA (The Journal of the American Medical Association), (November 8, 1971), p. 867.
13. Arthur Grollman, M.D., Ph.D., "Drug Abuse," Military Medicine (November 1971), p. 86.
14. Informal survey conducted by written and verbal interviews with members of USAWC, Class of 1972.

CHAPTER V

INTERRELATIONSHIP BETWEEN DECAY IN DISCIPLINE AND USE OF MARIJUANA BY SOLDIERS

A recently retired four star Army general believes that there has been erosion of authority in the Army with a resulting critical weakening in disciplinary policy. In an article in Army magazine he said:

I believe the military forces of the United States face a disciplinary situation which, if not already critical, is at least one of rapidly growing proportions . . . in the last analysis it is the authority of the commander which gets the job done. . . . I suspect that authority is weakening, progressively. . . . The high command of the military, I believe, should arrive at a course of action designed to solve the problem in essential disregard of public opinion and congressional opinion. . . . Whatever the cost, a new tougher disciplinary policy and the practices which support it should be pursued.¹

Former Army Sergeant Charles A. West, who was present at Song My (My Lai), indicated that he saw five of his twelve-man squad smoking pot the night before the My Lai incident.² The Sergeant obviously was permissive, condoned pot smoking, or felt he could not maintain control of his squad if he enforced anti-marijuana regulations.

A USAF Colonel, who smoked marijuana in what he believed was an attempt to maintain rapport with his young airmen, received a \$15,000 fine and a three-year prison sentence. After 28 years of honorable service, the Colonel was convicted on counts of possessing and smoking marijuana--according to the Colonel, he

thought that marijuana was a "good thing" and helped him close the generation gap with his men.

New York state law, although strict in some people's opinion, would probably classify the possession and smoking by the Colonel and his men as a misdemeanor and give him a suspended sentence as a first offender.³ By sending the Colonel to prison for three years, the Air Force is obviously trying to make a point crystal clear that it will not condone disrespect for the law from commissioned officers of high rank, regardless of the circumstances.

A Navy doctor and a Navy lawyer recently published their views on current Defense Department drug abuse policies:

Despite present Congressional pressures, in-service rehabilitation of drug abusers should be limited to short-term institutionalized medical programs, which can be more practically provided through the Veteran's Administration. Original entry into the Service and retention therein should be based upon a whole-man concept involving a determination of the individual's capacity for useful military service.

The social function of alcohol use within the military should be examined and stress should be placed upon the education of military personnel with regard to the deleterious effects of alcohol (as it affects each individual's physical well-being and his daily military performance), as well as the other drugs. Full consideration should be given to a change in the present military prohibition as to simple use (and possession incident to such use) of marijuana so that punitive sanctions would be limited to similar criteria (previously discussed) as use of alcohol (e.g., onboard ship; as a sentry; a drunken state).

The military laws (and maximum sentence) which now overburden investigative and administrative resources should be amended in the future to provide a more meaningful relationship to the potential harm of a particular drug.

Credibility will then be improved and polarization reduced. Legitimate punitive sanctions against drug abuse under UCMJ should be enforced . . . and those proven guilty of violating the law should be punished.⁴

The Army cannot afford to become bogged down with extended administrative procedures dealing with drug abuse. A program is emerging which will identify the user and the abuser. With refinements, the urine analysis tests will be able to determine the degree to which the tested soldier is involved with drugs. Once identified, the soldier has the option of accepting or refusing exemption and treatment which will lead to rehabilitation. If a soldier refuses rehabilitation or is, for some reason, not responsive to medical treatment, he should be quickly separated from the Service. The Army needs able-bodied men who are capable of serving their country both physically and mentally. Leaders have been too tied down in recent years wrestling with problems which have been forced upon them by certain elements of our well-meaning society who, for some reason, feel that the main efforts of the Army should be directed toward rehabilitation of society's misfits. Judges have dumped many criminal types into the Army rather than send them to jail. These criminal types have been instrumental in spreading drugs throughout the Army. Competent leaders have been spending an inordinate amount of their time and their efforts on a very small percentage of their troops (the true misfits), while the majority of the deserving young Americans who are patriotically serving their Service commitment are denied the time, energy, and experience of their leaders.

