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THE ESTABLISHMENT OF A STATE CIVIL DEFENSE STRUCTURE: A PROBLEM IN GOVERNMENT RESPONSIBILITIES AND INTERGOVERNMENTAL RELATIONSHIPS, WITH SPECIAL REFERENCE TO OHIO.

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Since World War II, and more especially since the United States lost its nuclear weapons monopoly, civil defense has become a subject of vital concern. A fundamental—if not the most basic—aspect of the subject is the organization of government for civil defense. In a federal system such as the United States, the role of the states is crucial for any program so all-inclusive and important. This study therefore is concerned primarily with the problems involved in establishing an effective governmental structure for civil defense at the state level. To see the problem more concretely, special attention has been given to the experience of one state—Ohio.

The civil defense problem is not a temporary phenomenon. In the context of a civilization which has not yet found a way to eliminate war, the mere existence of nuclear weapons and ballistic missiles, enormously increasing the vulnerability of the United States to military attack, indicates the need for the establishment of an effective civil defense program as a permanent part of national defense. Furthermore, in view of this greatly increased vulnerability, the new weapons and techniques of international conflict which have been so highly developed and
effectively utilized by the USSR to supplement and facilitate traditional methods of warmaking, lend urgency to the need for establishing such a program as quickly as possible. It might be said that even if our relations with the USSR were to change completely overnight, the threat of nuclear warfare would not disappear nor the need for an adequate civil defense program to meet such threat. Since nuclear weapons are likely to become available to more and more nations in the course of time, the problem of defense against such weapons will be with us until a satisfactory substitute for war has been found. At the present time we have not reached that goal.
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CHAPTER I

THE NEED FOR AN ADEQUATE CIVIL DEFENSE PROGRAM

Despite the best efforts of men of good will, real peace and world order based on law do not seem to be attainable in the foreseeable future. On the contrary, we are at war, and apparently will continue to be so for some time, regardless of such euphemisms as "cold war" and "peaceful coexistence," and even though in the formal terms of international law this may be called a time of peace. "The nature of War," said Thomas Hobbes, "consisteth not in actual fighting but in the known disposition thereto during all the time there is no assurance to the contrary." 1 Certainly there is no "assurance to the contrary" in the policies or conduct, the strategy or ultimate objectives, of the Soviet Union, which confront the United States with problems of a magnitude it has never encountered before.

Just as Soviet policies and the bipolar character of today's international society have already compelled us to

maintain large standing armies, support a peacetime draft, and make other compromises with our traditions and beliefs, so the new dimensions of war created by nuclear science and new technological developments confront us with the inescapable necessity of making further compromises. We must develop what to us is an anomaly: the constant awareness of the psychological preparedness for war in times we would like to think of as peaceful. For the change in warfare represented by nuclear explosives and intercontinental ballistic missiles is more than a change in magnitude; it is a change in kind. The transition from sword, bow, and battle-axe to musket and cannon was far less extreme than the leap from gunpowder and blockbuster to nuclear explosive and ICBM. Nor is the end yet in sight; already in view are manned satellites with military capabilities, and manned nuclear-powered aircraft with ballistic missile speeds.

Moreover, the rate of change in weapons technology lends urgency to our national security problems. The largest blockbuster of World War II was only 10 or 20 times as powerful as the largest weapon of World War I; the Hiroshima atomic bomb was 1,000 times as powerful as the largest conventional bomb of World War II; there are now hydrogen bombs 1,000 times as powerful as the Hiroshima bomb; and this is not the limit.

One of the most portentous changes wrought by the new weapons technology is the transfer of the potential battle-
field from the front lines to the front porch, from the battlefields of armies to the playing fields of children. This is the situation that is so difficult for the American people to accept in all its implications—that we must be ready to receive attacks on the home front which may be both massive and devastating. Indeed, the armed forces may be a safer haven in a nuclear war than the home town. For one of the recently recognized and most significant aspects of nuclear weapons, and particularly fusion bombs, is the enormous extent of the probable area of danger. Damage will not necessarily be limited to the immediate vicinity of a bomb explosion; it may be spread over thousands of square miles by radioactive fallout. Because of the extent of damage that could be inflicted on the civilian population, this aspect of war has assumed crucial importance. Final victory in a nuclear war may be determined on the home front rather than on the battlefield.

The new dimensions of warfare render the United States vulnerable to attack as it has not been for a century and a half. There are a number of factors which contribute to this vulnerability:

First of all, we no longer have the buffers of time, space and allies to give us warning and allow us to get ready. Although intercontinental nuclear war may be preceded by a limited and localized war, it is also possible that a nuclear attack on the United States may be the first major act of
violence. No longer can we count on great-power allies of the first rank to bear the brunt of aggression while we get ready. There is every likelihood that we shall be compelled to protect the home front from the very beginning of hostilities. Indeed, the non-aggressive policy of the United States virtually commits us to receiving the first nuclear blow on our homeland before retaliating.

Secondly, our civilian targets—industrial and commercial complexes and centers of population—are much more concentrated than those in the less industrialized Russian economy, so that the same weight and effectiveness of nuclear attack would cause a much greater loss to us than to them. Moreover, there is good reason to believe that the reconstruction of Soviet cities after World War II was designed to establish a planned pattern of dispersion of potential targets of attack, a policy that has been advocated but not followed to any significant extent in the United States.

Thirdly, we are confronted with the fact that against manned bombers, even with excellent detection and tracking systems and effective military defenses, we cannot completely prevent a large-scale enemy attack from reaching its target. High military authorities point out that in allied bombing

2"Civil Defense authorities had an important part in planning the 118 new cities and towns which were built in Russia between 1951 and 1956—a gigantic spread-out of both population and industry." U.S. Office of Civil and Defense Mobilization, Weekly News Digest (June 12, 1951).
raids over Germany during World War II and in B-29 raids during the Korean war, bomber losses averaged about 1 or 2 per cent. Although the air-defense system now being established "will be . . . infinitely more effective than anything built in World War II," as General Earle E. Partridge, then commanding general of the Continental Air Defense Command, stated, no responsible military officer has ventured a prediction that existing or prospective defenses can prevent breakthroughs. As a matter of fact, a range of 0 to 30 percent stoppage of attacking forces has been suggested as possible. General Curtis E. LeMay, then commanding general of the Strategic Air Command, informed the Senate Armed Services Subcommittee that in his judgment, in the future as in the past, "a bomber force well equipped, determined, well trained, will penetrate any defense system that can be devised."3

A fourth factor making for increased vulnerability is the circumstance that the probable warning time of nuclear attack has been growing shorter, until now in the case of ICBM attack, even with our present detection and tracking systems greatly improved and extended, we may have no more than 15 minutes of warning.

Finally, it might be said that oceans which were once only protective barriers have become secret hiding places

for an enemy’s most devastating weapons, against which the most massive and highly developed counterforces may not be wholly effective. In addition to launching long-range missiles from Russia, the Soviets are said to be developing the capability of launching intermediate-range missiles from submarines, some nuclear-powered, from positions within a few hundred miles of our extensive shores. Such missiles could reach every vital target in the country, and the warning time in the event of such an attack would be measured almost in seconds rather than minutes.\(^4\)

These factors of vulnerability which we have just described take on increased significance when we consider some of the aspects of the present conflict, including some of the factors which limit our efforts in carrying it on. For perhaps as revolutionary as nuclear power and the new technology are the changes in the nature of international conflict brought about by Soviet ideology, goals and methods. The factors which limit us are partially inherent in our history and political institutions and partially the result

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\(^4\)Some 30 per cent of profitable targets in the United States lie within 150 miles of the shores. Although there may be some difference of opinion as to the ease or difficulty with which Soviet submarines in large numbers could approach our coastal cities undetected, Admiral A. A. Burke, Chief of Naval Operations, while discounting the probability of a surprise attack by large numbers of submarines, stated in 1956 "that submarines could approach our coastal cities undetected" (House Report No. 2946, p. 13).
of our failure to appreciate fully the scope of the conflict and to translate the demands posed by it into actions and strategy which measure up to the challenge in all its breadth and intensity. For despite Soviet peace drives and other protestations to the contrary, we are even now engaged in total conflict with the Soviet Union. Although it is not a conflict of our choosing, we cannot withdraw from it at our sole discretion except as an admission of defeat. It takes only one to make war, but two to make peace (at least a peace that is not a surrender). The conflict has been described as "cold war," "protracted conflict" and other names.\(^5\) However it is described, the condition in which we find ourselves seems likely to continue until we or the Soviet system is effectively subdued, or until the Russians are convinced that they have more to lose than to gain from its continuation, or until the nature of the Russian system and leadership changes.

It is clear that in the context of total conflict, total war in the traditional sense of all-out war becomes but one technique, the instrument of last resort, in the total "spectrum of conflict"; whereas in fact the conflict is no

less grim and total as to the objective of an enemy because at a particular time and place he uses no more than economic conflict, subversion, or indirect aggression, while holding "total war" only as a threat in the background. It has been said that "the Communist doctrine of conflict combines a clear view of the total objective with great flexibility in the choice of battlegrounds, weapons and operational tactics." Unlike the Communists, we do not have a clear view of the total objective, or great flexibility in the choice of battlegrounds, weapons and operational tactics; nor do we have a thoroughly integrated national strategy to meet the challenge of the total conflict. It seems inevitable from the nature of our ideology and our political institutions that we should suffer these disadvantages in such a conflict. Because of the differences between totalitarian and democratic governments, the Soviet leadership probably will continue to have the advantage of greater flexibility in the planning and execution of their strategy, as well as in exercising the initiative. Dictatorship seems always to move more swiftly and decisively, act more deviously, deceptively and secretly than democratic government.

Experience suggests that Soviet moves in the various sectors of the total conflict—in what has been called "the

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battle for the minds of men," in "peaceful economic competition," in subversion, in indirect aggression—are but segments of a total unified strategy, not calculated for limited ends but oriented and subordinated to the single transcendent and apparently unchanging Soviet goal: a monolithic world Soviet state ruled from the Kremlin. It is a strategy which they apparently rely on to accomplish their objective without major war.

Experience also suggests the possibility that ultimately we may not be able to cope successfully with the many-pronged Soviet attack, as long as it does not include direct aggression against the United States. If such a pessimistic view is justified, if it is true, as Senator Henry M. Jackson of Washington has stated, that

our power as against that of the Communist bloc is in decline . . . in one field after another—military power, economic strength, scientific capability, political influence, and psychological impact . . . [so that] finally, as the culmination of retreat after retreat, we will stand at bay--isolated and desperate,

then the last act of the drama may find us with no choice, if we would avoid Soviet domination, but to initiate hostilities ourselves. In such extremity, resort to the military solution without an adequate civil defense program would be tantamount to national suicide—a lemmings' march to the sea.

On the other hand, it is just as urgent that we have an adequate civil defense program if we are successful in this "struggle for the minds of men" and in meeting the various Soviet challenges short of overt war. For the more successful we are at besting the Communists in the non-violent aspects of the total conflict, and the more successful we are in frustrating their efforts to advance their cause by graduated violence short of direct military aggression—political subversion, guerilla tactics, war by proxy, etc.—the more surely we narrow their choice of weapons and methods by means of which they can expect to accomplish their ultimate purpose. In the light of their unyielding determination to gain world dominion, such defeats might well lead them to conclude that their only hope for reaching their goal lies in direct military aggression.

Thus our success in coping with the Soviet threat, as much as our failure, may lead to armed conflict with the Soviets, including the strong probability of all-out nuclear warfare as the climax—unless, by the time they conclude that direct military action offers their only hope, we can furnish persuasive evidence that they cannot hope to reach their goal by that means either. Such evidence cannot be put simply in the form of words; it must confront them with convincing evidence that we will meet minor and major aggression alike with firmness—that we will not flinch because limited war might lead to all-out war. In short, the
Communists must be convinced—as must any enemy—that we are ready, willing and able to resist with probable success any degree of aggression they may undertake, including all-out nuclear war.

Our ability to offer such resistance may be assumed to exist on the basis of our existing air, sea and land power. However, whether we are ready, or, what is even more significant, willing, to risk war are entirely different questions. For our readiness and willingness cannot rest on military capability alone. Readiness and willingness to risk nuclear warfare must be predicated on the ability to limit casualties and damage resulting from nuclear attack to acceptable levels, levels that will permit meaningful survival as a nation—the capability to pursue conflict to a successful conclusion and to rehabilitate the nation. Willingness necessarily implies a state of mind on the part of both leaders and people that will accept the level of casualties and damage likely to be sustained. The level of casualties would depend upon conditions of civil defense preparedness in effect at the time of decision. But if Herman Kahn and others are correct, inadequate civil defense preparedness would result in an unacceptable level of casualties as surely as would inadequate military defense.  

Kahn estimates casualties ranging from 50 per cent to 90 per cent of the population in a heavy nuclear attack (i.e., targets struck ranging from the 50 largest to the 150 largest urbanized areas, and including all SAC bases), even with three to six hours of warning, if there are no non-
"The conditions of a viable Western strategy are psychological readiness and military technological superiority, the resolution to stand up to the Soviet thermonuclear threat and superior force to counter it." Without an adequate civil defense program in being, we lack one of the basic supports for the essential psychological readiness and resolution. In such circumstances, it is questionable whether either people or leaders would risk the consequences of nuclear warfare, unless our situation had so deteriorated that the risk of national destruction was preferable to surrender without fighting.

The failure to appreciate fully the strategic import of civil defense as an element of the total conflict—an essential instrument in the arsenal of national defense—is but another example in a long history of failure fully to integrate all aspects of political and military strategy in the shaping of national policy and strategy. Not only is it

military defense measures, no fall-out shelter, and no tactical or strategic evacuation. With varying degrees of civil defense preparation, and even with as little as 30 minutes warning, casualties could be held to considerably smaller figures than these, reducing to about 3 per cent of the population with maximum preparation. RAND Corp. "A Study of Nonmilitary Defense." Exhibit B to Civil Defense, Hearings, U.S. Congress, Military Operations Subcommittee of the House Committee on Government Operations, 85th Cong., 2nd sess. (Washington, D.C.: 1958), p. 483.

9Strausz-Hupé, loc. cit., p. 88.
essential as part of the foundation for the nation's resolution to stand up to any thermonuclear threat; it is also vitally important as a deterrent. In the context of total conflict, we must have an array of graduated deterrents to meet all possible contingencies. Herman Kahn gives a clear and cogent analysis of the levels of deterrence and of the role civil defense must play as a deterrent in situations where our present means of deterrence prove inadequate. He has broadly classified deterrents in three categories. Type 1 deterrence is the deterrence of a direct attack, in the form of the power of massive retaliation. Type 2 deterrence is the use of strategic threats to deter any enemy from engaging in extremely provocative acts other than a direct attack on the United States itself. This type includes effective civil defense capability as well as the military deterrents. Type 3 deterrence is the use of


11"Those who think of [either] very limited capabilities or mutual homicide threats separately or in combination as satisfactory for meeting our Type 2 deterrence problems are ignoring the dynamics of bargaining and conflict situations," Ibid., p. 138.

12"Type 2 deterrence will generally assume the possibility of a U.S. first strike or some temporizing move, such as evacuation. . . . Augmentation possibilities in active and passive defense are also now very important. That is, rather than strike the Russians if they do something very provocative, we might prefer to evacuate our city population to fallout protection and "beef up" our air defense and air offense and then point out to the Russians
limited actions, military or nonmilitary, that will deter an enemy from engaging in less provocative acts or aggressions by making the act or aggression unprofitable (e.g., strengthening our military capabilities; creating or strengthening alliances; diplomatic or economic retaliation; etc.).

The essence of deterrence is to convince an enemy that he cannot bluff, bully or blackmail us into retreat, default on our commitments, or surrender; that if he forces the issue against us we are ready to march with him to the brink of nuclear warfare if necessary, and over the brink with him if he persists in his aggression, and will make his cost greater than he cares to pay for the advantage he hopes to gain. This—whether it be called deterrence or even "brinkmanship"—is an essential element of the practice of international politics. Poor performance or failure in this phase of the practice greatly increases the probability, if not the certainty, of defeat, all-out war, or both.

The real problem in linking the principles of deterrence to a practical total strategy is to apply the proper instrument of deterrence in the proper degree to particular real situations. As Herman Kahn has pointed out, one of the essential instruments of deterrence is the presence of an

that we had put ourselves into a much stronger position to initiate hostilities." Ibid., p. 135.
adequate civil defense program.\textsuperscript{13} It must persuade any
enemy that it will do for us what it is supposed to do in
case of nuclear attack. To be useful as a deterrent, as
well as under actual conditions of attack, the program must
include optimum utilization of all resources. Furthermore,
effective organization, planning and preparation must be
completed in advance for the efficient utilization of
shelters, evacuation, or both, and for any other actions as
conditions may warrant.\textsuperscript{14}

A civil defense program which is so inadequate that
it raises doubts as to our ability to hold casualties within
psychologically acceptable limits and restore the civilian
economy rapidly, raises other doubts as well: doubts in the
people as to whether our government is pursuing a viable
foreign policy or is justified in taking a strong position
in resistance to Soviet threats or aggression; doubts in our
allies that we would really risk nuclear attack on ourselves
by coming to their aid if they are attacked; doubts in the
Soviet leaders as to whether we are bluffing or would really
stand firm at the risk of nuclear warfare in opposition to

\textsuperscript{13}Loc. cit., passim.

\textsuperscript{14}As this study will show, shelters and evacuation,
individually or together, fall far short of constituting an
adequate civil defense program (even though an extensive
shelter program would be the most expensive part of one);
The advance preparations mentioned, which themselves consti-
tute so large and important a part of such a program must
provide for many other phases of civil defense besides
shelters and evacuation.
their aggressions. Thus an inadequate civil defense pro-
gram destroys the credibility of our will to resist. It can
lose us the confidence and support of our allies; it can
undermine the people's confidence in and support of our
foreign policy; it can encourage Soviet aggression and
nuclear blackmail on the assumption that we would neither
risk nuclear attack by initiating hostilities nor use our
retaliatory power in any situation but a direct attack on
the United States.

That the Communists would give due consideration to
our civil defense posture is evident from their own actions
in this field. Soviet Russia seems to have established an
extensive, comprehensive, and compulsory civil defense pro-
gram, covering not only shelters but formal civil defense
training for most of the population, evacuation plans, and
many other aspects of civil defense. It is interesting to
note that top Soviet leadership, military and civilian, have
stressed the importance of civil defense as a factor con-
tributing to Soviet war readiness. Soviet civil defense is
organized with full-time staffs at all levels from the top
down to city level, and the formation of civil defense
units according to a prescribed table of organization is
compulsory for republics, collective and state farms, large

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institutions, and large public buildings and apartment houses. According to a statement attributed to Khrushchev, the Soviet Union has at least twelve million persons serving in civil defense. The objective is to develop a network of fully trained part-time civil defense workers organized on a compulsory basis from the federal level down to individual factories, villages, public institutions and apartment houses.

It is also interesting to note that the Soviet civil defense program includes provision for many types of shelter as well as for evacuation. Further, civil defense training for the entire adult population is compulsory. Training is provided in the construction and use of shelters and in evacuation plans and procedures as well as in other phases of civil defense. Compulsion has not been wholly successful, but it has been estimated that between fifty and one hundred million persons have participated in the training program.

"In sum," said Leon Gouré, Senior Soviet Area Specialist of The RAND Corporation, "Russia is engaged in a serious, energetic civil defense program—one that makes a major contribution to her over-all strength."16

In the light of our present vulnerability, the new dimensions and areas of international conflict combine with the new techniques and weapons of war to present the United States with an almost overwhelming threat to its national security, if not its survival. It is a threat which is not diminishing but growing even more dangerous. The Berlin crisis of 1961 lends cogency to this view. Although not the first, and possibly not even the last Berlin crisis, this has been more tense and ominous than any since 1948 and has resulted in some very important developments for the civil defense program in that President Kennedy now became very greatly interested in civil defense as an important part of our total defense program.

The renewed emphasis on civil defense, marked by the shifting of major areas of the civil defense program to the Defense Department and, with the allocation of additional funds, the acceleration of the shelter survey and preparation program almost to the tempo of a crash program, also suggested a growing awareness in Washington that not only did we lack this essential element of deterrence, but that such a lack may adversely affect the psychological readiness of both


18Although better late than never, the Berlin crisis of 1961 and the President's response to it revealed with painful clarity that in 1961 our arsenal of deterrents against aggressive action by an enemy did not include an adequate civil defense program.
public and leaders to pursue a positive and resolute course in international politics.

The ever-present danger is that if this crisis passes as others have passed, there will be a general feeling that the need for civil defense has also passed, and governments and public alike will once more forget the subject, as happened after World War II and again after the Korean War. If this danger of backsliding into apathy is avoided, the crisis of 1961 will have produced at least some good.

From the foregoing considerations the conclusion seems inescapable that the conditions of international conflict, the advances in science and technology, the new dimensions of war and weapons, have established an imperative need for an effective civil defense program as an integral and permanent part of our national security structure. As it is stated in the Rockefeller Report, "Civil defense must be considered as part of the over-all United States strategic posture. It must be faced forthrightly. It should be part of our defense planning and included in our over-all strategic plans." This must be brought home to the American people with the greatest insistence because, as a result of our historic invulnerability "we have treated civil defense as a minor adjunct to our over-all strategy both in terms of planning and in the resources allocated to it."19

To accept the need for an effective civil defense program it is not necessary to believe or assume that nuclear warfare is inevitable—only that it is possible. Moreover, our lack of an adequate civil defense program substantially increases the likelihood of nuclear warfare, or of defeat in the total conflict without even experiencing a nuclear attack, because we are not ready to accept the attendant risks.

Of course, an adequate civil defense program is no guarantee of immunity from nuclear attack, or from heavy losses on the home front in case of attack. But unless the tens of billions of defense dollars and our Strategic Air Command and nuclear Polaris-bearing submarines are complete bluffs, the best way to avoid nuclear war is to offer persuasive evidence, in the form of an adequate civil defense program and other forms as well as in the form of military power, that in all essentials we are not only able but ready and willing to resort to military combat if that is the only way their aggression can be stopped.