The Army must certainly accept its fair share of maladjusted young people, but it is not proper to divert the Army's major efforts towards problems which are purely socioeconomical in nature. Overinvolvement by the Army in ventures such as "Project 100,000" and in ventures which detract from the primary mission of the Army must be avoided. Overcommitment to rehabilitation schemes for drug addicts can, likewise, have deleterious effects on the combat readiness of a peacetime Army.

It is time for the Army to stop its self-flagellation. The Army's problems are well-documented and publicized. Dynamic leadership at all levels is the only solution if we are to progress to the degree of competence that this nation rightfully should expect of its Army.

The chain of command must be revitalized and a sense of discipline must prevail throughout the ranks. The Army for several years, to a degree, has operated with a guilty conscience in handling its drug abuse problems. Junior officers and junior NCOs have been permissive with their soldiers and have overlooked stashes of marijuana and "hash" in their infrequent inspections of troops and troop facilities. Pot smoking has been condoned as a "quid pro quo" concession to troops who were participating in an unpopular war.

. . . I am a Captain in the US Army in Vietnam, and I have acute conscience problems about marijuana use among my troops. John Steinbeck IV probably wasn't exaggerating when he said 75 percent of the soldiers here smoke grass; in my company I would set the figure closer to 100 percent. Yet, I have never ordered a

man arrested for this offense. Why should I put a blot on the permanent record of a fighting man just because he amuses himself, during his brief respites from battle, with a harmless herb?

(Name withheld by request)
APO San Francisco
California⁵

Likewise, in Europe, junior leaders have winked at the use of "hash" as a morale factor in a tradeoff with troops who have had to live in substandard barracks and endure pressures brought on by racial tensions and sheer boredom.

In 1971, a commander in Europe was quoted by the Washington Post as saying:

These barracks are a disgrace to the American people. If we repaired them 100 percent they would only be half as good as they were when Hitler's troops lived in them. Why? The Nuremberg zoo is in better shape than these barracks where my men live. This creates a fantastic morale problem. What bothers me most right now is the problem of the living conditions of my men and the problem of drugs.⁶

Marijuana, as the chief introductory drug to the drug abusers' subculture cannot be ignored, but the Army can take a giant step forward in establishing credibility with the young soldier by changing its current practices concerning simple use and possession of marijuana. Harsh laws have had little or no effect on preventing soldiers from smoking pot. Discipline has broken down as junior leaders become more sympathetic and permissive in their attitudes towards drug use by soldiers--especially in the case of marijuana. Marijuana is the symbol of noncompliance. To smoke pot is to thumb one's nose at the "establishment" and in

the Army it is a convenient rallying point for the disillusioned and discontented soldiers. Discipline is based on respect for something--be it country, leader, friend or self. Generally speaking, the more pot--the less discipline. There is more than a casual correlation between marijuana smoking and the decay in discipline in Army units. Marijuana has contributed to a credibility gap in the Army between the leaders and the led for the following reasons:

(1) Most soldiers who smoke pot have experienced very few short range effects and only a mild intoxication while actually smoking marijuana--leaders preach otherwise.

(2) Most senior officers and senior NCOs will defend their own use of alcohol and will tend to favor soldiers who use alcohol over those who use marijuana.

(3) Many junior officers and junior NCOs are sympathetic with the argument for the legalization of marijuana and are less prone to turn in one of their troops for punishment as long as simple use and possession of marijuana is the only issue.

(4) Most soldiers are far more knowledgeable about drugs than their supervisors and recognize that drugs in themselves are not the real problem, but merely a manifestation of a complex set of social ills which relate to intangibles such as values, ideals, goals, and personal responsibility.

The credibility gap referred to above has severed the chain of command of the old Army. It is time to revitalize the chain of command and to develop a discipline based on mutual respect

between the leader and his chain of command, and between the chain of command and the individual soldier.

A common sense approach regarding pot smoking will go far towards reestablishing viable discipline in the Army.

The soldier must be evaluated on the whole person concept. If he is making a contribution to his unit and is an effective worker, he should be judged as such. Simple use or possession of marijuana should be treated only as a minor offense. If a man is intoxicated by his use of marijuana and is unable to perform an assigned duty--he should be punished for being drunk on duty. Chronic use of marijuana or other drugs should be grounds for separating a man from the Service with loss of certain benefits.

Until there is a final decision on the legalization status of marijuana, the Army should avoid the position of benign neglect towards pot smoking. Chronic users of marijuana should be separated from the Service via medical channels. Trafficking in marijuana or other dangerous drugs should be considered serious offenses and be punished by court-martial, rather than merely resorting to Article 15. Additional control measures which should limit the use of marijuana by soldiers will be discussed in Chapter VII.

CHAPTER V

FOOTNOTES

1. General Hamilton H. Howze, "Military Discipline and National Security," Army (January 1971).
2. "Fresh Disclosures of Drugs and G.I.'s," US News & World Report (April 6, 1970), pp. 32-33.
3. "U.S. Colonel Given 3 Years for Drugs," New York Times (February 17, 1971), p. 1.
4. Commander Herbert J. Wooley (JACG), USN, and Lieutenant Commander Lee H. Beecher (MC), USNR, "Drug Abuse," "Out in the Open," Proceedings, USNI (November 1971), p. 35.
5. Playboy (September 1968), p. 224.
6. "The U.S. Army: It's Fighting a Struggle for Survival," Washington Post (September 12, 1971), p. A16.

CHAPTER VI

WORKLOAD ASSOCIATED WITH THE MARIJUANA PROBLEM

There is no easy way to separate and identify the workload which can be directly attributed to the use and abuse of marijuana in the Army. How can the total manhours involved with investigating 18,296 offenders during 1970 be determined?¹ How many hours did a trained chemist devote to simply determine that the suspected substance was, in fact, marijuana? How long did the lawyers in the Judge Advocate General's Corps take to prepare the courts-martial and review the results? None of these questions can be answered definitively. But it is possible to review selected statistics and from these statistics determine the overall magnitude of the effort. While admittedly an imprecise method, it will serve to indicate whether the time devoted to searching out and punishing, or otherwise disposing, of marijuana offenders is utilizing scarce talents that could be better employed in other areas.

During 1970, the Army conducted 11,029 criminal investigations involving 18,296 marijuana offenders. Through the first half of 1971, the number of investigations was slightly above that level, 6,467. Let us look at some of the actions that would be taken in a typical marijuana possession case. A significant number of the cases result from legal searches conducted as a result of a lawful apprehension for some other alleged offense, and this type case is representative. First, the apprehending military

policeman must secure the evidence; for example, a package of suspected marijuana cigarettes. At the Military Police station, a form will be prepared to insure that a proper and unbroken chain of custody of the evidence is maintained. The suspect will be booked, i.e., recording of personal data and the facts surrounding apprehension. A criminal investigator will be summoned and he will accept the evidence and commence his investigation. The suspect as well as the apprehending policeman will be interrogated and their statements reduced to writing, normally in the form of a sworn statement. Evidence will be transferred to an evidence custodian by written receipt and prepared for transmission, normally by registered mail, to a laboratory facility for analysis. Certain other log book type entries are also required and will be made. In a simple possession case, further investigation may be very limited and consist only of interrogating two or three persons in attempting to determine the source of the marijuana. When the evidence is returned from the laboratory, the investigator assembles his case, prepares it in a prescribed format and submits it for review and typing. From this brief example, it can be seen that a considerable number of people are involved to varying degrees just in completing what is in reality a very simple criminal investigation. Perhaps the most important cost is in terms of what that criminal investigator, highly trained and always in short supply, left undone in other cases that were really more important.²

The requirement to conduct criminal investigations in marijuana offenses also has a direct impact on units other than those concerned with law enforcement. Obviously, a suspect or witness is not being productive for his parent unit when he is being detained or interrogated. But a specific example from experience in Vietnam will serve to illustrate another way in which units have been shortchanged on personnel without being aware of it. As was indicated above, an expert laboratory analysis of suspected marijuana must be conducted by a trained chemist to conclusively prove the presence of marijuana. These analyses are performed for the most part in Army laboratories. But in Vietnam, the caseload far exceeded the capability of the existing laboratory. During the period September 1970 through June 1971, an average of twelve additional chemists who were not authorized on the laboratory manning documents, were utilized to conduct marijuana analyses. These personnel, all military, had been diverted from their original assignments to other units in Vietnam.³ Some other commander wasn't able to do his job as effectively because the personnel he required never arrived.