The cost of an adequate civil defense program may be part of the price we must pay because our political institutions and practices, including "politics as usual" with national defense programs and budgets, do not permit a

devotion to technology, weapons development and military power sufficient to give us a more nearly absolute deterrent to aggression. (Although it is questionable whether military power of any degree without an effective civil defense posture would constitute a fully credible deterrent.) However, whether it be a cost of democracy in the face of totalitarian imperialism or simply a realistic response to existing conditions in a world of sovereign nations armed with nuclear power, the urgent need for an adequate civil defense program is abundantly clear. It is in one respect, like all defense efforts, insurance on which we hope we shall never have to put in a claim; but it may mean the difference between national survival and destruction if the emergency against which it provides should arise.20

20"Even if we have acquired the highest quality Type 1 Deterrence capability [i.e., massive nuclear retaliation], we must still have a capability for fighting and surviving wars as long as it is possible to have such a capability. This is true not only because it is prudent to take out insurance against a war occurring unintentionally, but also because we must be able to stand up to the threat of fighting a war or even be able to credibly threaten to wage war ourself. We must have an 'alternative to peace' as long as we don't have a world government and as long as it is technologically and economically possible to have one." Kahn, op. cit., p. 138. (Emphasis added.)
CHAPTER II

THE NATURE AND SCOPE OF CIVIL DEFENSE

Having examined the need for an adequate civil defense program it now seems appropriate to examine in a more detailed fashion its nature and scope. Perhaps at the outset a distinction should be made between "civil defense" per se and a "civil defense program." "Civil defense" is the non-military protection\(^1\) of the civilian population and community from the effects of enemy attack; "civil defense program" refers to a planned and organized effort in preparation for and, at the appropriate time, in performance of civil defense.

The importance of this distinction becomes manifest when we consider the terms in which much of the public discussion of civil defense is carried on. Too often it is in the form of a debate as to "whether we should have civil defense," when the issue which is really being considered is "should we have a civil defense program?" or, even more specifically, "should we have a particular civil defense

\(^1\)See below, p. 25, for definitions of military and non-military defense.
program?" We do not have the choice of accepting or rejecting civil defense, for it is inevitable that in the event of enemy attack on the home front there will be efforts, however unrehearsed and ineffectual, to save lives and property and to insure national survival—and this, though perhaps oversimplified, is the essence of civil defense.  

The question we face is not whether we should have civil defense, nor even whether we should have a civil defense program. Rather, it is what kind of civil defense

2It is interesting to note that no such confusion arises in discussions of military defense. There is a consensus, a traditional view which assumes the need for military defense as the premise for discussions of the subject on other levels in terms of allocation of resources and program content. 

3It could be said that even such a vigorous critic of civil defense as Senator Stephen M. Young of Ohio has not advocated eliminating civil defense in its fullest sense (in spite of the opposite implication which is no doubt drawn from the occasional newspaper headlines announcing that Senator Young "Calls for End of Civil Defense"). On the contrary, he has clearly stated that civil defense is "an important function in the defense of our Nation," and "should be made an integral part of our total defense effort." To this end he urged that the responsibility for civil defense be placed in the Department of Defense. (U.S. Congressional Record, 86th Cong., 1st sess., July 30, 1959, p. 13433.) He has actually recommended a multi-billion dollar shelter program. ("Civil Defense: A National Disgrace," Saturday Evening Post, July 11, 1959, p. 72.) Despite all his criticisms in this field, he has been consistently in favor of some kind of civil defense program; his adverse remarks have been aimed at the "program" as conducted by the Office of Civil and Defense Mobilization.
program we should have?—how much or how little planning and organizing, co-ordination, advance preparation? If our findings in the first chapter on the need for civil defense have any validity, then the simple answer to this question would seem to be that we must have an adequate civil defense program just as we must have an adequate military program: civil defense preparedness is as vital as military preparedness. If the present civil defense program is unsatisfactory—and doubtless it has shortcomings—the solution is not to do away with it completely but to bring about such changes in it as are necessary to make it effective.

In the context of today's world civil defense, like military defense, should be discussed not in terms of "should we have it" but in terms of adequacy and effectiveness to accomplish the desired objectives. The area of debate, in short, should be limited to questions of what constitutes an adequate civil defense program.

Civil defense, because of the magnitude and diversity of the problems with which it is intended to cope, defies easy definition. It has sometimes been called "passive defense," presumably to distinguish it from the "active defense" conducted by the military. This is an unfortunate label for civil defense, and is in fact both inadequate and inaccurate. "Passive defense" has very specific connotations with respect to such measures as camouflage, blackouts, concealment, pre-attack hardening of targets, dispersion,
traffic control, and similar measures taken to deceive the enemy as to the location, nature, and/or existence of a target. It does not imply significant activities carried on to cope with the effects of an enemy attack.

Civil defense is passive only in the sense that it does not undertake action directly against the enemy. It is certainly active in measures taken against the effects of enemy attack, not only before but after the attack, and then on a greatly intensified and extended scale. Use of the term "passive defense" increases the tendency to construe the objectives of civil defense much too narrowly and to minimize the magnitude of the problem which faces it even before an actual or declared emergency.

A broader and more accurate synonym for civil defense would seem to be "nonmilitary defense," a term gaining wider use now. It is more accurate in that it encompasses all phases of action taken by the civilian community to prepare for and to cope with the effects of an enemy attack on it, being thus distinguished from military defense on the basis of its civilian character. Military defense (generally carried on by the military) is aimed directly at the attacking enemy; nonmilitary defense (generally carried on by civilians) is directed against the effects of the enemy's attack on the civilian community. If in the course of overall military operations the military find it necessary to
carry out civil-defense-type actions on their own behalf, these are still military operations. On the other hand, if they are called on to assist the civilian community in coping with the effects of attack, they are participating in civil defense.

To many people, civil defense means merely a wailing siren, or a rush for the suburbs or the nearest shelter. To some a little better informed, it may signify rescue operations and welfare services for stricken people. But civil defense is much more than a "pick-up-the-pieces" type of action. It is more than a technique for bare survival or for performing emergency welfare services. It is not only the immediate saving of lives and protection of property, but the restoration and rehabilitation of the economy and the community, and, consequently, it must include plans made long in advance in order to accomplish these objectives efficiently.

There have been many definitions of civil defense, each of which illuminates some facets of the total concept. An adequate definition of civil defense, however, must include not only all of its objectives and purposes but also a

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statement of the instrumentalities or means by which these objectives and purposes are to be accomplished or served. Accordingly, civil defense may be described as an active, integrated system of nonmilitary countermeasures, both strategic and tactical, time-phased to proceed from pre-emergency conditions through the emergency of a nuclear attack to recovery from the effects of attack, and a return to normal ways of life. Four distinct phases may be identified: the pre-emergency phase, the emergency phase, the operational recovery phase, and final recovery phase. 5

Civil defense, in its broadest sense, deals with the whole complex of nonmilitary activities necessary to: (a) mobilize, organize and prepare the people and the economy for possible attack; (b) survive, in the event of a nuclear attack, and emerge from the holocaust with minimum casualties and damage; (c) improve conditions as rapidly as possible in the civilian community, maintain, repair and restore essential production

5The writer has added the pre-emergency phase to three phases identified in a staff study made by the Naval Radiological Defense Laboratory and described as follows: "The emergency phase begins upon warning of attack and may last for several days to a week . . . the operational recovery phase may last for months or years, perhaps for the duration of hostilities; the final recovery phase follows and may be indefinitely prolonged. "In the emergency phase the object is to save people and, in a larger framework, facilities. . . . The operational recovery phase seeks to regain the military usefulness of the target as soon as possible. The final recovery phase seeks to regain, to the extent possible, normal operation." House Report No. 2946, p. 20.
and facilities, maintain the continuity of civil government, and maximize civilian support of the military effort; (d) complete the recovery and return to normal operations and peacetime pursuits.

The strategic and operational objectives of civil defense are: (1) In peacetime, to serve as an added deterrent to enemy aggression and to provide essential support for the national resolution and psychological readiness which make possible a firm and effective foreign policy program, by having in readiness, through the effective organization and preparation of all levels of government and of the civilian community under the leadership of civil government, the capability for accomplishing its defense objectives. (2) In the event of nuclear attack, to help ensure national survival, recovery and victory by minimizing the effects of such attack on the people, communities, resources and facilities of the nation and establishing a basis for the nation's most rapid and effective possible recovery and return to normal ways of life.

An adequate civil defense program is one which will fulfill the strategic purposes of civil defense before an emergency and which will ensure the efficient accomplishment of the objectives of civil defense during and after an emergency. Clearly the strategic objective requires an adequate program in being all the time. Thus what is required now is the implementation at the earliest possible time of a
nationwide civil defense program which will establish, before any emergency, the capability of accomplishing the emergency and post-emergency objectives of civil defense.

The necessary capability must be manifested in two general aspects: legal status and physical status. Adequate legal status of course requires an adequate foundation in law, at all levels of government, for civil defense organization, activities and fiscal resources. Adequate physical status—the physical capability of performing tasks effectively—requires adequate organization, plans, and resources. Legal status and funds can provide for the necessary resources, both human and material, while an adequate organization should produce adequate plans. The primary and crucial preconditions for an adequate civil defense program may therefore be summed up as adequate legal basis, organization and funds.6

The detailed examination of all three of these requirements is a task of considerable dimensions. The purpose at hand is to concentrate on the phase of organization. Before delving into this particular problem, let us attempt

6While civil defense necessarily involves the participation on a vast scale of individual volunteers and private agencies and organizations as well as semi-public organizations such as the Red Cross, such efforts, without the basic support, leadership and participation of government at all levels and in full measure, would be poorly integrated into or co-ordinated with the over-all civil defense effort and to a great extent would be dissipated uselessly or not utilized. This phase of the subject will be discussed more fully later.
to develop the broad outlines of an adequate civil defense program. From this we may then be able to determine the nature and scope of the organization which is required to work out the program in detail and, in the event of nuclear attack, to carry it out operationally. The Federal Civil Defense Law (amended)\textsuperscript{7} will be used as a starting point for this discussion, as this is the basis for the current national civil defense program.

The Federal Civil Defense Act conceives the purpose of "a system of civil defense" to be "the protection of life and property in the United States from attack."\textsuperscript{8} More explicitly, it defines civil defense as "all those activities and measures designed or undertaken" to:

1. Minimize the effects of attack upon the civilian population.

2. Deal with the immediate emergency conditions.

3. Effectuate emergency repairs, or emergency restoration of, vital utilities and facilities.\textsuperscript{9}

\textsuperscript{7}Public Law 920, 81st Cong., 2d sess. as mended (also known as The Federal Civil Defense Act of 1950).

\textsuperscript{8}The Act defines "attack" as "any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, shellfire, or atomic, radiological, chemical, bacteriological, or biological means or other weapons or processes," \textit{ibid.}, Sec. 3 (a).

\textsuperscript{9}\textit{Ibid.}, sec. 3 (b).
The "activities and measures" which the Act defines as constituting civil defense give, in effect, a skeleton outline of the civil defense program and the tasks which civil defense would have to perform under such a program in event of nuclear attack. Under "measures to be taken in preparation for anticipated attack" it sets forth what amounts to a plan; albeit inadequate, to establish the necessary capability for an emergency, while under "measures to be taken during attack" and "measures to be taken following attack" are stated the functions and activities to be performed by the civil defense organization after the beginning of an emergency. Some of the crucial omissions of this statement of a program are remedied by later provisions of the Act giving the President and the Director, Office of Civil and Defense Mobilization, additional authority.

The civil defense program envisioned in the Act may be summarized as follows:10

A. Measures to be taken in preparation for anticipated attack:

1. Preparation of national plans and programs for civil defense.

2. Establishment of appropriate organizations, operational plans, and supporting agreements.

10It should be noted, of course, that much of what follows can be implemented only as specific authorizations and appropriations are made by Congress.
3. Recruitment and training of personnel; provision for training programs for the instruction of civil defense officials and other persons in the organization, operation, and techniques of civil defense.

4. Conduct of research.

5. Procurement, stockpiling and utilization of necessary materials, supplies and facilities.

6. Provision of suitable warning systems and necessary civil defense communications.

7. Construction or preparation of shelters, shelter areas, and control centers.

8. When appropriate, the non-military evacuation of civil population.

9. Procurement, maintenance and distribution to the states of radiological instruments and detection devices.

10. Assignment of appropriate civil defense responsibilities to the several departments and agencies of the federal government, and co-ordination by the Director, Office of Civil and Defense Mobilization, of the civil defense activities of such departments and agencies.

11. Dissemination of appropriate civil defense information to the public.

12. Reimbursement of any federal agency for its civil defense expenses under the Act, to the extent of available funds.
13. Provision for financial contributions on the basis of programs or projects approved by the Director, Office of Civil and Defense Mobilization, to the states for civil defense purposes including organizational equipment, shelters and protective equipment, and "necessary and essential state and local civil defense personnel and administrative expenses," on a 50-50 matching basis.

B. Measures to be taken during and after an attack:

1. Enforcement of passive defense regulations prescribed by duly established military or civil authorities.
2. The evacuation of personnel to shelter areas.
3. The control of traffic and panic.
4. The control and use of lighting and civil communications.
5. Rescue, emergency medical, health and sanitation services.
6. Monitoring for specific hazards of special weapons.
7. Unexploded bomb reconnaissance.
8. Essential debris clearance.
10. Immediately essential emergency repair or restoration of damaged vital facilities.
C. During the existence of a civil defense emergency, the Act provides for the following additional powers:¹¹

1. The President may direct any federal department or agency to provide, and such departments and agencies are authorized to provide, for civil defense purposes:

   a) Their personnel, materials and facilities for the aid of the states.
   
   b) Emergency shelter by construction or otherwise.
   
   c) On public or private lands, protective and other work essential for the preservation of life and property, for clearing debris and wreckage, and for making emergency repairs to, and temporary replacements of, communications, hospitals, utilities, transportation facilities, or public facilities of states or their political subdivisions damaged or destroyed by attack.

¹¹Title III, Federal Civil Defense Act of 1950, as amended. A civil defense emergency may be proclaimed by the President or by concurrent resolution of Congress upon a finding that an attack upon the United States has occurred or is anticipated and that the national safety therefore requires an invocation of the emergency authority provided in this Title of the Act. Such an emergency may also exist, and the provisions of this Title may be invoked, with respect to a part of the United States.
2. The Director, Office of Civil and Defense Mobilization, is authorized to:

   a) Reimburse any state, including its political subdivisions, for expenses incurred outside the state in providing civil defense aid during the emergency.

   b) Provide financial assistance for the temporary relief or aid of civilians injured or in want as the result of attack.

   c) Employ additional personnel without regard to the civil service laws, and to incur such obligations on behalf of the United States as may be required to meet the civil defense requirements of an attack or of an anticipated attack.

The mere enumeration of objectives and of tasks to be performed in an emergency can give no indication of the breadth, depth or intensity of effort which the emergency envisioned will demand, or of the magnitude of the preparation essential to develop the capability of making the required efforts. The prospect is that a major nuclear attack will require the total mobilization of the nation for both military and civil defense on a scale hitherto inconceivable. A vast amount of preparatory planning, organizing, co-ordinating, recruiting, training and educating must be done on a continuing and routine basis before an emergency, at all levels of government, if we are to be able to
accomplish the objectives of civil defense in time of emergency. The physical impact of a massive nuclear attack would be far greater than any catastrophe that has ever happened to man, in terms of damage, killed and injured—short of the biblical deluge or the coming of an ice age. But the problems will not be merely physical, they will be economic, social and political as well.

A review of experience with major wartime disasters resulting from air attack will shed some light on the kinds and scope of problems likely to be faced. Consideration of experiences with natural disasters, and comparison of the effects of World War II weapons and present nuclear weapons, can then provide a rough scale on which one may extrapolate the magnitude of the civil defense problems which will confront us in the event of nuclear attack.
CHAPTER III

EXPERIENCE WITH NON-MILITARY AND MILITARY DISASTERS AND LESSONS FOR CIVIL DEFENSE AGAINST NUCLEAR ATTACK

There is considerable data at hand concerning the nature and effects of military and non-military disasters which is useful for our purposes. Obviously we can only consider selected portions of the great mass of data which is available. A table showing the principal disaster relief operations of the American Red Cross during the fifty-year period 1906-1955, covering 30 separate disasters involving earthquake, flood, tornado and hurricane, or explosion, gives the following approximate totals for the entire 50-year period: 1

- Persons killed: 7,700
- Persons injured: 74,000
- Persons given emergency mass care: 3,500,000
- Families given rehabilitation assistance: 690,000
- Dwellings destroyed or damaged: 335,000

The greatest number of injured occurred in the Mississippi Valley Flood of 1927, when there were slightly less than 12,000 injured, while 637,500 were given emergency mass care.

care. The greatest number given emergency mass care was 1,062,000 during the Ohio-Mississippi Valley flood of 1937. In both these disasters the casualties suffered and emergency mass care given covered several states.

Such disasters have taxed the resources and capabilities of local government and the Red Cross organization to the fullest, and beyond. Additional financial aid has been provided by state governments and the Federal government. In addition, material aid has been furnished by military forces such as the Army Corps of Engineers and other Army elements, the Coast Guard, the National Guard, and other government agencies.

The experiences of Britain, Germany and Japan in World War II showed the value of prepared and organized civil defense; the consequences of inadequate preparation and organization can be seen in the varying losses accompanying different levels of civil defense adequacy. "The specialists who examined Hiroshima and Nagasaki report that thousands of people died who might have been saved had organized assistance, thoroughly trained and well equipped, been ready for action."2

The scale of damage in case of nuclear attack hardly bears a relationship to World War II damage. The closest comparison, other than the atomic bomb attacks on Japan, are

2Hopley Report, p. 3.
saturation raids such as were made on Hamburg during the period July 24 - August 3, 1943.\(^3\)

Hamburg had a population of 1,700,000, of whom 1,000,000 were prepared and equipped for fire fighting and self-help. "Over 9,000 personnel, well-trained and equipped, were available in the Civil Defense operational services, and every aspect of air protection had been carefully studied. . . ." Industrial management and the port authorities cooperated admirably. All personnel were battle-trained and had already experienced 140 raids. Some of the results of the July-August raids were as follows:

1. About 10 of the city's 288 square miles, in the most densely built-up parts were destroyed by blast and fire. (This includes only the most heavily damaged areas.)

2. Casualties included 60,000 dead.

3. 40,000 houses, representing 61 per cent of the total living accommodations, were destroyed.

4. 37,214 injured were ultimately treated.

5. 1,200,000 people were evacuated from Hamburg and its immediate vicinity after the raids ended, August 3. (240,000 were left destitute by the first major raid, July 24-25.)

\(^3\)Data on Hamburg from U.S. Strategic Bombing Survey, Hamburg Field Report, No. 44: Reports, European War (2d ed.; Washington: 1947), passim.
6. Only about one-fifth of the hospital accommodations remained usable (about 2,800 beds).

7. The water supply system was disrupted; the supply was inadequate for fire fighting, cooling debris, drinking, sanitation, etc.

8. All communications were destroyed, and industry was paralyzed.

9. Public transport was at a standstill; 15 of 18 railway stations were out of action.

10. Additional problems were raised by: (a) the danger of epidemics, (b) the absence of cooking facilities, (c) the need of feeding the whole population, including the evacuees.

Although, as noted above, 1,000,000 of the population had been given some preparation and equipment for fire fighting and self-help, and there were 9,000 trained and equipped members in the civil defense operational services, these forces quickly proved totally inadequate. Civil defense reinforcements came from other large cities as far away as Berlin. Thirty-five thousand of all services were used in the various civil defense operations.

The extent and nature of possible emergencies were grossly underestimated and inaccurately anticipated. Elaborate arrangements were made in advance for 200,000 homeless. Careful plans for evacuation by train broke down when fifteen out of eighteen railway stations were put out of action.
Five large collecting stations were created outside the city boundaries; by the evening of 27 July (four days after first raid) 1,200,000 evacuees were massed at these centers and left on foot, by car and by ship during the next forty-eight hours. All forms of transport were used to clear collecting centers to railway stations outside the city. The evacuees spread far beyond the neighboring towns and covered the fields for miles around. The assembly stations became huge feeding centers for the entire population, for there were no cooking facilities left in the entire city.

Conditions made Hamburg a fertile breeding place for disease, and gave rise to a plague of flies. Normal health services were out of action. Regular collection of refuse ceased. All sanitary arrangements were out of action through failure of the water supply. "Garbage was stacked at selected points and regularly inspected" [sic]. An anti-rat campaign was organized for the first fortnight in December. A widespread appeal was made through the Press to the remaining inhabitants for intelligent co-operation in maintaining public health.

Water demand was abnormal due to the hot weather. Pumping stations and mains were knocked out. Additional wells were sunk, and every kind of water vehicle was pressed into service, including some sent from other parts of Germany. The Army supplied sterilizers and water canisters.
Strict measures were taken to prevent epidemics. Vehicles were regularly disinfected. Water samples were tested.

Utilities were very largely disrupted and out of service but restored gradually during the succeeding few months. Large numbers of auxiliary personnel and men of the Technical Emergency Corps were placed at the disposal of gas, water and electricity concerns.

The catastrophe which must be faced in the event of a nuclear war is astronomically greater than the non-military disasters referred to above and dwarfs into insignificance the devastation wrought on Hamburg, Hiroshima and Nagasaki. Nevertheless, the task of preparing to cope with nuclear disasters is not hopeless, but rather one that must be approached with full recognition of the problems involved and the acceptance of the fact that the amount of preparation must be scaled to the nature and the level of the potential disaster.

Let us consider what the results might be in the event of a nuclear attack on a target such as the city of Columbus, or, more accurately, the Columbus metropolitan area. It must be kept in mind that the target areas which are of vital importance to the nation are not pinpoint targets but cover in most cases scores of square miles and in many cases hundreds of square miles; their minimum dimension is seldom less than five or six miles and they sometimes have one or more dimensions of fifteen or twenty miles (the
urban area of Columbus, for example, has major east-west and north-south axes more than twelve miles long). Consequently the ability to place a ballistic missile within five miles of the desired point at a range of six thousand miles (which both the United States and the USSR seem to have) is quite sufficient to enable an enemy to score virtually direct hits on every critical target he attacks. Considering the extent of damage likely to be caused by weapons in the megaton ranges, as described below, a near miss can be nearly as devastating as direct hit, and would result in almost as serious a situation from the civil defense point of view.