The workload doesn't end with the completion of an investigation--rather it is just beginning for the commander with a soldier who has been identified as an offender. Every commander from the offender's immediate commander to the general officer exercising general courts-martial jurisdiction is now brought into the process which will result in a determination as to

what action will be taken. The rules of the system demand that a decision be made one way or another and that the decision be documented and forwarded to all who have an interest. A conservative estimate would indicate that dozens of people are involved-- either directly or indirectly--in making the decision and communicating the results. The cost to the Army for the lack of will which permitted a soldier to smoke that marijuana cigarette is indeed becoming high.

When the decision is made to court-martial the offender, an additional group of people with a direct interest in the affair now become players in the drama. The trial counsel who will serve as prosecutor and the defense counsel who will insure that the rights of the accused are properly safeguarded now have a direct role to play and the stage is being set for the appearance of the judge who will preside over the trial and the other members of the military who will act as the jury. And each of these latter individuals serves at the expense of his or her primary duty.

The outcome of a trial brings forth a number of possibilities for further action and further involvement of additional personnel. Whatever the decision, someone must review the record of trial; results must be communicated and statistics recorded. If conviction with confinement has been adjudged, custodial personnel who operate the stockades will become involved, as, no doubt will the finance officer.

The foregoing has not been set down as a review of law enforcement and judicial procedures, but to emphasize the number of people involved and the number of actions to be taken in any violation of regulations. Those who have only a limited knowledge of how the system operates will recognize that many minor steps have been omitted and many more people are involved than are indicated.

Now look back at the 18,296 marijuana offenders in 1970 who were involved in 11,029 separate criminal investigations. Also consider that during the same year, 3,476 drug-related court-martial were conducted. In addition, 540 soldiers were administratively discharged from the Army as unfit because of drug abuse, and almost 4,000 soldiers received nonjudicial punishment. The latter statistics also apply to the abuse of drugs other than marijuana, however, marijuana abuse undoubtedly represents a significant portion.

The total number of manhours which are now devoted to coping with marijuana is staggering. Although a finite number of hours cannot be fixed, the magnitude of the problem is inescapable. There can be little doubt that new initiatives, innovative ideas, and imaginative approaches are necessary to solve or reduce what can only be described as a major problem facing the Army of the 70's.

TABLE 2

DRUG ABUSE INVESTIGATIONS

<u>AREA</u>	<u>CY 69</u>	<u>CY 70</u>	<u>CY 71</u> <u>(thru 30 Jun)</u>
<u>CONUS</u>			
Opiates	553	912	695
Marijuana	<u>2850</u>	<u>3778</u>	<u>2522</u>
Controlled Substances	379	333	239
Hallucinogens	238	261	170
TOTAL	4020	5284	3625
<u>EUROPE</u>			
Opiates	31	44	49
Marijuana	<u>764</u>	<u>1380</u>	<u>1124</u>
Controlled Substances	21	21	20
Hallucinogens	19	57	24
TOTAL	835	1502	1217
<u>VIETNAM</u>			
Opiates	257	790	1315
Marijuana	<u>4888</u>	<u>4800</u>	<u>2189</u>
Controlled Substances	588	828	211
Hallucinogens	41	14	4
TOTAL	5774	6432	3719
<u>PACIFIC (LESS VN)</u>			
Opiates	29	86	113
Marijuana	<u>940</u>	<u>1071</u>	<u>632</u>
Controlled Substances	<u>137</u>	<u>170</u>	<u>79</u>
Hallucinogens	23	26	63
TOTAL	1129	1353	887
GRAND TOTAL	11,758	14,571	9,449

TABLE 3

DRUG ABUSE STATISTICS*

1. Criminal Investigations: Comparative number of offenders investigated for drug abuse violations:

<u>MARIJUANA</u>	<u>CY 68</u>	<u>CY 69</u>	<u>CY 70</u>	<u>CY 71***</u>
Vietnam	2,637	5,590	7,142	3,147
Europe	693	1,253	2,212	2,169
CONUS	3,133	4,457	6,842	4,250
Other**	864	1,438	2,100	1,217
Worldwide	7,327	12,738	18,296	10,783

HARD NARCOTICS (OPIUM, HEROIN, MORPHINE, COCAINE)

Vietnam	128	282	749	1,671
Europe	23	52	70	88
CONUS	286	542	1,509	1,076
Other**	23	75	115	203
Worldwide	460	951	2,443	3,038

DANGEROUS DRUGS (LSD, DEPRESSANTS, STIMULANTS, HALLUCINOGENS)

Vietnam	32	649	1,740	623
Europe	8	30	271	257
CONUS	212	626	2,506	996
Other**	56	153	665	241
Worldwide	308	1,458	5,182	2,117

*Based on completed CID cases received in CY indicated.

**Thailand, Korea, Okinawa, Japan, Hawaii, Alaska, Caribbean.

***Thru 30 June 1971.

2. Administrative discharges for drug abuse (unfitness):

	<u>CY 69</u>	<u>CY 70</u>
Honorable	6	27
General	55	107
Undesirable	189	406

3. Finally approved punitive discharges (resulting from courts-martial):

	<u>CY 69</u>	<u>CY 70</u>
Officer Dismissal	0	1
Dishonorable Discharge	19	21
Bad Conduct Discharge	59	56

4. Court-martial referrals/nonjudicial punishments:

	<u>CY 69</u>	<u>CY 70</u>
Nonjudicial Punishments	2,042	3,968
Summary Court-Martial	410	406
Special Court-Martial	3,125	2,796
General Court-Martial	217	274

CHAPTER VI

FOOTNOTES

1. Tables 2 and 3, appended, contain official statistics of the US Army relating to drug abuse. The tables were prepared in the Office of the Deputy Chief of Staff for Personnel, Department of the Army, and were provided to the authors for use in this paper. Statistics used in this chapter have been extracted from these tables.

2. This information is based on personal knowledge of Colonel Getz.

3. Ibid.

CHAPTER VII

CONTROL MEASURES, CONCEPTS AND TECHNIQUES WHICH WOULD MINIMIZE USE OF MARIJUANA IN THE ARMY

In a previous chapter, discipline was discussed as being necessary and vital if the Army is to recover and survive as a viable institution. Chronic use of marijuana is not compatible with a well-disciplined unit; however, it is not necessary to conduct a constant surveillance of troops or their troop facilities to detect their drug habits.

In the past, in our efforts to tackle the drug problems, crime, racial conflicts, and so forth, we have adopted numerous methods of direct contact between commanders and lower-ranking troops. In our zeal, we have often created more problems than we have solved by weakening our existing chains of command. The Army certainly has been democratic in establishing "open door" policies and numerous advisory councils, which wile away the hours in "rap" sessions, but haven't we been more prone towards documenting the recognition of the problems rather than in formulating solutions to them? Most soldiers' problems that have solutions can be solved at a low level in the chain of command provided the chain of command is properly functioning. When the chain of command is weak or broken, many unnecessary administrative procedures are brought into play which normally convert simple problems into complex problems.

The first control measure for handling marijuana is a strong chain of command. "Rap" sessions which exclude intermediate members of the command chain should not be used. It should not be construed that the CO must isolate himself from his troops, but on the other hand, the private must develop confidence in his sergeant supervisor and should not expect to receive routine directives from members above his immediate supervisor.

A well-motivated sergeant who knows that he will not be undercut in the command chain can be the best deterrent against chronic use of drugs or marijuana by soldiers.