If a five megaton bomb fell on Columbus, within two or three miles of the center of the city (i.e., somewhere within a circle of five or six miles diameter in the heart of the city), people unshielded from the explosion and as far away as Delaware, Marysville, London, Circleville, Lancaster, Granville (almost 25 miles), would suffer first degree burns, while people at home in those communities and in Newark as well (over 30 miles) would be surprised by the sound of breaking glass as their windows shatter. But to begin at the center of damage:4 Within an approximately

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circular area around ground zero of about six miles diameter there would be virtually total destruction and very nearly 100 per cent casualties (up to 90 per cent or more killed). Beyond this, in a circle of about 9 miles diameter, there would be heavy damage, with buildings beyond repair, utilities knocked out and 50 - 85 per cent casualties (more than half of these killed). Beyond this, out to a diameter of about 14 miles, damage would be severe to moderate, with major repairs necessary before reoccupancy, and from 30 to 55 per cent casualties (5 to 15 per cent killed). In the area beyond this, out to a diameter of about 19 miles, there would still be light damage, and 10 per cent to 20 per cent casualties with about one-tenth of these being deaths. On the borders of Franklin County and beyond into contiguous counties there would be some damage to wood, brick and concrete buildings, at distances up to 20 miles or more.  

Thus under present conditions, a five megaton bomb striking near the center of the Columbus metropolitan area would virtually wipe out much of Columbus and its neighboring communities, cause damage throughout Franklin County and bombings in Japan and tests conducted at the Eniwetok Proving Grounds and the Nevada Test Site.

5 The two extremes of the casualty estimates represent casualties with at least 15 minutes warning—time to reach the best near shelter available—and no warning. Obviously, with enough warning to carry out evacuation, and/or with a substantial shelter program completed, casualties would be considerably less, even with as little as 15 minutes warning.
in neighboring counties, and leave, besides the dead, hundreds of thousands of injured and homeless. This is not the sort of disaster situation that can be coped with by self-help, or by community action (even planned community action), without outside help and help from higher levels of government. Fallout could carry the threat of injury and death even farther, in a forty-mile wide swath to the borders of Ohio and beyond.

Under existing conditions, the "Government's ablest experts" (Office of Civil and Defense Mobilization) estimated as the toll of a "moderate-sized" war (in which the enemy might drop nuclear bombs totaling 1,446 megatons—equivalent of 1.4 billion tons of TNT—on 70 key cities and 154 military bases): 23 million killed outright; 25.9 million fatally injured; 7,300,000 with nonfatal blast and burn injuries; nonfatal but harmful radiation doses on 12.7 million; 22.5 million homes destroyed, badly damaged or irradiated. Even with maximum protective measures, casualties could amount to several million.

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7 Maximum protective measures include blast and fallout shelters in critical target areas as well as fallout shelters elsewhere, 30-60 minutes warning, and strategic and tactical evacuation as appropriate.
Such figures may be compared with casualties at Hiroshima and Nagasaki which were each struck with a 20 kiloton bomb (equivalent of 20,000 tons of TNT): 8

<table>
<thead>
<tr>
<th></th>
<th>Hiroshima</th>
<th>Nagasaki</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total population</td>
<td>255,000</td>
<td>195,000</td>
</tr>
<tr>
<td>Killed and missing</td>
<td>70,000</td>
<td>36,000</td>
</tr>
<tr>
<td>Injured</td>
<td>70,000</td>
<td>40,000</td>
</tr>
</tbody>
</table>

A more complete comparison of damage and casualty data is shown in Table 1, p. 47.

It may be concluded, from these discussions of various disaster situations and the problems to be coped with in such situations, that earlier and present methods of dealing with disasters will be inadequate in the event of nuclear attack. Volunteer efforts, even when so well organized and so experienced as those provided by the Red Cross, augmented by state and national financial aid and other aid from military and other sources, cannot begin to cope with disasters resulting in millions of casualties, millions of homes destroyed and vast quantities of resources lost. The lessons of the many instances of natural disaster in which communities have had to call on their state governments for help and the latter in turn have called on the national government for aid, not only in the immediate emergency but in the post-emergency and recovery periods, are strongly reinforced by the experiences of Great Britain, Germany and

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8 *Effects of Nuclear Weapons*, p. 455.
<table>
<thead>
<tr>
<th>Relief Operations, ARC&lt;sup&gt;a&lt;/sup&gt;</th>
<th>Japan&lt;sup&gt;b&lt;/sup&gt;</th>
<th>All Japan&lt;sup&gt;c&lt;/sup&gt;</th>
<th>Great Britain&lt;sup&gt;c&lt;/sup&gt;</th>
<th>Germany&lt;sup&gt;c&lt;/sup&gt;</th>
<th>Hypothetical&lt;sup&gt;d&lt;/sup&gt; Nuclear raid on U.S. (70 key cities, 15% military bases)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal disasters, 1906-1955</td>
<td>Japan and Nagasaki</td>
<td>Atomic bombs</td>
<td>World War II</td>
<td>World War II</td>
<td>World War II</td>
</tr>
<tr>
<td>All disasters, 1950-1955</td>
<td>Hiroshima</td>
<td></td>
<td></td>
<td></td>
<td>148,900,000&lt;sup&gt;g&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

1. Number of operations 30 2,017 2 f 224
2. Number killed 7,700 1,063 106,000<sup>e</sup> 900,000 60,000 305,000 48,900,000<sup>g</sup>
3. Number injured 74,000 20,663 (maj) 110,000 1,300,000 86,000 (serious) 780,000 29,000,000
30,364 (min) 149,000 (slightly)
4. Number dwellings destroyed or damaged 335,000 136,670 1,920,000 5,500,000 22,500,000
5. Weight of attack (equivalent tons of TNT) 40,000 71,000 1,206,000 1,400,000,000

<sup>a</sup>Dewitt Smith, loc cit. (see Note 1 above).

<sup>b</sup>Effects of Nuclear Weapons, p. 455.


<sup>g</sup>Killed and missing.

<sup>h</sup>366 Communities bombed.

<sup>i</sup>23,000,000 outright; 25,900,000 fatal injuries.
Japan in World War II. It seems clear that it is unrealistic to expect anything less than fully prepared and fully co-ordinated statewide and nationwide response to provide adequate aid, relief and recovery in the kind of emergency which would result from a nuclear attack. Measures geared to natural disasters, and civil defense programs which served in World War II, would prove pitifully inadequate under such conditions.

A number of observations concerning civil defense seem warranted on the basis of experience in non-military disasters and in World War II and of the effects of nuclear weapons as just described.

1. Even with prepared plans and organizations, if the magnitude of the problems to be coped with is not appreciated and prepared for or if civil defense preparations are not made in the expectation of the heaviest possible damage, emergency operations in the actual event are likely to be severely impeded, if not completely ineffective. The results will be more casualties than need be, lower morale, and slower recovery. On the other hand, whatever preparations are made will not be wasted. Indeed the number of lives saved, the degree and speed of recovery, will depend on the degree of preparation made. This can be seen by comparing the Hamburg and Hiroshima disasters, even though they

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9See below, Chapter VII.
were not exactly similar. (It should be noted that there was no fallout problem at Hiroshima; in any case, relief and recovery were initiated in ignorance of that danger.) It is worth noting that in the event of nuclear warfare, the rate of recovery by the contestants from the effects of nuclear attack may be crucial, inasmuch as it is possible that a prolonged war with conventional forces and nothing more powerful than tactical atomic weapons may follow an all-out nuclear attack on both sides. Russian and British as well as American military experts visualize this as a strong possibility. 10

2. Evacuation may become a serious problem. Under some conditions it would be unavoidable; while large-scale pre-attack evacuation may not be the final answer for avoiding large numbers of casualties, neither is shelter alone the final answer. For whatever the level of casualties, there would be millions of survivors at the periphery of the nuclear devastation area; although there would be some areas of total devastation and death, the damage and casualty rates would diminish in proportion to distances from ground zeroes and as a consequence of other factors such as atmospheric conditions and terrain. Thus at some time survivors in these

areas would emerge from shelter and would require aid. As was demonstrated by the experience of Hamburg, even without fallout the immediate vicinity of a target area is not a satisfactory place to establish evacuees for any length of time in order to render aid. Fallout would make the difficulties enormously greater. At best, such areas could serve to permit survivors to come out of their shelters for short periods, when radiation levels became low enough, for rapid staging of evacuees to other areas with lower levels of radiation.\(^{11}\)

Such survivors, coming out of any kind of space that provided some protection, might have varying degrees of radiation sickness, burns, other injuries, or no injuries at all. Emerging with little or no food or water, and into a level of radiation permitting only limited exposure, they would have to be evacuated as rapidly as possible. Thus it might be vital to carry out remedial evacuation after attack, moving large numbers of survivors to safe areas, even though pre-attack strategic or tactical evacuation may be considered

\(^{11}\)While a few hours of exposure to diminishing levels of radiation might be safely tolerated, extended exposure to this same radiation could prove fatal. It should also be noted that there could be large areas in the path of fallout where survivors would not be able to remain safely in the open for extended periods, even after the first two weeks following an attack. See Effects of Nuclear Weapons, pp. 524-27, 536-42; Ohio, Adjutant Generals Department, Basic Radiological Defense (Columbus, Ohio: 1959), pp. 51-53.
undesirable or unfeasible. Remedial evacuation, as well as the reception and care of evacuees, requires extensive and co-ordinated pre-emergency planning and organization at all levels of government. The survival of great numbers of people might depend on how rapidly and how well community, state, and nation are prepared to cope with such problems.

3. Manpower requirements for civil defense operations may pose serious difficulties. The experience of Hamburg illustrates this. Ensuring the immediate availability of the manpower in the numbers and with the skills required, as well as the efficient utilization of such manpower, and co-ordination with military requirements, present great problems for those concerned with manpower. As examples of the problems involved, we may note: (a) The need for medical and first aid personnel will exceed any resources of these categories available. They will have to be strictly rationed to meet military and civilian needs. (b) Because of the impossibility of rapid re-entry and restoration of destroyed industrial establishments, large numbers of industrial workers will have to be relocated and their capabilities utilized as rapidly and advantageously as possible, at the same time that general remedial evacuation of large groups of survivors is being carried out.

4. Water supply may be a major problem in large areas. The experience of Hamburg, as well as of Japanese cities,

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12See above, p. 40.
showed the extreme difficulties caused by shortage of water—lack of fire-fighting capability, epidemics due to failure of sewage facilities, lack of water for drinking and other purposes. Besides destroying water facilities in a large area, a nuclear attack will multiply and spread water problems because of contamination of surface waters.\textsuperscript{13}

5. Psychological and emotional problems may become highly significant. The shock of air attack in World War II resulted in some aberrant and antisocial behavior, depression, defeatism, failures of government personnel, and some deep psychological and social problems. Such manifestations are likely to be greatly multiplied if adequate provision is not made to anticipate and cope with them.

6. Government authority and organization for civil defense, or emergency operations, or both, may falter badly or collapse completely in areas of heavy damage and casualties. In Great Britain it was found that local government authorities and civil defense officials at times failed to discharge their functions and responsibilities properly under the pressure of extreme emergency conditions, not only in target areas but in reception areas also. Such conditions required effective action by higher government levels. It was noted of the civil defense organization in Hamburg that "in the chaos which followed the heavy bombing of Hamburg in

\textsuperscript{13}\textit{Effects of Nuclear Weapons}, pp. 534–35.
July, 1943, the ARP [Air Raid Protection Services] distinctly failed to fulfill its duties; its personnel concentrated primarily on saving their own lives and property." In such circumstances "the ARP . . . and police of adjacent cities were immediately rushed to the affected area (e.g., from Bremen and Berlin to Hamburg . . .), formed a cordon around it, and proceeded to re-establish order within." The experience here suggests that aid and support may be required from widespread sources, and that effective co-ordination and control may have to be exerted by higher levels of government over local government and civil defense forces carrying on emergency operations.

The experience in all of these military and non-military disasters certainly indicates that the rate and degree of recovery from attack will depend to a great extent on the adequacy and extent of governmental planning and preparation for emergency and on the participation and cooperation of the public. The experience also suggests that (1) the degree of participation and co-operation of the general public in civil defense preparation and operations will depend on the adequacy of governmental leadership and measures (particularly at the state and national levels) taken prior to an emergency, including efforts to make the people aware of the need for civil defense preparation;

(2) that volunteer and local government efforts without central direction would not meet the problem adequately, as has been proven under conditions far less disastrous than nuclear attack; and (3) over a relatively short period of time in an emergency, mutual aid and support in the surrounding countryside of damaged areas and in reception areas begin to deteriorate seriously without positive co-ordination, direction and support from higher levels of government, as British experience in World War II has shown.  

On the basis of the foregoing discussion it seems that two propositions are demonstrable:

1. That the problems which would be created by a widespread nuclear attack would be vast, far greater than the problems raised by any other disaster ever faced by civilized man; and the program to cope with such problems must be correspondingly vast in scope, and it must be in readiness before the time of crisis.

2. That while total protection against the effects of nuclear attack may be impossible, much protection is possible, and the results realized from any program will be proportional to the extent and effectiveness of the effort expended in preparation and the effectiveness of execution in event of emergency.

\[15\] See Chapter VII below.
CHAPTER IV

THE ALLOCATION OF RESPONSIBILITY FOR CIVIL
DEFENSE IN A MULTIPLE-TIERED
GOVERNMENTAL STRUCTURE

In view of the vast scope of civil defense and the problems with which it is intended to cope, it is clear that only government can effectively develop and maintain the required civil defense program. There is considerable disagreement, however, as to both the manner and the degree in which government responsibility for civil defense should be carried out. The result is that both development and implementation of an adequate civil defense program are in large measure lacking, and the validity of the principle of government responsibility is itself left in doubt.

Perhaps the one factor most responsible for the unsatisfactory status of the civil defense program has been the failure of governmental leadership, at all levels, to recognize, accept and discharge its responsibilities adequately in this field. Government officials blame this in part on public apathy, on the theory that government must give the people what they want. This approach falls far short of the obligations of government to the people. Those
who hold themselves forth as leaders, and succeed in winning public favor, have an obligation to the people to do everything necessary to preserve the nation and its basic values in the face of existing threats and potential calamities. Neglecting civil defense because the public does not demand more is a shirking of the responsibility that goes with public office. Should disastrous losses be suffered in nuclear attacks because of inadequate civil defense preparations, the people would turn on the political leaders for their shortcomings, and it would be no defense for the politicians to claim that the people themselves did not demand more.

At the same time, a people worthy of survival under self-government must be able, at least in times of danger, to see beyond the immediate present and demand that its government leaders plan adequately to cope with the threatening future. Failure to demand enough of their leaders is in itself an indication of their own lack of the degree of responsibility essential to the survival of a free self-governing people.

The cost, the revulsion of people in general, the "apocalyptic vision that is called to mind" by talk of thermonuclear war,\(^1\) the lack of direct experience with it, the vast scope and complexity of civil defense make civil defense possible.\(^1\) "Civil Defense is Possible," Fortune (December, 1958), p. 99.
defense unpopular as a theme of conversation, and therefore make it even more urgent that government provide the necessary leadership in this field. The task of leadership includes teaching the people enough about the problems so that they will demand of government an adequate civil defense program. As Franklin D. Roosevelt said, "Government includes the art of . . . persuading, leading, sacrificing, teaching always, because the greatest duty of a statesman is to educate."²

It may be deplorable that hundreds of millions, perhaps even billions of dollars, should be spent on civil defense; it is even more deplorable that tens of billions must be spent annually on military defense. As Barbara Ward has remarked, "At no time in history have nations been granted the privilege of defending themselves both successfully and also at a level they think they can 'afford.' There is no reason to suppose that history has obligingly reversed itself for the benefit of the West."³

In event of a nuclear disaster, the entire civilian population will be involved. Millions of civil defense workers will be needed; great numbers of people will volunteer. If not enough people volunteer, or not enough with


the required skills, the deficits will be made up by drafts. However, for government officials to suggest, as some have, that government need not spend even as much as has been spent on civil defense because volunteers can do the job, verges on irresponsibility. This is not meant to disparage the great numbers of volunteers who have been contributing time and effort to civil defense; it is to their great credit that they have done so in spite of the deficiencies in the leadership and initiative which only government can provide in this field. But the greatest efforts of volunteers and private and semi-public organizations will be largely dissipated or unusable without the application of the full power and leadership of government, at every level, to the problems of preparing in advance, and developing the capability of the nation, for coping with nuclear disaster. Government cannot evade its responsibilities for the protection of the people in the civil defense field, any more than in the fields of health, fire, police protection, or military defense. In the case of disease, it has sometimes taken costly epidemics to move governments to positive

It should be noted that this is one of the most important areas of pre-emergency civil defense tasks: to identify, give emergency assignments to, and give the necessary civil defense training to, those who have skills, as in the medical and health field, which it is known will be in extremely great demand in an emergency; to make provision for augmentation of such groups; and to keep all such activity and information current at all times.
protective and preventive measures and to rouse the people to demand such action. Will it take a nuclear attack on the United States to evoke a response adequate to the need? If so, it may be too late.

In discussions of civil defense there have been arguments not only over what should be done, but who should do it, with each level of government insisting that its responsibility is really least and the others should properly carry the major responsibility and take the lead in establishing an effective civil defense program. Thus it seems that governmental apathy and neglect in the field of civil defense, as well as the problem of the proper allocation of responsibility, have their roots in part at least in principles of federalism, which find expression in state-local relations as well as national-state relations. For one thing, the old bogey of states' rights has been raised in civil defense, the fear being expressed that too much national action in the field might infringe on states' rights. Similar concern has been expressed that states may infringe excessively on local government prerogatives by

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When Herman Kahn, RAND Corp. expert on civil defense, was briefing some Washington officials on civil defense, one of them said to him, "You may think I'm joking, but this is something very important to me. Can we have a worthwhile civil defense program without infringing on states' rights?" "Civil Defense is Possible," Fortune, Vol. LVIII, No. 6 (December 1958), p. 99.
implementing a substantial civil defense program. Under a system of divided authority and responsibility, of states' rights and local autonomy, it is all too easy to seek to evade responsibility on problems like civil defense which are both difficult and unpopular. Each level of government calls on the next higher level to assume its "proper" responsibility for civil defense, including providing funds, and at the same time gives warning not to infringe on its governmental rights and autonomy; conversely, each level calls on the next lower level to discharge its proper responsibility for civil defense, while offering little by way of example for the lower level to emulate.

Despite the change in the legal allocation of responsibility brought about by the 1953 amendment to the Civil Defense Act of 1950, the question of the proper allocation of responsibility and authority for civil defense among the various levels of government has not yet been satisfactorily resolved. We cannot afford, as a nation, to allow civil defense to be neglected or ignored because of the unwillingness of one level or another of government to accept its responsibilities for it.

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6E.g., the suggestions by some state officials that the Federal Government take over all responsibility for civil defense. *Time* (August 19, 1957), p. 8.

7See below, p. 63.
On the other hand, there are a few, sincerely concerned over the state of civil defense, who feel that the question of who does it is not so important as the problem of doing something. The House Committee on Government Operations said: "perhaps there has been too much concern over who should do the job (military or civilian, Federal or local), and not enough concern as to how the job needs to be done." It seems to the writer that it is precisely because the "who," in all its ramifications, has not been completely and satisfactorily worked out that the "how" as well as the "what," and the implementation of both, have made so little progress.

The crux of the problem is this: Civil defense is no longer a matter of the exercise of domestic police powers or performance of police functions and services by local government, or even by state government. The physical effects of a nuclear bomb on a metropolitan area would be so extensive as to exceed all local capabilities of coping with it. Although local governments have the responsibility for doing their utmost in coping with the effects of nuclear attack, their responsibility for action can be primary only in the sense of time—actions to meet the emergency must start where the emergency strikes. It is the responsibility of the state government, and ultimately the national government, to ensure maximum efforts to cope with the emergency.

Briefly, the basis of government responsibility for civil defense is twofold. First, civil defense is an essential element of national defense. As such, it is primarily a responsibility of the national government; because of its nature, however, it cannot be carried out without the full co-operation and support of lower levels of government as well as of the people. Second, civil defense is essentially part of the police function of government—the protection of the health, safety and welfare of the people—and as such it is primarily a responsibility of state and local government. Because of the nature and scope of civil defense, however, state and local governments cannot carry out their responsibilities in the area without the full support, guidance and co-ordination of the national government.

In a nuclear attack, what happens to any individual target is of vital concern to the entire nation, from a national defense viewpoint. Each bomb would cause industrial production losses, transportation and communication disruptions, drains on medical and other supplies; and would create needs for manpower and material resources to replace those lost, to provide relief and assistance for casualties and evacuees, and to repair and restore or replace facilities. Fallout could limit or prevent activity for days or weeks, and subsequently could require the extensive utilization of civil defense resources, in areas extending for
thousands of square miles and often beyond the borders of the state where the bomb fell.

The national government, in discharging its responsibilities for national defense and the general welfare, cannot properly delegate primary responsibility for civil defense to the state and local governments, as it did under the Civil Defense Act of 1950. It is even questionable whether it can properly share the responsibility with them equally. Nevertheless, it was not until 1958 that Congress faced the realities of civil defense sufficiently to relieve the State and local governments of primary responsibility under the law. Even then, in spite of strongly expressed opinions from many sources that primary responsibility for civil defense should be placed in the national government, Congress could be persuaded to do no more than change the policy of the Civil Defense Act of 1950 to a policy of sharing that responsibility jointly with the states and local governments.11

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10The Military Subcommittee of the House Committee on Government Operations (The Holifield Committee), after its intensive and exhaustive investigation of civil defense, made a very strong recommendation to this effect. This subcommittee recommended establishing a Cabinet level Department of Civil Defense and vesting "basic responsibility for civil defense in the Federal Government, with the States and local units of government having an important supporting role." House Report No. 2946 (1956), pp. 4, 77-78.

Not only has the national government the primary and almost exclusive responsibility to provide for national defense, but it also has a higher responsibility which may be implied from its power to tax to "provide for the general welfare," particularly where the resources and capabilities of the state and local governments are inadequate. Neither state nor local governments have the resources to prepare fully in advance for and to cope with such emergencies, and local governments have far less adequate resources than the states for such purposes. Thus the responsibility of the national government is necessarily primary; it cannot avoid this responsibility, regardless of the language of the law.