Senator Hughes, in an address to the Army Worldwide Drug Conference at Washington, D.C. in September 1971, stated that communication up and down the chain of command is an excellent way to get to the root of the emotional forces that trouble young people. The Senator from Iowa stressed that the company commander and the NCOs in the chain of command were in the best position to communicate with the troops and develop their trust.¹

In order for the chain of command to operate over the long haul and be effective in marijuana control, each officer and NCO must face up to his own prejudices concerning drugs. It is impossible to establish credibility with young soldiers by preaching against marijuana while extolling the virtues of alcohol. The arguments are incongruous. Honesty about one's own vices will open the door of communication between a military leader and the men he is trying to lead.

Even with a strong credible chain of command, control of marijuana will be difficult if each soldier does not have meaningful work to do. Each soldier must be mission-oriented and have a feeling of accomplishment--he must feel a sense of unit pride but, above all, he must have self-pride. The Chief of Staff of the Army has given new emphasis to dynamic training and enlightened leadership. If the spirit of General Westmoreland's new training and leadership directives can permeate to the lowest ranks, there will be a drastic reduction in the use of marijuana by soldiers.

In spite of all that a conscientious group of leaders may do, there may still be pot smoking by soldiers. Referring again to Senator Hughes' recent speech to the Army Worldwide Drug Conference, he made the strong point that drug abuse in the United States is a phenomenon of "our total society" and "was not invented by the armed services, contrary to the viewpoint held by some civilians."²

As previously discussed in Chapter V, the Army should adapt the whole person concept when dealing with soldiers involved with dangerous drugs and marijuana. "Shake down" inspections conducted under the guise of Health and Welfare Inspections should be minimized. Persons using drugs should be detected medically and rehabilitated in short order or released from the service. Simple use and possession of marijuana should not be judged as a crime except as it affects the job performance of the individual soldier concerned. Trafficking in drugs should

be considered a serious offense and handled at no lesser level than Special Court-Martial with Bad Conduct Discharge authority. The soldiers who make big profits from the sale of drugs and marijuana are criminals--they must be detected quickly and jailed, eliminated from the service, or both. Without invading an individual's privacy, a good leader can still become aware of a soldier's off-duty habits. "Knowing your men" is a leadership technique which has never been more important than in today's Army. It is difficult for a soldier criminal to hide his activities very long if the unit chain of command is functioning properly.

Quality education techniques can reduce the use of marijuana in most units. An effective method developed by the 3d Infantry Division in Germany in 1970 involved a team of military experts who conducted periodic visits to battalion-size units where drugs, crime, and the law were discussed. The team normally was made up of a doctor, a senior MP officer, and a lawyer (all members of the 3d Infantry Division Special Staff). Local problems concerning drugs and crime were the major themes of the discussion which always created extensive audience participation. It is always more interesting and credible to discuss local crimes and local people with troops rather than issuing warnings and admonishments through the use of vague generalities.

Another recent technique which may have wide acceptance as a cure or substitute for drug use is transcendental meditation.(TM). Many college students have turned to meditation and have turned away from drugs completely. In more than 300 colleges and

universities, transcendental meditation is being offered in the context of an accredited course. Dr. Herbert Benson, an assistant professor of medicine at Harvard Medical School, testified before a Congressional committee in 1971 that:

A Study of 1862 Subjects, indicated that individuals who regularly practiced transcendental meditation (a) decreased or stopped abusing drugs; (b) decreased or stopped engaging in drug selling activity; and (c) changed their attitudes in the direction of discouraging others from abusing drugs.³

Transcendental meditation is a process of mental relaxation which, if practiced properly, allows many of the stored up body stresses to be released. After only 15 minutes of meditation one feels both mentally and physically relaxed and is more able to cope with problems related to our accelerated environment. The technique which allegedly originated from the ancient Vedic tradition of India is a natural process which can be learned in four or five instructional periods from a qualified teacher.⁴ Unlike other techniques of meditation or self-improvement, no mental control, physical control, belief, suggestion, or any change in life style is required. The program of TM involves practicing the technique twice daily for periods of 15 to 20 minutes; however, the program does not involve any type of personal counseling or giving advice about personal problems. TM is acceptable among youthful drug abusers, probably in part because the program offered is one for personal development and not specifically intended as a drug cure. Relief from drug abuse is merely a side benefit of accepting TM.⁵ More research

will be required to validate the initial success of this technique; however, it would appear quite feasible even at this stage to recommend use of transcendental meditation as a possible cure for drug abuse.

In the final analysis, the success or failure of any control technique will depend on the degree of dynamic leadership at each level. Keeping a strong, credible chain of command in being, evaluating each soldier on the whole person concept, keeping the troops informed of local drug situations, and above all, keeping the soldier occupied with meaningful work, will minimize the use of marijuana in a unit.

CHAPTER VII

FOOTNOTES

1. "Drug Conference," US Defense Department Commanders Digest, (21 October 1971), p. 8.
2. Ibid.
3. US Congress, House, Committee on Crime, Narcotics Research, Rehabilitation and Treatment, 92d Cong., 1st sess., 1971, H.Rept. 92-1 (1971), p. 681. (Hereafter referred to as Congress, Narcotics Research.)
4. One of the authors of this paper, Lieutenant Colonel McKnight, took a course in TM offered during off duty time at USAWC during January 1972.
5. Congress, Narcotics Research, p. 683.

CHAPTER VIII

CONCLUSIONS AND RECOMMENDATIONS

Marijuana and drug taking by soldiers has created tremendous administrative burdens for the Army. Small groups of criminal types who have been dumped into the Army have extended organized crime's products throughout the ranks. Profit has been the sole motivation of the large drug distributors. Escape from a set of seemingly incomprehensible circumstances has been the motive of most soldiers who use drugs. Marijuana has emerged as a symbol for disenchanting youth, as well as a signal of protest. Most soldiers who use marijuana are moderate users who admit that peer pressure has had a great deal of influence in their starting and in their continuing to smoke pot. Strict enforcement of the law has failed to stop or even stem the tide of popularity for the use of marijuana by soldiers.

Backlogs of investigative files coupled with delays in obtaining laboratory reports have compounded the overall delay in bringing marijuana cases to trial. Unwary young soldiers who have succumbed to peer pressure and have been caught smoking marijuana, have been criminalized while the true criminals who distribute large quantities of drugs and marijuana frequently escape detection and continue to spread their poison.

It is doubtful if marijuana will be legalized within the next decade, or perhaps if ever; however, the American society must come to grips with the penalties which are currently

dictated by law and which involve personal decisions relating to an individual's privacy and do not as a matter of course infringe on the rights and privileges of others in our society. Despite the scientific proof of the harmful effects of tobacco and alcohol, the American society condones their existence as a necessary evil of our culture. Harmful though marijuana may be, there are millions of young Americans who have used it with discretion and thus far at least, are leading productive lives. Many youthful experimenters turned away from LSD when scientific evidence of its harmful nature was produced. Perhaps this will be the case with marijuana--but in the meantime should we continue to prosecute the curious youth whose major fault is a lack of maturity?

A number of conclusions can be drawn based on the research data currently available. First, the use of marijuana has increased in spite of a stepped up educational program and a vigorous law enforcement effort. Secondly, increased usage has so far failed to produce any evidence that the use of marijuana is significantly more harmful than the use of alcohol or tobacco. To date, research of the effects of marijuana have served only to reinforce the known fact that it is a mild hallucinogenic drug. More importantly, there is no evidence to indicate that the infrequent off-duty use of marijuana significantly impairs the ability of an individual to perform normal tasks, during regular work periods. Thirdly, the Services, and more particularly, the Army, have made scarce resources available to combat

a problem that many times appears to be a problem only because we say it is. The real sociological problem has been compounded and partially obfuscated by the requirement to investigate questionable crimes or to process actions against doubtful offenders. In so doing, we are branding as criminals for all time, the curious individuals who experimented with marijuana. The true underlying problem has not been solved, but additional long term problems for society have been created.