This, of course, does not mean that state and local governments have no responsibilities. On the contrary, their responsibilities, though subordinate to the national, are enough to warrant considerably more concern than has so far been manifested. Every state and local government has the responsibility of preparing as effectively as possible, in advance of an emergency, for its own civil defense. Where there is failure to discharge this responsibility, the result is to increase the burdens of civil defense on other governments and on all the people in the event of nuclear attack. Such failure to prepare adequately in advance also, of course, reduces the strategic values of the pre-emergency national civil defense posture. Thus the participation to the fullest extent possible of all state and local govern-
ments is of vital concern to the national government. Unless such participation, in preparation as well as in actual emergency operations, is universal, not only will undue burdens be placed on those segments of the nation which do prepare adequately, but the consequences for the nation itself may be disastrous. Clearly, it is part of the responsibility of the national government to ensure that the states and their political subdivisions carry out their civil defense responsibilities.

One of the obligations resting on the national government in securing appropriate action by state and local governments is to set the example for responsible action. Yet the Congress has done little more than pay lip service to its responsibility in this field, while the President, until the Berlin crisis of 1961, did little better. Congress seemed to be in earnest about its assumption of more responsibility in 1958 by including in Public Law 606 authority for 50-50 matching funds for the states to pay civil defense personnel and administration costs. But no funds for this purpose were appropriated until the second half of 1960.

With some exceptions, the states have followed a course similar to that set by Congress in slighting civil defense and failing to set an example. Ohio is not one of the exceptions. Under the rising pressures of the Berlin crisis, which suggested clearly that an adequate civil defense program in being would add considerably to the resources of the
Kennedy administration for coping with the situation, the Governor of Ohio was quoted as saying, "nothing leaves me colder," when asked about civil defense.\textsuperscript{12} Shortly thereafter, the state legislature cut the state civil defense appropriation by more than half. Only under the pressure of the added emphasis put on civil defense by President Kennedy, did the Governor of Ohio say a few days later "I don't think this is the time to cut it,"\textsuperscript{13} and persuade the leaders of the legislature to try to restore the cut.\textsuperscript{14}

As in the case of the national government with respect to the states, it is the responsibility of each state government to make certain that its political subdivisions are adequately prepared for their civil defense emergency roles. The constitutional position of the states is such as to not only enable them but require them to set organizational structures for civil defense which will ensure effective

\textsuperscript{12}Columbus Dispatch, July 16, 1961.
\textsuperscript{13}Columbus Dispatch, July 23, 1961.
\textsuperscript{14}In view of these comments on the low level of interest among Ohio's elected state officials, it may be well to note briefly some more positive responses to the challenge of civil defense in Ohio. The state civil defense organization has done much, considering the limitations imposed on it. While many political subdivisions have done as little as or less than the state government, some have made considerable efforts to prepare adequately. In addition, a number of state departments and agencies have done a considerable amount of work, and in a number of political subdivisions police forces, fire departments, and some other agencies have done considerably more than might be assumed from the prevailing air of apathy.
civil defense organization and operations at lower levels of
government. For it must be remembered that the states are
unitary, not federal systems, even though state-local rela-
tions sometimes give the appearance of a federal arrangement.

To sum up: There is enough responsibility in the
field of civil defense upon all levels of government so that
if governments at each level accept and try to discharge as
effectively as possible all they can handle, there will still
be more than enough for the other levels. At the same time,
the state and national governments must use all their consti-
tutional authority not only to guide, support, assist and co-
ordinate lower levels of government but also to exercise
enough direction and control to ensure that lower levels of
government are doing all that is necessary to establish an
adequate civil defense program. Each level of government
has certain responsibilities and functions to perform, as
determined by the nature of the problems to be coped with,
and by characteristics of the particular government and its
relations with other governments. Only by the full accept-
ance of responsibility at each level of government and the
exercise of the authority necessary to meet the challenge
can an adequate civil defense program be established.
CHAPTER V

THE NEED FOR EFFECTIVE ORGANIZATION
FOR CIVIL DEFENSE

"In the United States, the other day, the people perished under a heavy nuclear attack, in the midst of a protracted argument over what kind of civil defense the nation should have. The point of the argument was the choice of shelter vs. evacuation. Of course there is no longer any point to the argument." This hypothetical obituary was suggested by a newspaper editorial item which read in part: "In Canada, the other day, an eight-year-old boy who was pulled out of a lake where he was drowning, died while bystanders argued over what type of artificial respiration to use."

The obvious point is that even a second-best method of artificial respiration could have saved the boy's life, if the situation had been sufficiently organized to enable someone with the appropriate capability to apply it while there was yet time.

Similarly, the national life of the United States may well be terminated by nuclear attack, unless at the crucial moment we are prepared to apply some kind of life-saving

1Columbus Dispatch, July 24, 1959.
action, some kind of civil defense program, even if it is only second-best. The prime consideration is that we must be prepared—both with the capability: (1) of doing something and (2) of deciding quickly that the something be done, as long as it promises to be effective, and even though there is no absolute proof that it will be the best possible program.

The nature and scope of the threat we face and the strategic requirements posed by it, highlight the danger of accepting anything less than an adequate program. "Shelter" and "evacuation" plans, important as they may be, do not begin to encompass the multitude of problems that the emergency would present, and which an effective civil defense program must provide for. It is well to keep this fact in mind, for solutions to these problems may be just as important to national survival as an effective "shelter" or "evacuation" program. If all of these problems are to be met, careful attention must be given to the following needs:

1. Comprehensive operational plans: Since there are a number of ways in which a nuclear attack might come, the more complete the prepared civil defense plans, including alternatives to meet varying conditions of attack, the more survivors there are likely to be.

2. An adequate warning system and plan: The more warning time the people have, the more survivors there are
likely to be, provided plans and procedures for making optimum use of the warning time are prepared and widely understood.

3. Adequate public education and information plans: The more quickly and effectively instructions and information are disseminated to the people, both before and after attack, and the better prepared the people are to understand and follow such instructions and information, the more survivors there are likely to be.

4. An adequate medical and health plan: there would be millions of casualties after an attack, requiring medical attention for varying periods of time, and extensive public health and sanitation problems.

5. An adequate plan for housing, food and shelter: there would be millions of displaced persons requiring such services for varying periods of time.

6. An adequate radiological defense and decontamination plan: As a result of radioactive fallout, there would be massive problems of decontamination nationwide, and for varying periods in different places people would have to take measures to avoid exposure to fallout radiation.

7. An adequate economic stabilization and rehabilitation plan: There would be unprecedented economic problems which would dwarf similar problems posed by the Great Depression of the 1930's, World War II, and all our previous natural disasters combined.
8. An adequate human rehabilitation plan: There would be unprecedented social, psychological and emotional problems whose extent and intensity would be to some degree inversely proportional to the confidence of the people in the competence of government and the effectiveness of civil defense preparedness, and to the effectiveness with which the physical effects of nuclear disaster are dealt.

Although this is not an exhaustive summary of the various aspects of the civil defense problem, it should suffice to bring out strongly the basic requirement that a civil defense program which is to accomplish the massive tasks arising out of an emergency must include a vast amount of preparatory planning, organizing, co-ordinating, recruiting, training and educating on a continuing and routine basis before the emergency, at all levels of government. As was previously brought out, the essential foundations of an effective civil defense program are adequate legal basis, effective organization, competent plans, and sufficient funds. Of these, organization is basic: without effective organization, the existence of adequate legal basis and appropriate plans and the availability of funds would be meaningless. Effective organization, on the other hand, can produce the plans, justify the funds, and secure the public support and co-operation which will create the conditions

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2See above, p. 29.
and climate necessary to meet the civil defense challenge successfully.

Just as the armed forces, during pre-World War II days, had to be a highly trained, well organized full-time organization with extensive plans and capability for absorbing, training and utilizing millions of recruits at maximum speed, so there must be a highly trained, effectively organized full-time civil defense agency in the government, to recruit, train, and in event of emergency utilize with maximum efficiency and speed, the millions of citizens who will be required for civil defense work.

The requirement for full-time paid, skilled staffs of civil defense specialists has been recognized. What has not been generally recognized is the scope of the work that must be done routinely, during normal (that is, pre-emergency) times, in order to develop and maintain an adequate civil defense program, and the size of the staff needed for this work. As of this writing, the public as well as government officials who have not been awakened to the seriousness of the problem have tended to look upon all plans for civil defense as a necessary evil which should be put on the shelf and forgotten until needed for an emergency. But they do

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3E.g., House Committee on Government Operations: "It has become apparent that the task of developing an adequate civil defense capability at local levels requires a staff of experienced, trained, full time specialists." House Report No. 694 (85th Cong., 1st sess., 1957), p. 4.
not bother to make certain that it is readied for emergency use and then put on the shelf (although even this could be costly). They want to put it on the shelf in embryonic form, apparently assuming or hoping that it will generate its own life force while on the shelf and, like the butterfly emerging from its cocoon, take wing full-grown at the proper time.

Unfortunately civil defense will not live, much less grow, without nourishment and attention. It cannot be neatly packaged and set aside, or allocated to this department or that as a secondary responsibility, and still be expected to fulfill its functions adequately. Civil defense is a relatively new aspect, or dimension, of government, but it is not a small one. Nor is it an activity or responsibility that can be segregated from other activities or considered apart from the rest of government; it cuts across the whole fabric of government, because it affects every aspect of the life of the community and the individual. Consequently almost every element of government must become involved in it in one way or another.

Should massive nuclear attack come, even ten minutes warning, with instructions to get into basements or better shelters if available, could save millions of lives. This alone is enough to justify a civil defense organization which can educate the public about preparing shelters and stocking them with food and other necessities, disseminate
warnings of imminent attack, determine the degree and extent of fallout radiation danger, advise the people when it is safe to come out of shelters. But an effective civil defense organization can and must do much more than this.

One of the essential foundations for the effective implementation of a civil defense program is general public understanding and acceptance of and readiness to participate in the program. This in effect requires that civil defense be "sold" to the public—admittedly, in view of the nature of the product and the circumstances which call for it, a difficult selling job. This is one of the significant reasons for the need for effective civil defense organization in normal times. Had the civil defense agencies of government at the various levels been able to do better at this selling in past years, the public by this time might have been demanding more positive action by government toward establishing an adequate civil defense program.

In civil defense the "public affairs" function is not the same as public education, although they overlap and are interdependent. The latter refers to informing the public as to the nature of the threat and the hazards involved, what they should do in preparation for the emergency, what government and other agencies are doing, and what all must do in the event of nuclear attack. This is one of the major functions of the civil defense organization during normal times; and it is a continuing function, and requires a
permanent staff of full-time specialists at all levels of government. It is not a function that can be readily assigned as a secondary function to an existing agency of government with any real expectation of effective performance.

The civil defense public affairs function, or "public relations," has to do with the public "image" of civil defense. But it is much more than simply a matter of favorable publicity. Because of the widely held attitudes ranging from indifference and apathy to deeply felt--and expressed--opposition, the successful projection of a favorable image of civil defense and the winning of public acceptance and support are most difficult tasks, and obviously far from completed.

The scope and nature of the task are suggested in two studies. The first of these was made by a group of public relations experts. The following excerpts will indicate the nature and extent of the problem and the solution as these specialists visualized them:

The very need for civil defense is based on the abhorrent concept that the United States could be attacked with atomic weapons on its own grounds. Refusal to accept this bitter fact of the nuclear age causes a resentment that is quickly transferred by the public to civil defense itself. The lack of both Congressional and local support ... complicated the public relation man's problem.
The objectives of civil defense Public Relations are:

1. Convince the American people that, if World World III came, their own cities would be the battleground--yet do this without causing panic, despair, or loss of faith in our military defense.

2. Develop a general acceptance of civil defense as a necessary, permanent element of our total national defense, without hysteria and independent of the ups and downs of international affairs.

3. Produce in all American families a sober, almost routine readiness to meet disaster, and a self-sufficiency in coping with any kind of emergency.

4. Win from the press and broadcasting industry:
   a. acceptance and confidence
   b. support, in the form of public service space and time--for available funds could not begin to do the job on a straight commercial basis
   c. voluntary cooperation with civil defense authority in a national emergency.

5. Educate the people, but without depressing or confusing them, on the effects of modern mass destruction weapons, and the defenses against them.

6. Persuade people to learn: (a) local warning signals; (b) the "Conelrad" emergency radio frequencies; (c) local evacuation routes, or other survival measures (i.e., learn local civil defense plans involving public participation); (d) what to do about radioactive fallout.

7. Prepare for the vital responsibility of checking enemy psychological warfare efforts, which would certainly accompany attack, and of restoring morale among the shocked survivors of our shattered cities.3

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3The Story Nobody Wanted to Hear, U.S., Federal Civil Defense Administration, Battle Creek, Michigan (1955), passim. The overlap and interdependence of public education and public relations are apparent particularly in items 3, 5 and 6.
The second study, prepared by the Ohio Survival Project staff and submitted to the Federal Civil Defense Administration, was a proposal for initiating a public education program in Ohio for the purpose of securing "ready acceptance and efficient action on the part of all citizens" for putting survival plans into effect in event of emergency.  

The educational requirements . . . demand the use of the most effective methods through personal contact and mass media that can be developed to inform and prepare people before and motivate them to action during and after an attack.

. . . Because Civil Defense plans are based upon a "possibility," it is in a poor competitive position with community and personal projects which satisfy an immediate need and interest and which show measurable results. Therefore, every resource must be fully utilized; new techniques and devices developed; and incentives created for bringing the civil population to a state of readiness to act in an emergency which has immeasurable factors. Any educational plan of lesser intensity would leave the Optimum plan deficient in its execution.

. . . Because this is a plan about people and for people . . . the principal avenue of persuasion is through people who influence other people. Media would assume a supporting role for disseminating the information necessary to stimulate the thinking of the people and provide emphasis to the campaign for public support.

. . . (T)he most effective possible program of pre-conditioning and education of the people for emergency action must be formulated in order to attract the interest and attention of the various categories of people which comprise the urban, suburban and rural segments of our society.

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For purposes of preparing a public education campaign as proposed, the public may be classified in six main categories, each of which has a basic interest in civil defense which is shaped in part by the general interests of the category. The six categories are: government, industry, agriculture, labor, commerce, juveniles.

... (I)t is believed that the primary channels on which a program would be built are through the leaders of the six categories of the population.

From this base, pyramid effectiveness would be built through a channel in which at least seventy-five percent of our citizens today are associated and identified: organizations of group activity--civic, professional, social, fraternal, religious and scholastic. This not only becomes important because of the number of people that can be reached, but because, through the leadership of the organizations, prestige support for the product could be reflected in the attitudes and actions of the members.

... (A) plan of simultaneous and progressive motions, starting at the top level which is the State and fanning out across the State is deemed to be the optimum in attaining the end result, which is creating the desire on the part of every citizen to "buy" not once, but over and over until the Plan has been thoroughly understood.

This, then, is the work ... to perfect an organized program of education. ...

To develop such a program, certain steps must be taken and material developed in preliminary stages:

1. Determination of information channel resources available.

2. Determination of methods necessary to reach and influence the various segments of the public and their leaders.
3. Determination of best means and media for creating an attitude of active support on the part of the leaders of the six categories of the population.

4. With the assistance of key leaders, determination of the best means for conveying concepts and instructions to the public, tailoring specific parts of the program for particular groups as appropriate.

The end result would be a complete program providing for implementation at the state and local levels, and outlining:

a) General public information concepts to be publicized.
b) Specific instructions to be given to the general public.
c) Methods and media to be used for both general and specific instructions or concepts.
d) Materials to be used.
e) A phased plan of implementation and continuation.\(^5\)

These two examples suggest the great efforts in planning and execution that are required to achieve even partial success in "selling" civil defense, in securing public support and participation—partial, because complete success is most unlikely unless war actually supervenes.

As noted above (p. 71), psychological, emotional and social problems may play a large part in the efficiency and rapidity with which the effects of a nuclear attack are controlled and recovery, reconstruction, rehabilitation and return to a normal way of life accomplished. The

\(^5\)Ibid., passim.
psychological and emotional effects of nuclear attack—
shock, panic, fear, aggression, disorganized action,
demoralization in general—and social disruptions which
would inevitably follow, lend greater urgency to the need
for the pre-emergency establishment of an effective organi-
zation with adequate government leadership. Acceptance of
responsibility and effective pre-emergency action by govern-
ment would inspire confidence in the people that the physical
and economic effects of an attack will be taken care of, and
would tend to minimize the impact of such social and psycho-
logical problems and thus facilitate public co-operation and
emergency operations.

Most of the human problems of disaster originate
in the lack of co-ordination among the great mass of
people, small groups, and official disaster agencies,
each of which is viewing and attempting to meet the
needs of the disaster in terms of its own perspec-
tive and capabilities. When communities or groups
have no practiced plans of action which fit into an
organized overall disaster plan, behavior tends to
be too segmental, too limited in scope, and too much
dominated by the immediate present to provide ef-
ficiently for the more general, continuing human needs
posed by a disaster. The challenge for future plan-
ing lies in the development of realistic plans for
organizing, training, integrating, and co-ordinating
the actions of both the general populace and the
formal disaster agencies.6

The forgoing applies to rural reception areas as well as
urban target areas. Confusion and disruption may develop in

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C. E. Fritz and H. B. Williams, "The Human Being in
Academy of Political and Social Science (January 1957),
p. 50.
such areas, for example, in anticipation as well as in con-
sequence of the fallout hazzard. Fritz and Williams have
noted that

panic is most likely to occur when (a) people per-
cieve an immediate, severe danger, (b) they believe
there is only one or at best a limited number of
escape routes from the danger, (c) they believe
those escape routes are closing (not closed) . . .
and (d) there is a lack of communication to keep
them informed of the situation.7

But government must also be prepared to cope with these
social, psychological and emotional problems on a direct
basis, as well as indirectly by coping with the more obvious
physical and economic effects. What happens psychologically
and emotionally to people who suddenly become separated from
their loved ones and do not know what happened to them, or
lose them; who are suddenly uprooted, made homeless, with no
assurance of ever being able to return; whose savings of a
lifetime disappear; whose sources of livelihood are gone?
These are some of the indirect damages, the imponderables.
These human costs— the invisible effects on the spirit and
the self-confidence of the people— cannot be measured. Ade-
quate capability for caring for such problems and minimizing
their effects on the over-all operations for coping with
nuclear disaster clearly calls for the most effective pos-
sible organization and planning prior to an emergency.8

7Ibid., p. 44.

8More detailed discussion of psychological and emo-
tional problems of disaster is beyond the scope of this
study. Excellent studies of these problem areas will be
Another area which calls for extensive specialized preparation and organization is the economic area. The consequences of nuclear attack for the economy would be far different from those of our participation in World War II. We would not have two years to perfect a system of economic distribution, production and controls; if we are not prepared immediately from the neighborhood level to the national, to invoke total prepared economic controls over the distribution of consumer goods, prices, wages, rents, use of money and credit, the result could be economic chaos. The desired objectives will not be realized without plans and organization extending down to the lowest levels. It must be remembered that consumer goods might be in such short supply from the very start that the stocks in the crossroads general stores of the most remote rural areas might be of vital concern.

Although the foregoing discussion does not exhaust the reasons which underlie the urgent need for comprehensive organization for civil defense in normal times, it does try to make clear that pre-emergency organization and planning

must be both broad and deep; that basic to an adequate civil defense program is an effective, integrated and co-ordinated organizational structure reaching every part of the country and every element of government from the national to the local level. At this point it must be emphasized, however, that it is not enough that each governmental jurisdiction have an adequate structure for civil defense. The over-all governmental structure for civil defense must include appropriate intergovernmental relationships both among governments on the same level and between levels in the hierarchy of government. Participation by local governments is vital and must be as broad as possible. Failure on the part of state and local governments to participate fully so as to secure an effectively integrated structure will, to the extent of such failure, decrease the strategic value of our civil defense program; in the event of nuclear attack, it will increase casualties and retard recovery and rehabilitation, and could ultimately lead to more coercive measures by higher levels of government to secure the necessary degree of civil defense effectiveness, to the extent of martial law in the last resort.
CHAPTER VI

THE GENERAL NATURE OF THE CIVIL
DEFENSE ORGANIZATION

In case of nuclear attack, the organized civil defense effort of the Nation will be second only to the military effort, and all resources, human and material, will be mobilized and utilized accordingly. Moreover, the civil defense organization will have a far greater impact on the civilian community at the state and local level than will the military, except perhaps for the drafting of personnel for the armed forces. As it has been brought out in previous chapters, effective organization is the fundamental basis of an adequate civil defense program, and responsibility for the establishment of an effective civil defense organizational structure rests on all levels of government.

It might be stated that civil defense organization, for our purposes, is the governmental organization developed for carrying out the tasks entrusted to the chief executives and other executive and administrative officers and agencies at the state and local levels of government, in order to accomplish the purposes of civil defense. It is not simply the organization for civil defense within a particular
government, but an organic structure encompassing the state
government and all its political subdivisions: the statewide
organization designed to provide not only the intragovern­
mental but, more importantly, the intergovernmental frame­
work, and the leadership, stimulus, support, and motivation
necessary for the adequate preparation and mobilization of
all of government and the people for the accomplishment of
the purposes of civil defense.

Examining the general nature of the civil defense
organization, one is struck first of all by its utter com­
plicity. It will be recalled that in its broadest aspects,
in relation to national security, civil defense involves
strategic as well as operational factors and is in no way
confined to emergency conditions. It deals with the great
variety of nonmilitary activities necessary (a) to prepare
or "mobilize" the government, the people and the economy
against possible nuclear war; (b) to survive actual nuclear
assault successfully; (c) to maintain the continuity of
civil government and essential production; (d) to proceed
toward partial recovery and victory; and ultimately (e) to
return to peacetime ways of living. It is literally nation­
wide: it reaches every foot of territory and every individ­
ual in the Nation. Although it has a number of aspects which
are remarkably similar to those of existing government
organizations, it appears to be in some ways unique in
American governmental experience. To a greater degree
perhaps than any other agency, it cuts across the whole spectrum of government activities and affects all aspects of ordinary life; it brings within its orbit virtually all activities not of a strictly military nature, and under certain circumstances even some military activities. The civil defense organization conducts co-ordination and liaison activities with all agencies of government, with business, labor and industry groups, with civic and professional groups, with educational, religious, and youth groups—all of which will furnish personnel, as individuals or in organized groups, in an emergency. At such time civil defense workers will number many millions, and the rest of the population will be its clientele, by virtue of services rendered or control exercised.

Next it must be noted that the civil defense organization is one whose character is determined largely by anticipated conditions of the most extreme disruption and distress conceivable. It is designed to bring together in an integrated and co-ordinated whole all government agencies, augmented and supported by non-governmental organizations and individual volunteers assigned civil defense missions, to prepare for and, in the event, to cope with such emergencies. When nuclear disaster strikes, the normal duties and responsibilities of civil government at every level are enormously magnified and intensified. All departments of government are suddenly confronted with situations requiring
speedy, vigorous, and co-ordinated action if they are to fulfill their fundamental responsibilities for the protection of life, health and welfare, the preservation of law and order, and the most efficient utilization of all available resources.

It is an organization which, despite many similarities to a military organization, is essentially civilian and should be under civilian control. Although the designation of military elements to assist civilian authorities in an emergency is entirely appropriate and might in fact become essential, the placing of civil defense under military control could have some undesirable consequences. Such consequences might include increasing the nationalization of the structure, increasing the probability of the use of martial law in circumstances which do not warrant its use, and reinforcing public apathy. Some centralization of control is an unavoidable aspect of civil defense—in some respects it is essential. Martial law also may become necessary in the event of nuclear disaster. But any form of

1A view held by many military leaders as well as civilians. See e.g., House Report No. 2946, pp. 62-63. More recently, it was remarked in a widely syndicated column that Secretary of Defense McNamara did not want to be burdened with the task of civil defense, which he considered irrelevant to his major assignment. Office of Civil and Defense Mobilization, Information Bulletin, No. 339, Battle Creek, Michigan, August 2, 1961.
organization that would tend to encourage either of these factors is an additional threat to the preservation of our political institutions. Moreover, public apathy may be increased if a false sense of security arises from a hope that the military can do the impossible—that is, solve all civil defense problems completely. It is worth noting that the British, long before World War II, considered the alternatives of military control and civilian control, and decided in favor of the latter, assigning responsibility to the Home Office. The responsibility has remained there since, having been confirmed there in the Civil Defense Act of 1948.

A most significant feature of the civil defense organization is that it is an operating body at all levels of government. It operates through its own control and functional elements and through other government agencies. Its operations are conducted in normal times as well as in emergency. Its normal activities include: training, including operational exercises involving all elements of government, business, industry, and volunteers; a nationwide 24-hour warning system, which includes elements for which state and local governments are responsible; a nationwide

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radiological monitoring system; development and implementation of shelter programs and other preparatory systems; regional offices to co-ordinate and assist lower levels' civil defense efforts; stockpiling; recruiting and organizing volunteers; public education and information.

Many civil defense functions and tasks have close parallels in the normal functions of existing government agencies; police and welfare functions may be cited as examples. At the same time, some of its functions, such as radiological defense, have no counterpart in the ordinary functions of government. Like the armed forces, the civil defense agency requires the services and support of all other government agencies; but unlike the armed forces it must to a considerable extent rely on other government agencies to actually perform some of its functions, both prior to and during an emergency. In this sense, all government agencies, whether their normal functions pertain to civil defense or not, are part of the civil defense organization. If an entire agency cannot be given an appropriate civil defense function, as in the case of police forces and health agencies, then its subordinate elements, or its personnel as individuals, must be given specific civil defense emergency assignments. Such civil defense missions are assigned as nearly as possible in keeping with the normal responsibilities and functions of the particular agencies of government. When there is no appropriate government or
existing non-governmental agency for the assignment of a civil defense duty, the function is assigned to the civil defense agency, with augmentation provided by volunteer groups organized for the purpose.

Another significant aspect of the civil defense organization is the great importance of the local level of the organization. Even though primary responsibility for over-all civil defense rests with higher levels, the nature of the civil defense problem is such that responsibility in the initial phase of an emergency cannot be passed up the line to the state or national level. No matter how widespread the catastrophe—although the effects of the attack will transcend all local jurisdictions and even states—the initial over-all emergency is simply the sum of many separate, local emergencies, and the challenge of coping with these emergencies in the first instance must be met in each locality by local initiative and action on the part of those present. It is a matter of time and place. The number of lives saved, the degree to which further injury is limited, will depend in large measure on how fast and how well organized the immediate remedial action is. And the fastest and best remedial operations can be carried out by people on the spot, using materials and facilities on the spot, and carrying out plans they themselves helped to prepare. Action by local forces, familiar with the local scene, and adequately organized and prepared, can control the initial phases of a
nuclear emergency much more rapidly and more effectively than could Federal or even state relief efforts.

This applies not only to the fringes of the target area but to reception areas where refugees as well as fall-out will be arriving within brief hours after an attack. It applies not only to the saving of lives directly by medical care, shelter and feeding, but to the immediate and proper control and management of local supplies of food, clothing, fuel, water—supplies which might become matters of life and death in a matter of days, or less, before direction or help could come from outside sources.

The local level of civil defense organization, in other words, is the "do-it-yourself" level, the level where the initial burden of action, and perhaps ultimately the major portion of the total burden of action, rests. The successful handling of a civil defense emergency will depend at first, and for some time, on the ability of the local communities to mobilize and apply their energies and resources effectively; and the effectiveness of their efforts will depend on how well organized and trained they are.

Thus planning and preparation for independent local action is vital; at the same time, however, it is imperative to plan and prepare for widespread, co-ordinated action under the direction and control of higher echelons, to the extent that conditions may make it possible, up to concerted national action. These two aspects of comprehensive civil
defense planning and preparation must not be permitted to become contradictory or competitive; they must both be realized simultaneously, in spite of any apparent conflict. Each political jurisdiction must be prepared to help itself to the utmost and at the same time to render aid outside its borders as part of a larger civil defense structure.

The civil defense organization, both for normal times and for emergency, is a planning organization on a tremendous scale. Planning for normal times covers such areas as: training programs—for volunteers, for other government agencies and employees, for private groups in business, industry, labor, etc.; public information and education programs; procedures for coordination and co-operation; stockpiling; etc. For emergency operations, of course, planning is even more extensive. Like military planning, civil defense planning is not all in terms of known or predictable factors but must keep up with changing conditions; it must use previous experience not so much as a framework within which to plan but more as a staging platform from which to extrapolate in long leaps.

Such planning is of necessity broad, deep, flexible, and continuous. It must take into account all factors that have a bearing on civil defense. In view of the unprecedented consequences which would follow a nuclear attack, there can be no artificial or arbitrary limitations on the scope of planning for the emergency. It is not valid, for example, to
restrict the alternatives of courses of action, or responses to conditions, to a convenient few or, worse, to an "either-or" choice such as "shelter or evacuation." Such limitations would cause civil defense preparations to fall completely short of the desired capability for emergency operations.

The civil defense organization, to perform its functions effectually, requires a substantial and competent full-time staff. Although it needs the services of great numbers of additional people, even in normal times—people, serving generally on a part-time basis, who must be drawn from the everyday walks of life—the civil defense organization cannot be built on a foundation of part-time volunteers. The foundation, the effective civil defense structure which can energize the civil defense program and can train and absorb large increments of personnel, must be provided by government. Moreover, it is doubtful if the vast numbers required in an emergency could be provided by volunteer methods—not only because there might not be enough volunteers, but because even if there were, many of them would already be filling, or earmarked for, essential posts.  

Like the armed forces, civil defense requires huge masses of manpower in an emergency; but unlike the armed forces, it cannot justify the segregation of such manpower

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4See Hopley Report, p. 250.
from civilian life during normal times in order to maintain a state of readiness for emergency. Also like the armed forces, it requires a high degree of centralized co-ordination and control at each level, in order to secure the most effective utilization of all its resources, and at the same time requires a capability for independent and efficient operation in all its field forces, down to the lowest levels, in situations where contact with or support of higher echelons is lost. But again unlike the armed forces, in normal times, it does not have virtually complete control of all its personnel, or the aid of coercive sanctions, to carry out effectively the training and other preparations which are necessary to develop and maintain the required degree of co-ordination and competence at all levels. Since it rests largely on co-ordination and co-operation in normal times, other inducements or incentives must be substituted for the stronger sanctions and authority available to the military. In an emergency, however, speed and efficiency take precedence over the customary amenities; highest priority would necessarily be given to survival and to maximum support of the war effort. The civil defense structure would operate along military-type lines of hierarchical direction and control to the extent necessary to ensure successful accomplishment of civil defense purposes.
One of the most important aspects of civil defense organization is that it is not a separate organization or agency which "takes over" from civil government in an emergency. Even though the structure may in an emergency absorb all the energies and resources of civil government, it does so under the ultimate control and direction of the political chief executive. Civil defense organization requires a civil defense director, but he is the agent, the "chief of staff," so to speak, of the chief executive who appointed him. The civil defense structure in fact depends on the continued existence of civil government for its authority to function; its legitimacy rests on constitutional and statutory provisions. It has already been noted that preservation of our democratic political institutions and our way of life is one of the primary objectives of civil defense. Civil defense does not "take over" in an emergency any more than the military takes over: both may exercise tremendous authority and carry out vast operations; the national civil defense director may indeed become, in emergency, an "assistant President" (as did James F. Byrnes in World War II, when he was Director of the Office of War Mobilization and Reconversion), or the state director an "assistant Governor"; but civil defense chief and military

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5 Of course the chief executive may act as his own civil defense director.
chief alike are but agents of the chief executive officer, be he President, Governor, or Mayor.

Until recent years there was a widespread idea that civil defense was in fact a separate activity, preparing itself (by recruiting and training volunteers and establishing its own full-time staff), to take over responsibility for coping with the effects of atomic weapons. This may have been a tenable view in a time when smaller nuclear weapons did not threaten the very survival of government itself and civil defense operations seemed likely to be but one of several major government concerns even during war. But this view lived on even after advances in nuclear weapons technology threatened levels of disaster that could blot out all other concerns of civil government and would in fact raise the possibility of completely overwhelming civil government. Obviously, under such conditions, to hold that the civil defense organization, as such, would have independent responsibility for emergency operations was tantamount to saying that it would "take over" from civil government in an emergency. This was one of the sources of opposition to civil defense from some public officials who balked at the idea of being shunted aside by the civil defense organization in an emergency.

More recently, when it was becoming apparent that emergency requirements might absorb all available energy and resources of the civilian community, an attempt was made to
overcome this fallacy of separateness and to facilitate an "integration" of civil defense and civil government, by adopting a descriptive slogan: "Civil defense is government in emergency." This also raised objections, from civil defense officials who felt that the slogan implied the downgrading of civil defense agencies and activities as such. It was also mistakenly interpreted by some government officials as meaning that civil defense merely required existing government agencies to turn their attention to emergency functions in an emergency, without any comprehensive preparation, specific civil defense organization, or provision for augmentation by significant numbers of volunteers. This latter view is an over-simplification which distorts "government in emergency" into "government and emergency": since we already have government, we need only add an emergency in order to have "government in emergency," ergo--an adequate civil defense organization.

Neither of these interpretations was accurate. When national civil defense officials became aware of the confusion as to the meaning of the slogan, they made an effort to clarify it. In correspondence and in a conference with state and local civil defense officials and in an address by the

Copies of correspondence, which includes a letter concerning the results of the conference (1957) in the files of Ohio Civil Defense Corps.
Federal Civil Defense Administrator it was stated that civil defense agencies and functions were not meant to be diminished, that extensive preparation by government was essential, and that great numbers of additional people would be needed besides the personnel of existing agencies of government.

The intended concept was better expressed in the revised slogan, "Civil defense is government in emergency, properly organized and adequately augmented." This statement still fails to emphasize the pre-emergency aspect of civil defense. These aspects are barely implied in the phrase "properly organized and adequately augmented"; and the concept is still subject to misinterpretation by those who have faith—and justifiably so—that there will be millions of volunteers if there ever is an attack, and also have faith—with no justification—that this will solve all civil defense problems. As observed elsewhere, large, unplanned increments of unclassified and unprepared volunteers would be a hindrance at best, rather than a help, in an emergency. The slogan might well read (albeit cumbersomely), "Civil defense is government properly organized and prepared in advance for an emergency, and adequately augmented according to plan when the emergency arises."

This survey of the general nature of civil defense organization may be concluded by recalling that each government is responsible for civil defense in its own area of jurisdiction and never loses this responsibility. It fulfills its task in part by assigning primary responsibility to a specific agency of the government, assigning civil defense missions to all agencies and personnel of government, and making adequate provision for the execution of the civil defense missions by all concerned. The chief executive is the officer primarily responsible for the execution of the over-all civil defense mission. Under broad policy established by the constitution and the legislative body, the chief executive of the government carries out civil defense policy, making such derivative policy, consistent with his authority under constitution and laws, as is necessary to implement the legislative policy and carry out his duties and functions. If the office of the chief executive becomes vacant, the legally designated successor fills the vacancy, not the civil defense director. The latter, ordinarily appointed by the chief executive, wields authority only in the name of the chief executive; his legal authority depends on their being a chief executive. In short, the civil defense agency and governmental structure for civil defense are the instrumentalities through which the politically responsible officials carry out their civil defense responsibilities to the public.
CHAPTER VII

SPECIFIC PROBLEMS AND TASKS OF THE CIVIL
DEFENSE ORGANIZATION

The civil defense mission is indeed far-reaching, rivaling in many ways the military defense mission. Its successful accomplishment requires a high degree of formal organization. The preceding chapter has shown that the problem of civil defense organization is greatly complicated by the fact that (to a far greater degree than the military) it must be designed to fit into and conform with the everyday structure and administrative procedures of civil government in all of its ramified functions and activities. The military organization, even in peacetime, provides for a self-sufficient and self-contained, integrated structure with a highly centralized system of control; it is not dependent on other agencies of government or on state and local governments for the accomplishment of its mission. The civil defense organization, however, is not highly centralized; it must provide for the performance of many phases of the civil defense mission by various government agencies. Although the military departments must of course carry on routine relations with other agencies of government and must co-ordinate and co-operate with them, these relations are not crucial to
the performance of the military mission but are rather incidental thereto. In the case of civil defense, inter-agency and inter-government co-ordination and co-operation are of the essence of its organization and the basis of the successful accomplishment of its mission.

As previously stated, this study is concerned primarily with civil defense organization at the state and local levels. An examination of some of the problems that the civil defense organization must solve and some of the tasks it must perform will aid in defining the specific elements and attributes which the state civil defense organization must have. To make the study more meaningful, we shall refer to one state, Ohio, whose vulnerability suggests it may be more liable than most other states to be a target of attack in the event of nuclear war.

In examining the problem of civil defense organization, it may be stated that not only must it be designed to fit the operational and strategic requirements, but it must also offer a strong expectation that appropriate efforts to man, train, and equip it will meet with success. An organization that on paper appears adequate to satisfy requirements may be of little value because it has inherent characteristics which render its implementation in practice virtually impossible. (This appears to be to some extent one of the

1See below, p. 177.
problems of the Ohio civil defense structure, as will be shown later.) Such an organization also must have capabilities for solving problems and performing tasks not only on the higher levels of planning and over-all organizing for emergency, but at all levels—capabilities for performance in terms of who does what, when, where, and how. In other words, it must be able to program plans, to move effectively from planning to action, at all levels and in normal times as well as in emergency. It must be prepared to cope with maximum emergency conditions—including mass population movements, controlled or uncontrolled, planned or spontaneous—under stresses created by the threat or actuality of massive nuclear attack, or by the immediate aftermath of attack involving unprecedented casualties and devastation over large geographic areas. It must also be able to: (1) cope with such conditions without being hampered by political boundaries or the normal restrictions on the exercise of authority and control over the people and resources of the community; (2) facilitate a maximum of automatic response and co-ordinated operation in emergency, and (3) minimize the incidence and impact of unanticipated and unrehearsed decision-making.

These are only a few of the broader aspects of the problems that confront the civil defense organization; there are in addition a number of specific problems and tasks which must be considered. One of the most important of
these is the provision of an appropriate territorial or geographic arrangement, including the difficult task of overcoming jurisdictional barriers. In solving this problem a number of factors must be kept in mind.

a. As already noted, every political jurisdiction must be included in the over-all structure. The scale of disaster likely in a nuclear attack means that no individual community would be self-sufficient if struck. Nevertheless it is vital that every political subdivision be organized to do as much as it can for itself as well as for its neighbors and the larger community. Any particular entity, from metropolis to crossroads enclave, may sustain any degree of devastation from total destruction to the lightest or no fallout; but regardless of the degree of destruction, or lack of destruction, it might be completely isolated and on its own—cut off not merely from Federal aid but from State aid or neighboring communities—by destruction of transportation and communication channels and facilities, gas and water lines and supplies, and electric power lines. There could be a period of days if not weeks without substantial aid or resupply from State sources—a period in which conditions could be rendered more difficult by the arrival of evacuees from more heavily contaminated areas. State aid, when it comes, could be inadequate, and Federal aid could be weeks or months away.
b. Nuclear weapons will have no more respect for political boundaries than the weather or the birds. Since the effects of such weapons will overlap any individual political subdivisions, the preparations and operations of all governments must be coordinated and integrated to the extent necessary to ensure maximum effectiveness. Every unit of local government, incorporated or unicorporated, must be included in the organization and preparation of a larger entity for civil defense purposes—specifically, the county—in order to simplify and facilitate pre-emergency preparation and co-ordination and emergency operations. The British recognized this problem even before World War II; as early as 1935 it was decided that the national civil defense organization was to be based on the largest local government areas—administrative counties and county boroughs.\(^1\) Subsequent legislation (The Air Raids Precautions [A.R.P.] Act, 1937) required these authorities to draw up civil defense plans, and to consult their districts in the process, while "it was the duty of these smaller authorities to assist the counties."\(^3\) Yet in spite of their foresight in anticipating the need for integrating local government plans, they did not fully anticipate the scope of the problems which would


\(^3\)Ibid., p. 107.
be created by air attack. Heavy attacks, for example, "revealed underestimation . . . of the need for mutual support between local authorities, and of the scale of . . . post-raid needs of stricken areas." 4

It is of interest to note that England (less Wales and Scotland) offers some physical basis of analogy for Ohio in the field of civil defense. Although the population of Ohio today is about one-fourth that of England in 1940, its area is approximately 80 per cent of England's. Ohio is one of the most highly industrialized states. Its complexity of local government structure is not too dissimilar from the English situation: Ohio has 88 counties and more than twenty-two hundred cities, villages and townships; England has 83 administrative counties containing over fifteen hundred municipal boroughs and urban and rural districts and, separate from these counties, 62 county boroughs which combine the governmental functions of both borough and county. These similarities in size, local government fragmentation and industrialization suggest that some lessons may be drawn for Ohio from the British experience in dealing with problems of governmental organization and administration in the field of civil defense.

c. The problem of multi-government co-ordination applies to the large urban centers as well as smaller

4 Ibid., p. 564.
political subdivisions, but in this case another factor is added. Since large urban centers will be likely targets in the event of nuclear attack, and the effects of attack are likely to create burdens beyond the capacities of the metropolitan county to meet alone, the urban center must not only be part of its county organization, but the county itself must be part of a highly co-ordinated structure including neighboring counties, which will necessarily bear a great part of such burdens. There are at least two reasons for this requirement: (1) if the metropolitan area is struck, immediate help for survivors of the attack must come from the surrounding rural areas; (2) if, by chance, the strike hits the rural area instead, the urban center then would have to come to its assistance. Thus, although it would be anticipated that as a rule the big cities would need the help of their rural neighbors, the roles might be reversed in some cases. Therefore all political jurisdictions, urban and rural, must be prepared to play an important role in providing relief and rehabilitation.

British experience in World War II showed that even under conditions of destruction and distress much less than would be caused by nuclear attack, local governments could not do without help and that their civil defense planning and operations had to be co-ordinated. "Air attack in 1941 made a mockery of British local independence and civic self-sufficiency. . . . For local government in Britain, the effective answer lay in pre-arranged pacts of mutual aid and a willingness to relinquish some part of local sovereignties. . . . What each authority did or failed to do affected a circle of other authorities. No longer could each local body act independently; if one stood aloof or tried to live by itself distress and disorder were inevitable." Richard M.
d. In effecting an organizational structure of state and local governmental entities for civil defense that can act in a co-ordinated fashion, the principle of span of control comes into play, for all except the smallest states—and certainly for Ohio. Between the state government and the 88 county governments, there must be at least one intermediate level to complete the framework of the state governmental structure for civil defense. This intermediate level must assist the state organization in supervising and co-ordinating the political subdivisions in their planning and preparation and development of operational capability, and in emergency would constitute an essential link in the chain of co-ordination and control for emergency operations. The British anticipated the need for regional control before World War II started, and included provision for it in their civil defense plans; it was established in skeleton form before the war, and was more fully developed after the war started; it proved to be an essential element in the success of British civil defense efforts during the war.\(^6\) The regional level of the civil defense structure as worked out then is still part of the British civil defense structure as laid down in the Civil Defense Law of 1948.\(^7\)


\(^7\) As was the case during World War II, England under the 1948 law is divided into ten Civil Defense Regions under Regional Directors of Civil Defense, appointed by the Home
A second problem of great importance, closely related to the first, is that of administrative co-ordination and integration of the several governmental units involved. Having worked out a satisfactory geographical arrangement, the organization must provide adequate and effective means of ensuring that all elements of the structure carry out their proper functions in harmony. This has several implications:

First of all, there must be sufficient centralized control prior to an emergency to ensure that every governmental unit recognizes and accepts its responsibilities in the field of civil defense and organizes and carries out timely and adequate preparations. The more important of these pre-emergency duties and responsibilities of political subdivisions may be listed as follows:

1. Establishment of an adequately staffed civil defense office or agency.

2. Appropriate allocation of civil defense responsibilities to government agencies.

3. Preparation of necessary plans, in conformity with state plans and guidance, including arrangements for intergovernmental co-operation and co-ordination.


5. Recruitment and organization of volunteers.
6. Conduct of training, public education, and other appropriate programs.

The difficulty of ensuring that the political subdivisions carry out such duties becomes clear when we consider the variations among political subdivisions in resources, efficiency, interpretation of civil defense obligations; the rivalries, jealousies and suspicions between political subdivisions—for example between county and municipal authorities, and between big cities and small neighbors; and the feelings of local independence.  