It is the contention of the authors that a change in the approach to marijuana abuse is long overdue. Let us accept the fact that the use of marijuana is a vice that society should be interested in suppressing, but at the same time, let us look at marijuana in proper perspective and class it with the other vices with which it belongs, such as gambling. It is not a narcotic and should not be classed as such nor considered in that category when laws are written. The penalties applicable to possession and use of narcotics are not appropriate penalties for simple possession and use of marijuana. The proper penalty should be in the nature of those given for minor traffic offenses-- normally a small fine. But let the penalties for trafficking in marijuana remain, or even be increased.

The approach outlined above, that of differing penalties for trafficking in marijuana as opposed to using it or simply possessing it, is a common legislative treatment of certain consensual or victimless crimes. In many jurisdictions, the seller of goods and services such as prostitution, abortion,

gambling, and even certain drugs, is tried for his crime, while his customer is not. A more pragmatic reason is that there are less sellers than customers, therefore all the benefits of restricting supply can be achieved at much less cost by concentrating only on the seller. By reducing the penalty for use and possession of marijuana, a significant workload reduction would be obtained in the law enforcement area from a requirement to conduct fewer investigations and, in the legal area by reducing the number of courts-martial. Additionally, unit commanders and administrative personnel such as clerks, would be able to devote more time to other, more important requirements.

As first priority, it is therefore recommended that the maximum penalty for the possession or use of marijuana as set forth in the Manual for Courts-Martial, United States, 1969, (Revised Edition), be reduced from a dishonorable discharge and five years confinement at hard labor, to three months confinement at hard labor and forfeiture of two-thirds pay per month not to exceed three months. The maximum penalty for selling or trafficking marijuana would remain unchanged. A draft Executive Order for promulgating the required changes to the Manual for Courts-Martial, United States, is appended.

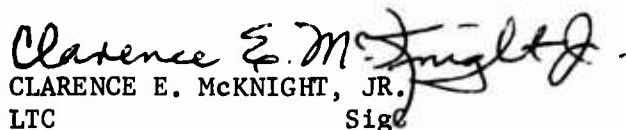
A change to the Manual for Courts-Martial, in itself, will accomplish little without concurrent effective command action. Therefore, it is recommended that all appropriate actions be taken to reinstitute a strong chain of command with commanders at every level being given not only the authority to deal with

abuse of marijuana, but the responsibility to take action. The problems associated with command measures have been discussed in detail in Chapter VII.

It is recognized that there is no simple, assured and complete solution to the problem that marijuana poses. Obviously, there are many other recommendations that would serve to assist in the recognition and solving of the problem. We believe that the two recommendations set forth in this paper represent the two principal actions which are required. The first recommendation corrects an injustice brought about by overly severe penalties for a minor offense and still provides the commander with sufficient tools with which to work. The second recommendation simply recognizes that the problem is one that must be solved by command action at the lowest possible level. These recommendations have been offered, not from a desire to criticize past performance and current efforts, but to offer a simple, workable assist in solving a dilemma facing the Army of today.

The myth and symbology which surrounds marijuana can be destroyed--with a commonsense approach, the Army can lead the way!


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APPENDIX A

EXECUTIVE ORDER
AMENDMENT OF PARAGRAPH 127c OF THE
MANUAL FOR COURTS-MARTIAL,
UNITED STATES, 1969 (REVISED EDITION)

By virtue of the authority vested in me by Article 56 of the Uniform Code of Military Justice, established by the Act of May 5, 1950, 64 Stat. 107, and as President of the United States, it is ordered that the Manual for Courts-Martial, United States, 1969 (Revised Edition) prescribed by Executive Order No. 11476 of June 19, 1969, be, and it is hereby, amended to revise the offenses and punishments listed in the Table of Maximum Punishments, contained in paragraph 127c, for violations of Article 134 of the Uniform Code of Military Justice so that they shall be as follows:

<u>Article</u>	<u>Offenses</u>	<u>Punishments</u>
134	Drugs, marihuana, wrongful sale, transfer, or introduction into a military unit, base, station, post, ship or aircraft.	Dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor not to exceed five years.
	Drugs, marihuana, wrongful use or possession.	Confinement at hard labor not to exceed three months and forfeiture of two-thirds pay per month for a period not to exceed three months.

This order shall be effective on

THE WHITE HOUSE