The experience of the British in World War II is instructive. Certainly their political problems were not too different from those we face today. In discussing problems of intergovernmental relations, O'Brien noted that relations between counties and their subdivisions varied noticeably in the field of civil defense. In some cases the situation was not clearly defined, and long-continued conflicts ensued over spheres of authority and financial responsibilities. Long-standing hereditary feuds between

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8Cf. O'Brien's comments regarding British local authorities: "Large differences prevailed in their financial resources, administrative efficiency and local estimates of the danger future air attack presented to their areas. If diversity was the most obvious feature of the pattern, one common characteristic . . . needs mention: the traditional spirit of local independence vis-a-vis both the central Government and other local authorities." Op. cit., p. 120.
governmental units in a given area were "not necessarily extinguished by the fact that the nation was again at war." It hardly needs saying that such conditions find their counterparts in the United States in general and Ohio in particular. The relations between Columbus and her neighbors in the matter of water service is but one of many examples of something less than complete understanding and co-operation among municipalities. In a number of Ohio counties, personal and political conflicts and rivalries involving public officials (including civil defense officials) for years prevented co-operation between the civil defense organizations of the county and its principal city.

O'Brien also noted "'the natural impulse of the English people to resist authority.' . . . War had not extinguished the amour-propre and independence of spirit of these authorities." He commented that the conflict as well as the co-operation between the central government and the local authorities formed an underlying theme in his narrative of civil defense in World War II.

Secondly, there must be sufficient central co-ordination and direction to ensure the development at the local level of government of a high degree of capability for initiative and independent action. The very need for

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9Ibid., p. 314.
10Ibid., p. 313.
developing this capacity calls for a stronger centralized co-ordination and control in the pre-emergency period than is ordinarily found in intergovernmental relationships. A parallel may be seen in the military field: one of the important considerations in the highly centralized control of military training and discipline is the need to prepare units at every level, down to the smallest and, indeed, to the individual soldier, to act independently in combat if the need arises. The means of co-ordination and the types of sanctions and pressures which are ordinarily available, and as they are ordinarily used, are not likely to elicit from most government officials in normal times the effort and action necessary to develop the required degree of capability for independent action in emergency. It has been observed that

under stress it is difficult to exercise the more complex intellectual processes, such as looking ahead and thinking about the indirect consequences of a decision—except for the highly trained and experienced and those few individuals who become unusually efficient in crisis. . . .

Experience and unusual individual efficiency in political leaders cannot be looked to as the major reliance for effective leadership in the event of nuclear disaster. Clearly, every effort must be made to provide the greatest possible amount of training and preparation for all government

\[11\] Fritz and Williams, op. cit., p. 47.
officials, so that they will be able to exercise "the more complex intellectual processes" under conditions of great stress.\textsuperscript{12} In the light of the possible conditions following a nuclear attack, the degree of centralized co-ordination and control necessary to ensure adequate performance by political subdivisions is measured not only by the requirement that they be prepared to function effectively with the assistance and under the direction of higher levels of government, but also by the requirement that they be prepared to do so without the assistance or guidance of higher levels of government.

Thirdly, there must be sufficient centralized control in time of emergency to facilitate rapid decision-making, to ensure the most effective utilization of resources and to ensure maximum efficiency in implementing decisions, when more than one government or one department are involved. Such control must keep to a minimum any delays or interference at lower affected levels due to questions, confusion or disputes as to authority, jurisdiction, or other political

\textsuperscript{12}Titmus has recorded some of the consequences in Britain, during the heavy air attacks of the autumn of 1940, of lack of adequate preparation in this area. Air assault was not sustained on one area long enough or with sufficient weight to produce complete chaos, but "muddle and confusion" did result. "Confusion was accompanied in some London boroughs, by a temporary loss of balance among elected representatives and officials and by temporary paralysis of the executive machinery. These were chiefly shortcomings of ignorance and inexperience." \textsuperscript{Op. cit.}, p. 257.
problems. Bureaucratic rivalries, overlapping authority and jurisdiction, local pride, will not be wiped out automatically by attack. British experience in World War II clearly suggests that such factors may suddenly loom as significant obstacles at any time.\textsuperscript{13}

The unprecedented scope of problems of control and co-ordination in civil defense was recognized by the British well before the outbreak of war. In May, 1938, at the height of the crisis over the Sudetenland, it was reported that passive defense measures were "only just emerging from the embryonic state, and there was no centralized control and co-ordination."\textsuperscript{14} There were, in other words, "two considerable gaps . . . in the structure needed for war—first, means to co-ordinate the miscellaneous functions of the various departments [of the central government] involved; secondly, absence of a civil 'chain of command' or machinery for the Government to exercise its authority over passive defence throughout the country."\textsuperscript{15} The Committee of Defence had to consider which central department should be the coordinating department, and, since there was "'no tradition and no chain of command' among the civil authorities, the form which 'the executive command' in the field of passive

\textsuperscript{13}O'Brien, \textit{op. cit.}, pp. 313-14.

\textsuperscript{14}\textit{Ibid.}, p. 116.

\textsuperscript{15}\textit{Ibid.}, pp. 153-54.
defence should take." At the conclusion of this crisis, it was proposed to the Committee of Imperial Defence "that in war two institutional novelties should be created for passive defence—a 'Minister of Home Security,' and an overriding Regional Organization." Sir John Anderson, closely connected with civil defense planning for years and eventually to be responsible for it in the Government during the war, said in Parliament in June, 1938, that the problem of organization presented was "so vast and complex as almost to induce despair, and to be soluble under democratic process only by a great enlargement of 'free collaboration.'" The Air Raid Precautions Act of 1937 had made evident that "collaboration between local official bodies (to mention only one form) would be needed on a novel scale." Despite all inclinations and efforts to rely on voluntary methods and "free collaboration," however, the British government eventually found that such measures and standards were inadequate and that they would have to provide for

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16 Ibid., p. 116.

17 Both of these were adopted some time before war broke out in September, 1939, but their authority and functions, particularly in the case of the Regional structure, were only cautiously and slowly established and spelled out, the process not being completed until the war was well along. These dilatory methods were largely due to two factors: first, to the fear of upsetting negotiations looking to peaceful settlements with Hitler, and secondly the fear of criticisms of excessive centralization of power. Ibid., p. 154.

18 Ibid., p. 120.
considerably stronger measures. It was anticipated that the central government might have to take complete control over local authorities in some situations in war. Early in 1939 it was decided that in war-time the Regional structure "must provide without any shadow of doubt an effective and clearly defined chain of executive control deriving ultimately from the Home Security Minister."\(^{19}\) Below the Regional level, it was emphasized that "The Government . . . must be able to send . . . instructions to some one person who is empowered to take executive action over any aspect of the A.R.P. in his area."\(^{20}\)

Another example of increasing control at the center was the Civil Defense Act of 1939, which imposed duties on local authorities with regard to preparations, and provided penal sanctions, although "its penal sanctions would be held in reserve since the Government believed they were 'putting the yoke on a willing horse.'"\(^{21}\) However, this Act also provided that if the Minister of Home Security became

\(^{19}\) The Regional level in the British structure proved to be a vital link in the unified and clear chain of control developed. The German civil defense operations, on the other hand, were handicapped by both too much division at the top and "the absence of a unified regional authority." Impact of Air Attack, Div. III, Vol. 2, p. 2.

\(^{20}\) Ibid., pp. 177-78.

\(^{21}\) Ibid., p. 195.
satisfied that any local authority had failed to discharge any functions which they were required to discharge under the Act, he was empowered to transfer the functions to himself.22

Before the air raids started, some had feared that Regional Commissioners would be "dictators." After they started, however, criticisms were in terms of a deficiency of power—official as well as public discussion from time to time raised "one leading question concerning the Regional Commissioners. . . . Were their powers adequate?" By early 1941 it had become apparent that existing laws and regulations did not give Ministers power to issue directions to local authorities over the entire field of civil defense.

In the summer of 1941 . . . the necessary powers were given to Ministers . . . [making] it possible to issue directions to local authorities over the widest possible field of activity. At the same time it was agreed that the powers should be fully delegated to Regional Commissioners on the understanding that they would not be used without previous consultation except in cases of extreme emergency.

Thus for the later years of the war the . . . Commissioners had in reserve all the necessary powers over local authorities.23

There are two lessons here for the United States in general and Ohio in particular, one positive and the other negative. The first is the lesson the British learned


slowly and reluctantly— that as between reliance on the ordinary means of co-ordination and "free collaboration" on the one hand and resort to a system of strong controls, the welfare and safety of the nation and its people demanded that the latter take precedence over the former— that all the controls necessary for any possible contingency be legally available for instant use even though some of the powers so readied might never be used.

The second lesson is the negative one— that Britain was subjected to the risk of greater damage and chaos than she ultimately did sustain, by the slow pace of development of legal controls. This slow pace was the result of the government's desire to rely on voluntary methods and cooperation as much as possible and on compulsion and coercion as little as possible. As in the United States or any other democracy, the British Government had to consider public opinion and the attitudes and responses of local government in the solution of such problems. (This of course involves problems of public information and public relations, the informing and persuading of both the public and public officials of the need for providing in advance for the necessary control measures to be "on tap" if and when needed.) In keeping with political traditions, the British Government was most reluctant to impose controls from the center as long as they thought it could be avoided. Thus they only gradually strengthened the provisions for centralized
controls, pari passu with worsening conditions under continuing air attacks; maximum provisions for controls were reached only after more than two years of war.

It might be suggested that, despite such faults, the achievements of British civil defense in World War II were remarkable. Without any intent of minimizing what were, in the circumstances, extraordinary accomplishments, it may be pointed out that there were some fortuitous developments which helped to produce these happy results in spite of something less than total civil defense preparedness. First there was the period of about a year of virtually air-attack-free war after the declaration of war in September, 1939, a period in which Britain could carry forward civil defense preparations not completed before the war. (This was the period of the "twilight war," lasting from the conquest of Poland in September 1939 until the attack on Norway in April 1940, and the following few months, during which air attack consisted of little more than individual reconnaissance and probing flights which only toward the end of the period built up to a climax in the Battle of Britain.) It might be noted also that the total weight of bombs dropped on Britain during the five years of the war was only about 70,000 tons --compared to over 8,000 tons dropped on Hamburg in one ten-day period, and over 1,200,000 tons dropped on Germany during the entire war. The heavier raids on London and
other parts of Britain strained the nation's civil defense resources and organized capabilities. It would be unrealistic to suggest that the British could have coped nearly as successfully as they did with civil defense problems if they had been subjected to the impact of 1,000,000 tons of bombs, especially if a proportionate fraction of this tonnage had come at the outbreak of war.

It could prove fatal for the United States to postpone provision for effective centralized co-ordination and control until attack had given practical demonstration of the need. The damage Britain risked by her slow pace in fully developing the necessary powers of co-ordination and control might or might not have affected the final outcome of the war decisively, although undoubtedly it would have reduced her contribution to the war effort; certainly it would have adversely affected Britain's post-war recovery. In the age of nuclear weapons, however, dilatory methods and policies expose the United States not only to risk of much greater loss and damage and more costly and slower recovery and rehabilitation, but might well affect decisively the outcome of a nuclear war. It would be foolhardy, to say the least, to assume that the United States, or any particular state, can afford to await the lull of a "twilight war" to complete the necessary civil defense preparations. Perhaps it might

24O'Brien, op. cit., passim; Titmus, op. cit., passim.
serve to clarify the problem if it is suggested that we are
in effect going through such a stage—that the cold war, or
more accurately the total conflict, is equivalent to the
period of World War II between the attacks on Poland in 1939
and Norway in 1940.

Another important problem to be solved is that of
effective intragovernmental, or interdepartmental, co-ordin-
ation, not only at the state level but in governments of
political subdivisions. It hardly needs to be emphasized
that efficient co-ordination will be essential in the event
of nuclear attack, that the effectiveness of co-ordination
among the many participating agencies will be a vital factor
in the success of the civil defense effort. What should be
emphasized is the paramount need for effective co-ordination
before emergency, not only to ensure adequate preparation of
all phases of the civil defense program, but to establish and
practice methods and procedures for co-ordination which will
be used in emergency. The development of proficiencies of
this kind will minimize the effects of such obstacles to
efficient co-ordination as personality problems, lack of
information and understanding, suspicion, rivalry, and others.

Fully successful co-ordination is difficult to achieve
under most circumstances and in most organizations. Peace-
time disasters afford illustrations of the importance of
pre-emergency development of the machinery and practice of
co-ordination. Even the threats and pressures of war do not too quickly remove all the obstacles in the way of the achievement of harmonious and maximum co-ordination. It was not until the closing years of World War II that "inter-departmental co-ordination had gained the upper hand over departmental friction."26

Luther Gulick has observed:

Co-ordination is not achieved by accident, or by prayer, or by fright, though fear is a great help. Co-ordination must be born in mutual trust and unity of purpose, nurtured in continuous unified planning, and matured in harmonized programming and well-organized routine administration. This . . . is not a new administrative discovery, but its importance to our people was never so clear or vital as in the late war.27

It will be even more important if war comes again; and the possible conditions of war in the nuclear age mean that it could prove disastrous to wait until war starts to initiate the development of the required degree and scope of

25David Dempsey gives one example of inadequate preparation and co-ordination for emergency in his report on the floods caused in New England and Pennsylvania by hurricanes in 1955. "After the heroic efforts to survive, just about everyone was dissatisfied. . . . The Red Cross, people complained, was slow in processing applications for aid . . . the Small Business Administration was slower . . . flood insurance was unavailable . . . federal emergency relief to the states was infinitesimal in comparison with the need and minuscule in proportion to what had been promised. If the flood was a catastrophe of Nature, the problem of what to do about it was a tragedy of human disagreement." Flood (New York: Ballantine Books, 1956), pp. 118-19.


27Luther Gulick, Administrative Reflections from World War II (University, Alabama: University of Alabama Press, 1948), p. 81.
co-ordination at all levels of government. The importance and difficulty of co-ordination in the field of civil defense are enormously increased by such factors as:

a. The great amount of pre-emergency planning and preparation for civil defense which must be done by many other agencies of government besides the civil defense agency—planning and preparation which must be co-ordinated by the civil defense agency. 28

b. The relative newness of civil defense as a function of government.

c. The unprecedented amount and intensity of co-ordinated operations which will be required at every level of government in the event of nuclear attack. Co-ordination which normally is on a paper basis, or on a personal contact basis of infrequent interval such as monthly, will suddenly become a matter of daily or hourly, if not constant, personal contact.

d. The independence of elected heads of departments whose planning and operations must nevertheless be fully co-ordinated within the over-all programs of their governments.

e. The extensive participation of semi-public and private organizations.

A further examination of British experience in World War II may prove instructive, in that it provides some

28 See below, pp. 129 ff.
examples of foresight and preparation for problems of co-ordination, and also some examples of the consequences of lack of foresight and inadequate or tardy preparation. The British only partially anticipated the importance of intergovernmental and interdepartmental co-ordination, and it was only brought home to them to the full extent after the actual attack. O'Brien noted that one of the lessons of the Coventry raid was "the need for much closer co-operation between services for which the Ministry of Home Security was not directly responsible, e.g., public health, food, industrial production, information, housing. . . ." 29

Long before the Munich crisis of September 1938 the government had become convinced that a regional system of administration was necessary in peacetime to review plans of local authorities, and would be an essential element of civil defense in war-time organization. The Munich crisis convinced the government that it was essential to implement the Regional plan more completely in advance of any need arising for its use. It also reaffirmed their regard for the system of Regional Commissioners as the "linchpin" in the national civil defense structure--"the chief agency in extremity of central authority, and the method in circumstances short of this of co-ordinating local efforts." 30 The Region was to

29 O'Brien, op. cit., p. 630.

30 Ibid., pp. 66, 169, 175. The plan provided for ten Regions for England proper, each with a Regional Commissioner and staff directly under the Minister of Home Security.
prove an indispensable link between the central government, which could not deal with the specifics of innumerable local situations, and the local authorities, which could not cope with the vast consequences of air attack without assistance.

As early as June 1938, Sir John Anderson remarked in Parliament that civil defense plans of individual authorities "would require exceptional co-ordination of the functions of officials and departments."31 In September, 1938, immediately after the Munich crisis, Churchill concluded that the British were "lamentably unprepared to meet air assault," and Prime Minister Chamberlain as well as other members of the government frankly admitted that Britain's "passive defenses were 'far from complete.'" Plans for evacuation had failed to take into account problems which would arise in reception areas, and arrangements in those areas "were everywhere in the most rudimentary state." It was concluded that "preparation of civil resources against the swift, perhaps catastrophic, knock-out blow needed organization well in advance of the event." The government was ready to give more vigorous financial and other leadership, and indicated that it "would seek new statutory powers including more measures of compulsion." The Committee of Imperial Defence decided that the country's passive defences were especially weak in co-ordination. The principal task then facing local authorities was rapid completion of plans, "and

31Ibid., p. 120.
especially the training of A.R.P. Services and better arrangements for co-ordination in peace and war."

Experience showed the British that pre-emergency co-ordination effectively accomplished could greatly increase the efficiency of post-attack operations. Within his sphere of authority the Regional Commissioner bore the heavy responsibility of co-ordinating plans for the welfare of the people and the restoration of all civil and industrial services after severe air attack. In this task he had to collaborate closely not only with the representatives of other departments of the central government but also with local authorities, the voluntary services and representatives of industry and public utilities.

The lessons of the early bombing showed that some improvisation would always be necessary, but they showed also the advantage of previous planning. An early memorandum by the Ministry of Home Security . . . stressed that the more plans could be worked out and concerted beforehand and the details arranged so as to enable important action to be taken, the quicker could the situation be restored to as near normal as possible.

After the war started, the Regional Commissioners became involved in the administration of every aspect of civil defense. They were responsible for the co-ordination of the activities of both the regional representatives of

32Ibid., pp. 164-70.

33Ibid., pp. 631-32.
central departments and the local authorities in their regions.

The Commissioners' tasks of co-ordination were, of course, assisted by the knowledge among officials, central and local, that if communications between ... Region and the government were seriously interrupted the Commissioner could (at his own discretion) assume considerable powers.

On the other hand, the particularism of central departments and local authorities was a factor which greatly increased the difficulties of the task of the Regional Commissioners. Nevertheless they made progress

in improving co-ordination between Departmental Representatives in their Regions, most of whom, in the experience of one Commissioner, 'had previously worked in watertight compartments.' The idea ... of interdepartmental co-operation on this scale within regions was novel. . . .

In general, Regional Commissioners and the representatives of other departments at the Regional level "worked together happily and very well." During the early months of the war some representatives were undoubtedly sensitive about interference; but frequent contacts with Commissioners "generated an esprit de corps that began to cancel suggestions that the ... Commissioners were meddling with affairs that did not concern them." Once heavy air raids began, it was found that without the Regional Commissioners "co-ordination of post-raid services would have been infinitely more difficult than it was."35

34 Ibid., pp. 311-12.
In commenting further on the vital role which the Regional staffs played, O'Brien stated that

the civil defence services could not have been administered, trained or operated without regional grouping and decentralisation of authority from Whitehall. Not even the largest county borough could have stood up to a severe blitz on its own resources; still less could it have co-ordinated the departmental agencies, military and other outside authorities indispensable for its recovery. . . .36

An area in which the British were less effective in devising means of co-ordination was in the field of services for those rendered homeless by air attack—rehousing, resettling, and other necessary service. This was due in large part to inadequate prewar planning (see below, page 132). One authority stated that "the social consequences of air attack were not properly considered before the war."37 Even after the war started it was some time before such problems—needs for housing, clothing and feeding those made homeless by air attack—began to receive any considerable attention. "The size and nature of the problem of homeless people came as a surprise to the authorities when the raids came."

Even as late as October 1940, many local authorities "did not know about each other's functions . . . or even about their own responsibilities . . . different divisions of the Ministry of Health were not conversant with each other's

36Ibid., p. 643.
37Titmus, op. cit., p. 457.
policies. . . ." Public ignorance about official and voluntary services, and poor co-ordination between the various responsible authorities, were important causes of confusion during the first months of the London raids. In October 1940 misunderstandings were still prevalent as to who was responsible for rehousing bombed-out people, and even the Ministry of Health had not clarified these functions. Such misunderstandings, lack of preparations, scanty directions from the Health Ministry, and other causes contributed to the tardy development of resettlement services. Billeting officers had to be appointed, houses and billets carefully selected, and families fitted to them "with that regard for a baffling variety of social standards and personal characteristics that often only an experienced social worker could supply." At the community level—the basic working level—the weaknesses of co-ordination were particularly striking, as is shown in a report on the lack of organization for receiving and billeting homeless people in an east London suburb. In this report it was stated that "the Women's Voluntary Services, the billeting officer, the receiving officer and a sergeant in the WAAF, all appear to have authority." Local independence also contributed to the difficulties of co-ordination.

Local authorities did not want to help each other by billeting or rehousing people who lived outside their dominions. They tried to hold fast to the sovereignty of local boundaries. Because of diffi-
culties in persuading certain authorities in Essex to billet or rehouse some thousands of homeless people transferred to their areas from east London, these people were again moved in mid-September to Middlesex and Hertfordshire. 38

Another important problem has to do with planning, which is one of the major pre-emergency tasks of civil defense at all levels. Planning and co-ordination of course are essential functions of all agencies and in all fields of government. Civil defense, perhaps more than any other function of civil government, offers proof of the fact that planning must be co-ordinated and co-ordination must be planned.

In many ways civil defense plans at all levels must be closely co-ordinated and integrated into a harmonious whole. At the Federal level, for example, we find such plans as: (1) a plan for transportation control and utilization; (2) a food plan, including rationing procedures; (3) a monetary and fiscal control plan; and (4) a manpower plan. 39 For each such national plan there must be counterpart plans at the state and local levels, which must include detailed provisions for personnel and procedures for carrying them out. Probably the requirements of planning are more rigorous

38 Ibid., pp. 278-84.

at the lower levels than at the national level, because the lower levels are the primary operating levels.

Planning, in other words, does not stop with the work of planners in a planning office. Plans must be translated into programs for action, schedules of operations, task assignments and time tables. People must be given specific assignments by name, familiarized with the duties and responsibilities of the assignments and with appropriate plans. Plans must be carried beyond the stage of "what" must be done; they must cover the myriad details of who does what, when, where, how, and with whom and with what. The broad tasks and general functions of civil defense conceived at the national level and to some extent at the state level must be translated at the state and local operating levels into widely ramified but specific, detailed and practical tasks, duties, and responsibilities in such a way as to relate to particular individuals and groups.

It is difficult to imagine the vast volume and detail of planning required to ensure effective emergency operations. Perhaps no other activity of government except the military has such extensive and complicated planning requirements. Many people, including government officials, have not yet grasped the significance of the enormous extent of emergency operations and the variety of problems that must inevitably follow an attack, and for which plans must be prepared. For instance, whether or not there is a shelter program, whether
or not there are plans for evacuation, after an attack people in huge numbers would inevitably be on the move. They will flee in panic, or move in an entirely orderly manner under control and according to an evacuation plan, or in one or more degrees of order or disorder between the extremes; but movement there will be, by great numbers. To cope effectively with such problems and many others, prior planning on an adequate scale is essential; lack of such planning would lead to chaos, particularly in reception areas. These areas, regardless of the method of movement, would be confronted with enormous problems in connection with the evacuees—not merely physical problems, but social and economic as well.

Titmus gives some vivid descriptions of the problems faced by local governments in reception areas in Britain during the early months of World War II, contrasting conditions and difficulties in those jurisdictions which had made preparations and those which were unprepared.\(^40\) The British experience underscores the importance of making the greatest possible effort at every level of government to anticipate the problems in all their variety, for no matter how great the effort and foresight, some contingencies will be totally unexpected either in nature or degree. Only great effort can minimize the effects of the unexpected.

\(^{40}\)Titmus, op. cit., passim.
Many of the British failures of co-ordination, described above, were due to failures in planning. For example, as Titmus has pointed out, no department, before the Munich crisis, had been made responsible for plans in the field of social problems air attack would raise, such as the needs for housing, clothing and feeding those made homeless. In the absence of any compelling sense of urgency, and with other departments "preoccupied with their ordinary day-to-day work," it was left to the "understaffed and . . . greatly overworked" Air Raid Precautions Department of the Home Office to try to formulate by itself plans for the services for homeless people, civilian casualties and evacuated mothers and children---plans which would in all likelihood be executed by other departments in the event of war. This was one of the consequences of failing to assign responsibility for planning of services to those departments which would have to operate them in the event of war. It was only after the Munich crisis that responsibility for the welfare of homeless people was finally settled, being given at that time to the Health Department. After this, progress was made in including provisions for homeless people in plans. But there was still inadequate appreciation of the magnitude of the task.41

The British experience demonstrates that civil defense is perhaps unique in the degree to which other agencies

41Ibid., pp. 45-49.
of government besides the agency of primary responsibility must participate in planning. It also demonstrates that the plans of other agencies must be co-ordinated—and this is one of the reasons that the planning function is one of the chief functions of the civil defense agency—but that the civil defense agency itself cannot do the necessary detailed and comprehensive planning in those areas in which other government agencies will have the primary responsibility.

Although the actual totals of killed and injured as a result of air raids over Britain were much less than had been feared, "the amount of social disturbance, and particularly the number of homeless people, were found to have been greatly underestimated before September 1940." The central problems of this period turned out to be, not in the field of casualty work—treating the injured and burying the dead—but rather in the field of "reducing social distress and finding remedies for the general disorder of life under air bombardment."

During the critical days of September and October 1940 the Government could give little attention to long-term policies, for "each day was filled with fresh and urgent claims. Primitive needs cried out; food and water in this place, sanitary buckets in that, blankets for warmth everywhere."

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42 Ibid., p. 239.
43 Ibid., pp. 257-58.
Confusion and lack of preparation at the working level followed as a direct consequence of inadequate planning and preparation at the top. This is shown clearly by conditions in the London Region during this period, where there was much confusion about the respective duties of the Assistance Board and the public assistance authorities. . . . Some local authorities . . . did not know that . . . they had requisitioning powers . . . .
Since officials were often badly informed in 1940 about the array of agencies dealing with different types of need, misdirections inevitably led to additional hardship among air raid victims.

The popular reaction to these widespread conditions of disorganization and discomfort is particularly significant; for this state of affairs gave rise to "public anger--anger with Government and with local authorities for the hardships that were rated as unnecessary. A flood of protests poured [on] Parliament and Whitehall." Problems of growing numbers of homeless, resettling, billeting--lack of co-ordination indicated by the combination of empty houses and homeless people--such questions agitated the public, Parliament and the War Cabinet itself during September and October 1940. There were demands for new ministries, for civil defense dictators--for some drastic action to stem the rising tide of distress and remedy the apparent lack of organization.  

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44 Ibid., pp. 278-79.
The many services which had to be provided for the homeless and the evacuees gradually improved with the continuing efforts of the health Ministry, regional staffs, local authorities and volunteer organizations.\(^{46}\) It should be pointed out, however, that all of this improvement—the initiation of new services, development of organization, provision of facilities and equipment, improving operational efficiency—was accomplished after war started, and, indeed, in large part after the air raids started some eight months later. The achievement of the British in this field was not so much that they were prepared for the emergency, but that, though poorly prepared, they were able to achieve the results they did. It must be remembered, however, that the success they ultimately achieved was due in part to the slow build-up and intermittent pace of German air attack. As Titmus pointed out, "the enemy never maintained the assault on one area long enough and with sufficient weight to produce a complete state of chaos."\(^{47}\)

The importance of advance planning in the field of post-attack operations for the care of evacuees and homeless cannot be overstressed. The British learned that there

\(^{46}\)Ibid., pp. 261-67, passim.

\(^{47}\)Ibid., p. 257.
was no such thing as too much advance planning. A Health Ministry report of 1944 said,

'Experience . . . has underlined the necessity for careful organization in advance; nowhere yet has a bombed area suffered from over-organization or from too ample provision of buildings, equipment or personnel. Experience has shown also the high value of securing in advance the right personnel in localities, both for organisation and operations, and of continuous co-operation both before and after raids [among all the agencies concerned]. In general, preparation can never be regarded as perfect and complete.'

In the event of war, people will be motivated to a high degree to co-operate, but there must be an effective program, prepared in advance, to cope with post-attack problems, in order to make the most of that co-operation. The British experience showed how people are likely to react to inadequate provision for the solution of social problems in wartime emergencies. In our own country, conditions after a nuclear attack undoubtedly would be far more difficult and painful than those found in Britain after the air raids, and people could be expected to react even more strongly to inept or faulty government management of individual and community problems. Public morale itself might be endangered to the point of breaking if the failures in coping with such problems were too great. It seems relevant to suggest that the shortcomings of the British government authorities at all levels--inadequate prewar planning in the field of social

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problems of air attack, failure to anticipate the nature and degree of such problems, and the partly consequent inadequacies of staffing, facilities, financing, co-ordination, --might well have had a disastrous effect on civilian morale had the storm struck as early and as furiously as had been expected.

Another important field in which extensive and intensive co-ordinated planning must be carried out before an emergency is that of economic controls. As previously suggested, the outbreak of nuclear warfare would be the signal for immediate imposition of economic controls--the National Plan envisages the nationwide invocation of pre-positioned freeze-orders on prices, wages, rents, and the distribution of essential consumer goods, particularly food, fuel and clothing. State and local governments would have to implement such programs, and therefore would have to have plans prepared consistent with the national plans. The Federal government would not have the manpower (except by pre-empting state and local sources of civilian manpower) to implement these programs; nor would it be desirable or necessary for the Federal government to do. Programs of economic controls were carried out through state and local facilities in World War II, and would be again if we become involved in a

nuclear war. In anticipation of such an emergency, however, detailed plans at all levels must be prepared in advance—it could prove catastrophic to delay the development of a program until the emergency starts.

It would be unrealistic to expect that comprehensive national plans for economic control operations could be directly implemented quickly and effectively immediately after an attack. The national plan contemplates the automatic delegation of power to the states to implement such programs, and state plans must assume the delegation if communications failure prevents receipt of specific delegated authority. The state and local plans, of course, must be consistent with national plans so that they can be absorbed in the national program of controls as that program is gradually implemented.

Another problem of great importance with which the civil defense organization must deal is that of public relations. In a country where government is based on consent of the governed, as Luther Gulick points out, "the support of public opinion is essential for good administration."50 This task of gaining the support of public opinion is even more important for civil defense than it is for almost any other function of government, because the degree of public

50Gulick, op. cit., p. 110.
support will have a direct and substantial influence on the degree of success of the civil defense mission in the event of nuclear war. The problem is not simply a matter of setting up a public relations officer or section on a staff, or hiring a Madison Avenue expert to do the job. It is chiefly a matter of public education in the field of civil defense, for as Gulick has further pointed out, "without the generally informed support of public opinion in this country public administration is extremely difficult if not impossible."\(^{51}\)

It is clear that the civil defense organizational structure and program themselves have an important effect on public support, and this must be kept in mind in considering the other requirements of organizational structure. Government effort toward accomplishing the purposes of civil defense and public support are reciprocal influences. Effective or ineffective government action will tend to elicit corresponding public support or criticism, while public support or lack of it will tend to encourage or discourage government effort.

Under some circumstances, however, because of the special character of civil defense, effective government action in this field may paradoxically give rise to complaint and criticism. The British experience with this aspect of the problem, while not likely to be repeated under exactly parallel conditions in any future situation, has already had

\(^{51}\)Id. Emphasis added.
some echoes in the United States, and is indicative of the
difficulties involved. When the expected heavy air attack
did not materialize in September 1939, "a chill wind of pub-
lic criticism . . . with what, in retrospect, seems aston-
ishing speed--began to blow" upon the civil defense volun-
teers. There was mounting criticism of the thousands of
civil defense workers, including auxiliary fire and police,
alleged to be standing around and doing nothing. During the
three months following the outbreak of war, public criticism
that the nation's civil defense measures represented over-
insurance grew in scope and volume. Civil defense workers
represented "burdens and discomforts which were heavy, novel
and impossible for the public to relate to any actual
experience," while the skepticism about the seriousness of
the threat "was nourished by a growing confidence, due in
part to official statements, in the capacity of the active
defences to ward off any blow."51 A report to the War Sab-
inet in December 1939 commented on the tendency "in quarters
which reflect and shape public opinion" to condemn as un-
necessary or over-cautious many of the measures which were
being taken for protection from the effects of air attack,
and noted further that within days after the outbreak of war
the "'colossal ramp'" of the air raid precautions was being
"'revealed'" and the resultant waste of taxpayers' money was

being made the subject of sensational headlines. Practically every aspect of civil defense was criticized at one time or another. Pressures for cuts in war-time services came from many quarters, inside as well as outside the Government. "Under the combined pressure of all these influences, the civil defense and casualty services were, by the end of 1939, showing signs of crumbling." 52

There will always be agitation against civil defense preparedness, as there was in the past against military preparedness. Even during the war it was difficult enough for the British Government to resist such pressures, coming as they did from inside as well as outside the Government. The task in the United States is the more difficult in that it must be accomplished before war. The civil defense organization must try, through public education, to minimize the effects of such pressures and increase public support for the development and maintenance of a civil defense program adequate to meet a threat far greater than that which faced England.

The foregoing discussion suggests the magnitude of the problems faced by the civil defense organization, the unique nature of some of them, and the challenge they present to administrative and political ingenuity. These problems and many others—some perhaps as important and difficult

52 Titmus, op. cit., pp. 139-140.
as those discussed here—must be solved in order to estab-
lish before an emergency the necessary capability for the
emergency, and to execute in an emergency the necessary func-
tions and operations to cope with disaster and its after-
math. The degree of success attained in solving these prob-
lems will determine the effectiveness in an emergency of
local governments in mobilizing and utilizing total local
resources, and of the state in co-ordinating and directing
the efforts of its political subdivisions and in mobilizing
and utilizing its own resources in support of the local
governments. More than this, the success of the civil
defense organization in solving these problems will determine,
before an emergency, the strategic value of the civil defense
program; for this strategic value rests on the attainment of
the necessary capabilities and on the knowledge of this
attainment on the part of the people, Washington, and the
Kremlin.
CHAPTER VIII

REQUISITES OF AN EFFECTIVE CIVIL DEFENSE ORGANIZATION

Having considered the general nature of the civil defense problem, and of the civil defense organization which must meet this problem, we are now in a position to set forth some of the essential attributes of an effective civil defense organization. One of the first requisites of such an organization would seem to be a level of status and prestige that is much higher than it has enjoyed up to this time. Without adequate standing in the over-all government picture it cannot accomplish effectively its many functions and responsibilities or develop adequately its necessary capabilities. It cannot secure full co-operation or establish the co-ordination required, either interdepartmental or intergovernmental, nor can it secure the calibre of personnel needed at all levels, or gain the public support it needs. The prestige problem of civil defense organization is found at all levels of government, and the comments which follow are fully as applicable to the state structure as to the national organization.

The civil defense organization finds itself in a paradoxical situation in that one cause for the withholding of
support for civil defense by elected officials (particularly legislative bodies) is its lack of status and prestige, and at the same time it rests largely with these same officials to remedy the lack. The need, and the consequences of failure to meet the need, have been widely recognized. The Holifield Committee Report urged that a regular Cabinet department for civil defense might "serve to give the civil defense effort the status and prestige and recognition that it deserves," at the same time warning the nation against "the vicious cycle" that until a function of government has historic experience and acceptance, it will not be made into a department and conversely until it is made into a department it cannot gain status and acceptance.¹

Professor Charles Fairman, of the Harvard Law School, who has given careful consideration to the problem of establishing an effective civil defense organization, is also of the opinion that the national agency "must be raised in dignity and power." Every one who has studied the matter takes this view, he says.

All agree to this. . . . The Military Operations Subcommittee reached the conclusion that civil defense should be made an executive department—that only so would the function have the requisite standing. I have slowly come to the same conclusion.²

The detrimental effect of lack of status and prestige on co-ordination efforts, and some of the causes of the lack, have been noted in British experience in World War II:

Since co-ordination formed so much of civil defense, to under-rate its difficulties, either in or outside Whitehall, would be seriously to falsify the story. . . . The new Ministry, despite four years' apprenticeship, was a war-time department. And it would be foolish to pretend that its parent office and other old-established departments regarded it as their equal in experience and ability. . . . A subordinate status and a relative lack of administrative skill remained continuing handicaps.

There is a marked similarity in the British and American experience in this respect. In 1956 Mr. W. F. Finan, Assistant Director of Management and Organization, Bureau of the Budget, in testifying before the Holifield Subcommittee during its hearings on civil defense, related the "prestige" factor very closely to the continuing failure to set up an effective civil defense program. Testifying that it was the view of the Budget Bureau that the system of delegating responsibility for civil defense functions to different agencies of the executive branch "has caused us to fail to have what we consider an effective civil defense," he observed that delegated functions became "of minor significance" in the departments to which they were delegated, and were likely to be ignored and shifted around and given very little consideration." He then mentioned three additional factors that contributed to the failure of the delegation arrangement. All

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30"O'Brien, op. cit., p. 302.
three of these factors are important, but the one of great interest here is the "prestige" factor. In Mr. Finan's own words, the Federal Civil Defense Administration, as a delegating agency, was not "regarded as even the peer of the executive departments." (The other two factors he mentioned were: (1) that delegations came from two sources, the Federal Civil Defense Administration and the Office of Defense Mobilization; and (2) that there was not enough money provided for civil defense purposes.)

The 1955 Review Committee of the Project East River Report, in its review of the problems of civil defense, made the following pertinent remarks concerning the "prestige" factor.

Because reliance must and should be placed on the delegation of a substantial part of both the planning


5The Project East River Committee, whose membership represented the business, science and academic communities, was sponsored by the Defense Department and the Federal Civil Defense Administration to study the problems of non-military defense. The committee, under the chairmanship of Gen. Otto L. Nelson, Vice Pres. of the New York Life Insurance Co., submitted its report in 1952. (Final Report of Project East River. New York: Associated Universities, Inc., 1952.) At the request of the Secretary of Defense, the Director of the Office of Defense Mobilization, and the Administrator of the Federal Civil Defense Administration, the Review Committee, consisting of almost the same members as the 1952 committee and again under the chairmanship of Gen. Nelson, reviewed the conclusions and recommendations of the 1952 report in the light of subsequent developments, considered the progress made in nonmilitary defense since that report, and made new recommendations.
and the operation of the nonmilitary defense program to the various departments and agencies of the Federal Government, the Federal Civil Defense Administration needs to have sufficient status and prestige to effect the coordination and implementation of this program. Practically speaking, every major department of the Government has been given a role in the overall program. It is not reasonable to expect a secondary agency to coordinate the work of the established, first-line governmental departments enjoying a higher status.

The Federal Civil Defense Administration has the especially important task of working with all of the 48 state governments. In addition, it needs to promote better relations with city and other local governments. Obviously, the status and prestige of the Federal Civil Defense Administration in the Federal organizational framework affects materially its effectiveness and ability to work with States and cities.6

With obvious changes, the above quotation could be applied to the state civil defense agency. Moreover, the state agency must not only deal with other appointed department heads, but with elected department heads as well, individuals who may be under no political obligation or incentive to work co-operatively with a representative of the Governor on an equal level, much less a subordinate level.

There is no remedy for youth, of course, except time; in short, not all of the causes of the lack of prestige and status from which civil defense suffers can be eliminated. As we proceed, however, we shall consider requirements whose fulfillment, while accomplishing other purposes, will also serve to alleviate this deficiency. One such requirement is the appropriate assignment of responsibility for the civil

defense function in a government. This continues to be a troublesome problem at all levels of government. As suggested above in the discussion of the prestige factor, the solution is not to be found in the assignment of the responsibility to an existing agency of government as an additional function. Nor is it to be found in a process of fragmenting the responsibility and parcelling out the various portions to existing agencies, regardless of how neatly the delegated functions parallel the agencies' primary functions.

If good results are to be obtained, the civil defense function must be assigned as a primary responsibility to a separate agency, in order to (1) give it the necessary emphasis and energy, (2) ensure the fulfillment of government's responsibility in this field, (3) provide an adequate staff for the civil defense function of the chief executive, and (4) provide for the performance of those civil defense functions which have no counterpart in other government agencies. Although many other agencies and groups participate in civil defense activities, responsibility for particular phases of planning and preparation cannot be left to the various governmental agencies as secondary missions, or to volunteer groups or private agencies, without an effective full-time governmental civil defense agency to co-ordinate and monitor the whole program. For it is all too easy for other government agencies, under the pressures of their
primary mission, to relegate their civil defense responsi-
bilities to the limbo of if-and-when, time-and-funds-permitting. As the Holified Subcommittee concluded,

there are enough important tasks in civil defense and mobilization to justify a strong organizational base for these activities, even while other governmental resources are utilized. Certain of these tasks, such as radiological defense and shelter planning and construction, are so unprecedented and difficult that they justify a special entity of government planning and working on its own as well as in co-operation with other government agencies.

[If all functions are delegated to existing agencies] they inevitably become lost or submerged in the grind of routine business or in the pursuit of major missions not related to civil defense and mobilization.

The "submerging" effect is likely to occur when the civil defense agency is a subordinate element of another agency, as well as when all functions are parceled out.

In testifying before this subcommittee, Dr. Ellis A. Johnson, Director of the Operations Research Office, Johns Hopkins University, said

I know all the dangers of too big a bureaucracy. But also, I have seen in the practical actions we have to take, the fact that a central agency has the best capability of understanding the whole problem. . . .

I will admit that you will need, very importantly, to use other agencies than a central civil and very strong group that can be responsible for the central planning, the defense of funds, and a leader that you can fire if he does not do a good

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job. Otherwise I am afraid effectual accomplishment will be endangered because responsibility will fall between the cracks.\footnote{Civil Defense, Hearings before a Subcommittee of the House Committee on Government Operations, 85th Cong., 2d sess (Washington: 1958), p. 265. (Emphasis added.)}

Dr. Johnson further stated that he was "very strongly opposed" to the idea of placing the functions of civil defense in the Department of Defense, that "it is a civilian function and should be established on a statutory basis as an independent agency of the Government."\footnote{Ibid., pp. 266-67.}

Placing the civil defense agency at the disadvantage of being a second-level agency having to co-ordinate first-level agencies has the effect of compounding enormously—and unnecessarily—the considerable difficulties which the agency would face in any event in co-ordinating the civil defense functions of all agencies.\footnote{See above pp. 121-22.} No doubt one purpose of placing the responsibility for most of the national civil defense functions in the Department of Defense was to increase the status and prestige of civil defense. This purpose may well be accomplished, as far as public acceptance is concerned—and this is indeed a matter of vital concern. Nevertheless it is questionable whether the prestige of civil defense will be enhanced in government circles, when it is considered that the net result has been to create a situation in which a subordinate unit of an executive department must co-ordinate
other executive agencies. It may be noted further that retention of an Office of Emergency Planning in the Executive Office of the President separates the two vital functions of planning and operation—an undesirable situation, although perhaps simply a transitional stage.

There seems to be no good reason for placing civil defense under the military. In the United States, the most likely reason for placing it there in its infancy was that it was an infant and nobody else was very interested in taking it. Of course it might be argued that the Department of Defense was a logical place for it since it was a department with a tremendous staff and resources as well as status and prestige, and that it was under the directing control of a civilian—the Secretary of Defense. Such arguments do not fully carry over to the states when the civil defense agency is placed in the adjutant general's department, as is the case in Ohio, since that department has neither staff nor resources corresponding to those of the Defense Department, and its top position is military.

One more point must be emphasized here—that is, that the civil defense organization, if it is to be effective, must be a permanent part of the machinery of government. Failure to accept this necessity and establish the agency as such would be another blow to its status and prestige,
making more difficult all of its tasks, including gaining public and government support.

The task of planning and operating nonmilitary defense is new, important, and exceedingly complex. Nonmilitary defense will continue to be important for the foreseeable future, and the governmental agencies responsible for that program need to be considered as an important permanent part of our government's structure.\footnote{Review Committee of Project East River, report for \textit{Civil Defense for National Survival}, Hearings before a Subcommittee of the House Committee on Government Operations, 84th Cong., 2d sess., 1956, p. 1990.}

Although most of the foregoing discussion pertains directly to the national level, the sense of the arguments applies with equal force to lower levels of government. It may be stated, then, that the civil defense agency must have the following features if it is to perform its role effectively.

a. It must be a separate agency, charged with primary responsibility for civil defense under the chief executive, and incorporating both staff and line functions.

b. It must be at the highest level of the executive branch under the chief executive; that is, it should not be a subordinate element of another agency.

c. Its major functions, for example planning and operations, should not be divided between two agencies.

d. It should be a permanent part of the machinery of government.

Another important requirement, closely related to both of those just discussed, is that a civil defense
organization, if it is to be effective, must have an adequate staff—adequate in terms of numbers and capabilities. This requirement exists in every government which exercises responsibility for civil defense, except in the lowest levels where the civil defense problem may not be great. (For example, it does not apply to townships whose civil defense functions are subsumed under the county government civil defense function.) Adequate civil defense staffing requires: (a) adequacy in numbers; (b) full-time, paid personnel; (c) capable personnel, in terms of personal qualifications and training, practice, and acquired skills in civil defense. Like many another government agency, in other words, it must have a degree of professionalism in its staff. The requirement cannot be considered satisfied by the device of assigning incumbent officials to civil defense positions as additional responsibilities, without ensuring that they acquire the necessary qualifications to the degree called for by the position filled, and with the least possible delay.

It seems unnecessary to review in detail the reasons for such staff requirements; suffice it to note briefly, in addition to such factors as the normal functions of any staff connoted in the expression POSDCORB:12 (a) the unusual scope of the co-ordinating responsibility, both interdepartmental

12 Planning, Organizing, Staffing, Directing, Co-ordinating, Reporting, Budgeting.
and intergovernmental; (b) the scope and variety of programs that must be carried on simultaneously to prepare adequately for emergency, programs such as: public education; recruitment, administration and training of volunteers; operational functions such as the warning and radiation detection networks; (c) the vast scope and variety of emergency plans which must be prepared, co-ordinated, and maintained current. It must be remembered that adequate staffs, in the sense considered here, will not materialize overnight; nor is it a matter of simply having reserve staffs, in the form of lists of names, supposedly available and ready for emergency service. Aside from the fact that the persons corresponding to the names on such rosters must be given the necessary preparation in advance, which can be done only under effective staffs in being, the staff in being are an indispensable part of the effective civil defense structure which is an essential element of the national defense posture.

The need for qualified staffs has been commented on many times. It was said by the Review Committee of the Project East River in 1956:

Great skill and adeptness are needed in continually adjusting and testing the civil defense

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13 As one authority has said: "Organizationally, the first problem of co-ordination is to ensure that there are adequate staff facilities to help exercise the necessary authority." Marx, ed., _op. cit._, p. 152.
program so that it meets the needs of each citizen and family in an explicit, sensible, and acceptable manner in the face of continuing progress in developing new nuclear weapons.\textsuperscript{14}

In 1958 the Holifield Committee\textsuperscript{15} concluded that the "the task of developing an adequate civil defense capability at local levels requires a staff of experienced, trained, full time specialists." The problem of adequate staff plagued the British not only before the war but for a long time after war started.\textsuperscript{16} For example, it was observed that, because of the inadequacy of field forces in some activities until September 1940, a great deal depended on the number and quality of the staff at the regional offices. The London Region office "had not yet been strengthened by the time the storm broke. It broke on 7th September and the relief services in London were overborne."\textsuperscript{17}

In short, an adequate staff is necessary, if the civil defense organization is to be effective: (a) to perform the multifarious administrative and operational functions of civil defense; (b) to stimulate, assist and guide other agencies of government and lower levels of government in civil defense activities; (c) to promote the status and

\textsuperscript{14}Review Committee of Project East River, op. cit., p. 1979.

\textsuperscript{15}Military Operations Subcommittee of the House Committee on Government Operations. See above, note 3, p. 72.

\textsuperscript{16}O'Brien, op. cit., passim, and Titmus, op. cit., passim.

\textsuperscript{17}Titmus, op. cit., p. 254.
prestige of civil defense; (d) to promote public and government (particularly legislative) acceptance.  

Evidence of the benefits that full-time staffing brings to civil defense can be seen in the work of the Survival Project staff in Ohio. This temporary staff, established in 1956 within the framework of the state civil defense organization and financed by Federal funds, was a special full-time staff engaged in preparing operational survival plans for Ohio for use in the event of civil defense emergency. As the work of the staff progressed, interest and activity in civil defense gradually increased in Ohio, on the part of government agencies, of private business and industry, and of individuals. After the

18 It must not be forgotten that there are many factors in this general area which are mutually interdependent, and—"lest we forget"—although it is not part of this study, it seems appropriate to mention again at this point the crucial importance of adequate funds for civil defense functions. Among other things, funds can have a considerable impact on status and prestige. Adequate funds, for instance, can enhance prestige, while status of the organization serves as an attraction for qualified personnel. Dr. Ellis Johnson said that civil defense has to have "the full support of an official basis to attract good people and it has got to have enough funds so that it is taken seriously. . . . For the prolonged period we are considering, you need the long and continuing know-how of a skilled professional staff associated with central organization, and you cannot get that unless it has the prestige and status. . . ." Civil Defense, Hearings (1958), p. 266.

19 The following excerpts are from a report submitted by the State Director of Civil Defense to the Administrator, Region II, Federal Civil Defense Administration, in September, 1957, on the impact of the Survival Project Program on civil defense in Ohio. This was shortly after the completion of a set of "Preliminary Operational Survival Plans"
conclusion of the project in 1959, however, interest began to taper off; the completed plans for emergency operations and the reference materials prepared by the Project staff were laid aside, and have been used but little since. Moreover, normal civil defense staffs at all levels of government in the state have been too undermanned to utilize

and the preliminary phase of the Program in May, 1957, and the initiation of the major phase of the Program. Allowing for some "vested interest" bias, these excerpts still suggest that the Project staff, at least while it lasted, had some beneficial influence for civil defense in Ohio, and that augmentation of staffs in any degree on a permanent basis would produce proportionate, or even more than proportionate, advantages for the civil defense program.

"All government agencies—State, local, and Federal agencies functioning in the State—have been demonstrating increasing interest in civil defense as a result of the Survival Project Program. One further example of this influence may be added . . . the selection of emergency relocation sites by government agencies. . . .

"[As a result of contact with people in private business and industry in the course of gathering information on resources, facilities, etc.] it was learned by Staff personnel that, other than in a few exceptional cases in which particular enterprises were already participating extensively in civil defense, the general awareness and understanding of civil defense was limited and vague, and consequently the attitude toward it was negative or neutral. Introduction of Survival Planning, in terms of a specific program to develop plans for protecting the civilian community from the effects of nuclear attack or natural disaster, consistently engendered a positive response and active interest in co-operating with the Survival Project Program. . . .

"The concentrated effort brought to bear on planning . . . [by] the Survival Project Program has brought into sharper focus and is giving more effective direction to the activities of civil defense organizations . . . the Program is greatly increasing the general awareness and immeasurably enhancing the understanding of civil defense. It is helping to clarify for both the public and government officials the objectives and programs of civil defense and is increasing their appreciation of their responsibilities in civil defense."
effectively the materials produced or to revise and improve them in consonance with advancing knowledge and changing conditions.

The increased participation by other government agencies, state and local, in planning and in operational alert exercises which was stimulated by contacts with the Project when it was under way, and which declined again when the project ended in 1959, seemed to revive somewhat during the Berlin crisis of 1961. Needless to say, planning and preparation which rise and recede in rhythm with the peaks and troughs of international tensions are hardly likely to produce the effective civil defense preparedness required.

Another requirement of an effective civil defense organization is a proper geographical arrangement. As noted elsewhere, this is of the first order of importance. Although the problem of establishing an effective geographical structure is to be found in other fields of governmental activity, it presents a specially difficult problem for civil defense because of the far-reaching character of the civil defense program and the unusual importance of inter-governmental co-ordination to that program. The territorial arrangement of the civil defense structure, as of governmental entities established for such special purposes as flood control, conservancy, sewage, water supply, and so forth, must be shaped as much as possible to the conditions
of the problems involved rather than to political jurisdiction boundaries. However, we have not yet reached the stage at which political realities can be ignored, even in the most dire circumstances, much less in preparation for civil defense. The civil defense structure must bridge the gap between the geographical pattern of existing political jurisdictions and the necessities of the civil defense problem.

In designing an appropriate geographical arrangement, the various problems and tasks of the civil defense organization, as discussed elsewhere, must be kept in mind. These include: the need for centralized co-ordination and control of local civil defense functions both in emergency and normal times; the need to assist and stimulate local government civil defense efforts; span of control; and the need to develop independent operational capability below the state level. The adequate solution of such problems calls for a county level of organization, and a regional level between state and counties. There are, then, four focal points, or levels, in the state governmental structure for civil defense: the state, the region, the county, and the municipality. Each civil defense agency at each of the first three levels—state, regional, county—is the apex of a pyramid of civil defense organization, the co-ordinating, guiding and assisting, and, when necessary, the directing and controlling agency for all civil defense organizations and functions of
governments within its territorial jurisdiction. Each civil defense agency at each level must be prepared, in emergency, to act as a controlling headquarters for directing and co-ordinating emergency operations at its own and lower levels within its geographical area of jurisdiction, and for co-operating with other civil defense organizations outside its territorial jurisdiction at the direction of higher authority, or if such contact is lost, on its own initiative and authority.

It is important to note a special circumstance about the county level of civil defense. There are actually two different organizations at this level: One is the normal "local government" civil defense organization, similar to the municipal organization. This is the organization which fulfills the county government's responsibility for civil defense in those parts of the county outside the cities and villages, including townships and unincorporated communities. The latter, generally lacking in resources of both manpower and funds, are not appropriate units for maintaining independent civil defense establishments; civil defense assignments for their officials must be provided for within the framework of the "local" county organization. The second county organization is the county-wide organization; it is a multi-government organization and encompasses the county organization and all the municipal-level organizations in the county in a co-ordinated and operationally integrated
entity covering the whole territory of the county. This is the organization which forms one of the crucial links in the chain of co-ordination and control described above. It is one of the areas in which Ohio has experienced considerable difficulty and delay in attaining an effective organizational establishment state-wide. To provide a basis for effective establishment of these county-wide organizations, participation must be mandatory for all political subdivisions; and there must be appropriate incentives and pressures to encourage maximum compliance. (These last points will be covered more fully below in a consideration of legislative requirements and in a later chapter on political factors.)

The establishment of county-wide and regional civil defense organizations, of course, does not relieve the municipal and county governments of their responsibilities for establishing and maintaining their own civil defense organizations. The need for the basic local civil defense organizations always remains, as does the basic responsibility of the political subdivisions. The multi-government organization is to a considerable degree a co-ordinating organization; it co-ordinates and acts through the member governments.

It should be made clear that what is proposed at the county and regional level is not a type of organization based on voluntary or "mutual aid" agreements, which are simply arrangements for reciprocating assistance among
Independent neighbors, as the situation may call for. Such arrangements, either among the political subdivisions of a county, including the county, or among a number of counties, fail to provide an organization with an executive or directing head—a single center having real authority to act for or in the name of the agreed entity in co-ordinating and directing lower elements or in receiving and acting on instructions from higher levels—which is essential to the positive, clear chain of control and co-ordination required to ensure effective emergency operations. A civil defense organization based on voluntary co-operation, even though confirmed by formal written agreements, is no more than a weak confederation for limited purposes, a little "United Nations" with no independent power or resources; in which each member has a liberum veto in that it can withdraw its support of any commonly selected officials to whom powers have by agreement been delegated, can withhold financial contributions, can refuse to participate or co-operate in any particular activities or all, and can in fact withdraw from the organization at will.

Such an organization will not only fail to perform efficiently in the larger structure, but even internally will lack the capability to prepare effective plans, define and allocate responsibilities clearly, and otherwise prepare adequately for emergency. It has been sufficiently pointed
out that confusion in disasters has its roots in factors which are almost inevitable consequences of such organizations:

lack of workable, pre-existing plans on a community-wide basis... inadequate communication...
ambiguity concerning what official or agency has the authority for certain decisions... the absence of an agreed-upon, understood division of labor among different groups and agencies...
the occurrence sometimes... of disputes concerning authority, responsibilities, and jurisdictions... lack of... procedures for maintaining a central strategic overview of the problem...
lack of essential central co-ordinating mechanisms... The factors recited above often impede and sometimes confound disaster management; they are problems which must be taken into account if it is to be improved.20

Some further emphasis may be given here to the requirement of the intermediate or regional level in the structure, because this also has been a source of considerable difficulty in perfecting the Ohio structure—one which, despite much effort, has yet to be worked out satisfactorily. The regional level, in effect, meets two sets of requirements: (1) such administrative needs as those set by "span of control" and the implementation of co-ordination and control by the state agency; (2) the problem of setting up not too far above the local governments a single integrated entity with enough resources under its jurisdiction to avoid being overwhelmed by a small number of nuclear explosions within its territory. ("Overwhelmed" means on the point of

20Pritz and Williams, op. cit., p. 47.
collapse, or already collapsed—unable to carry on. A headquarters may be quite capable of carrying on even though the enormous destruction in its territory may require tremendous amounts of help from outside; the difference is whether or not the headquarters on the ground can call for and then, if it is received, utilize the necessary assistance from outside.) This second problem may be stated in a little more detail as follows: The enormous destructive power of thermonuclear weapons requires that at the local government level civil defense organization and operations be effectively integrated and co-ordinated under centralized supervision and control in an area large enough to encompass the probable effects of a single multi-megaton bomb. In other words, there must be placed under effective unified co-ordination and control sufficient area and population to provide the trained manpower and other resources to establish an effective basis for planning and co-ordinating efficiently both the necessary pre-emergency preparations and those actions essential in carrying out emergency operations to cope with the consequences of a single bomb detonation. The area required is considerably larger than an Ohio county.

The importance of the regional level of organization may be described briefly by saying that: (a) it is an essential echelon in emergency, and cannot be left to be established on the eve of disaster; (b) it must be part of the
state organization, a field element of the state agency; (c) it must be geographically shaped by the civil defense problem—that is, the number of regions and the boundaries of each region must be determined by such factors as the characteristics and locations of target areas, population, resources, transportation and communications facilities, and so forth—as well as by administrative requirements. At least one concession must be made to political realities in establishing regions: their boundaries, while calculated to meet the needs of the problems to be solved, must nevertheless conform to the boundaries of the counties which they encompass.

A most important requirement, if any substantial degree of success is to be realized in the establishment of an effective civil defense structure, is that participation and fulfillment of responsibilities by political subdivisions and public officials should not be left to local and individual option. It is incumbent on the state, in fulfillment of its own obligation, to make these obligations mandatory, on the governments of all political subdivisions, on the heads of all agencies of government, state and local, appointed and elected, and on all government officials and employees. The largely permissive nature of the state law which has left civil defense preparation for the most part to the inclination of local government in Ohio has so far resulted in considerable laxity in performance and in a rather spotty
pattern of civil defense preparedness. (Even where local efforts have been substantial the results have not been commensurate with the efforts, in part at least because of inadequate state support through legislation, funds and otherwise.)

The state government cannot abdicate its responsibility for the protection of the health, safety and welfare of its people. It has a great responsibility to take whatever positive measures are possible to ensure that its political subdivisions carry out their appropriate responsibilities in the field of civil defense. It is not enough for the state to simply authorize its local governments to establish civil defense organizations and carry out other civil defense functions. If a local government is not prepared to take appropriate emergency measures after an attack and has failed to take proper precautionary measures before the attack, and unnecessary casualties, damage and hardship for survivors are the consequences, the local government may be held responsible for such avoidable excesses, but the state government cannot escape a major share of the blame, if it has not taken adequate steps in advance to ensure that local governments were taking appropriate measures to prepare for an emergency. The political subdivisions are, after all, the creatures of the state; no matter what the degree of home rule and local autonomy, the state cannot dodge ultimate responsibility for the safety, health and welfare of
its people. Despite the quasi-federal nature of state-local relations and traditional local independence, nuclear devastation would compel, to an inconceivably greater degree than does any major natural disaster, the renewed recognition of the limitations and restrictions on the powers and resources of local government under the unitary form of state government and the consequent obligations which rest on the state.

This is not to say that the positive action to be taken by the state must be punitive or arbitrary—at least in normal times; on the contrary, positive incentives and persuasion will be more effective. Nevertheless there must be some provision for arbitrary and punitive action in time of emergency, as British experience showed to be necessary even under conditions of conventional air attack; the knowledge that such sanctions are available will help accomplish their purpose in emergency without frequent use, and it may even help in normal times.

Clearly, the state civil defense structure contemplated in this study demands a firm, comprehensive legal basis. While an adequate legislative foundation is certainly no guarantee of an effective civil defense structure, its lack just as certainly constitutes a formidable obstacle to the realization of the objective. The state civil defense legislation must provide, to the extent that
legislation can, the elements, attributes and characteristics which the civil defense structure needs—status, geographical arrangement, the necessary authority and means to prepare and implement an adequate civil defense program, and the authority and means for co-ordination and control of government activities, both in normal times and in emergency, to ensure maximum effective utilization of the state's resources both human and material.

Listed below are provisions intended to meet these requirements. They do not constitute a total civil defense legislative program for Ohio but are rather, for the most part, provisions which are absent from the present law or represent modifications or amplifications, calculated to facilitate the realization of an effective governmental structure for civil defense. These provisions may be subsumed under three headings: (1) provisions which establish the governmental framework and administrative machinery for normal times and for emergency; (2) sanctions, incentives and inducements to stimulate co-operation and compliance; (3) emergency powers, at both state and local levels, to be used only under specified emergency conditions. Few if any of these provisions are not included in some form in the civil defense laws of one or more states or in the Model
State Law prepared by the Federal Civil Defense Administration.21

To facilitate the creation of an effective structure, then, the Ohio civil defense law should provide for:

A. (The governmental framework in terms of allocation of responsibilities and administrative machinery arrangements)

1. A separate civil defense agency at the cabinet level, headed by a Director who is not to hold any other state office and who is directly responsible to the governor.

2. Authority for the governor to delegate authority vested in him under the civil defense law, and to provide for its sub-delegation.

3. Authority for the governor, pursuant to the civil defense law,

   a. To make, amend or rescind necessary orders, rules and regulations;
   
   b. To prepare necessary plans and programs, including those looking to the implementation and utilization of emergency powers and functions;
   
   c. To co-ordinate the preparation of plans and programs by political subdivision.

d. To implement training programs and public information programs and take all other preparatory measures, including partial or full mobilization of the state's civil defense organizations in advance of actual disaster, to ensure maximum effectiveness of the state in coping with the effects of disaster.  

4. Authority for the governor to divide the state into regions, with regional staffs as part of the state agency.

5. Mandatory establishment of civil defense organizations by counties, cities and villages in accordance with state plan and programs. (Townships to be incorporated in County organization.)

6. Mandatory establishment of county-wide civil defense organizations, in accordance with state plan and programs.

7. Mandatory participation of all agencies of government of the state and its political subdivisions, to the extent that they:

   a. Prepare plans and programs and participate in training and other programs in accordance with the state civil defense plan and program and, in the case of agencies of political subdivision, in accordance with the civil defense plans and programs of their respective governments;

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22Cf. "Model Law," Sec. 6(c)(3).
b. Make available to the chief executive or civil defense director of the state and their respective subdivisions, on request, their services, equipment, supplies, and facilities.  

8. Authority for the Governor and the chief executive of each political subdivision (board of commissioners for counties) to assign civil defense missions to heads of departments, offices or agencies of their respective governments, whether elected or appointed.

9. A Civil Defense Co-ordinating Committee, with Governor as Chairman (state civil defense director as his alternate and also a member) and including all heads of departments having substantial civil defense responsibilities; similar committees at the local level.

10. A civil defense reserve program (along the lines of the National Guard), comprising a cadre or core of selected volunteers, at state and local levels, to fill essential emergency positions and provide a firm base of trained and qualified full-time (in emergency) volunteers for augmentation by additional full-time and part-time volunteers.  

\[23\text{Cf. Ibid., Sec. 14.}\]

\[24\text{Britain anticipated the need for such an arrangement before World War II, and found it essential during the war. The number of full-time paid volunteers, during most of the war, ranged from 250,000 to 340,000, and at one time reached a peak of over 400,000. These figures represent about twenty per cent of the total volunteer forces. O'Brien, op. cit., p. 690.}\]
Requirements and incentives for membership in such reserve would include:

a. Full-time availability in emergency (i.e., not a government employee or essential industrial worker, or committed to other emergency service).
b. Assignment to specific position and duties in the civil defense organization.
c. Payment for services in emergency, on an appropriate pay-scale.
d. Compulsory attendance at regularly scheduled training sessions and civil defense exercises.
e. Pay for attendance at training session.

B. (Sanctions and incentives)

11. Financial contributions by the state to political subdivisions (e.g., a state contribution of 25 per cent to be added to Federal contributions of 50 per cent going to political subdivisions) on the basis of approved plans and programs, civil defense organizations and inter-county mutual aid agreements.

12. Funds for reimbursement of other departments for expenditures for civil defense purposes.

13. Mandatory civil defense training and exercises for all government personnel, state and local, not regularly assigned to civil defense duties.

14. Removal, subject to provisions of Ohio Constitution, of any public officer having administrative
responsibilities under the provisions of the civil defense law, for willful failure to obey an order, rule or regulation made pursuant to the civil defense law.\textsuperscript{25}

C. (Emergency Powers—to become operative only during an emergency as identified in the law)

15. Authority for the Governor (and any official to whom authority has been delegated):

a. To direct the performance of civil defense duties, pursuant to the law, by any civil defense official or other government official of the state or its political subdivisions.

b. To assume direct operational control of any or all civil defense forces and helpers within the State.

\textsuperscript{25}Cf. "Model Law," Sec. 7(e). Cf. also New\textsuperscript{2} York State Defense Emergency Act (Laws of 1951, Ch. \textsuperscript{784 as amended}), Art. 3, Sec. 30. This provision of the New York law includes additional sanctions: it authorizes state officials to take over functions. Not only in the event of attack, but even "in the event of the failure of a county or city to carry out the provisions of this act or the plans, regulations and orders adopted pursuant thereto, the governor may direct the [state civil defense] commission to assume direct operational control of any or all agencies or public offices having administrative responsibilities pursuant to this act to the extent necessary for the performance of such responsibilities. . . . In all such cases all expenses incurred by the commission . . . including the salary or other compensation of all persons employed, shall be a charge upon the political subdivision or subdivisions . . . otherwise liable for the expense. . . ." This provision parallels a very similar provision of the British "Fire Brigades Act" of 1938 which substantially nationalized the fire fighting services of Great Britain, in anticipation of possible war and air attack. See Glover, \textit{op. cit.}, pp. 477-78.
c. To pledge the credit of the state to reimburse political subdivisions for costs due to disaster beyond their normal government expenditures.26

d. "To perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population."27

16. Immediate implementation of emergency economic controls in undamaged areas of the state, in accordance with prepared plans and to the extent possible.

17. Authority for political subdivisions in undamaged areas to implement economic control plans immediately, in accordance with prepared plans, if contact with higher authority is lost.

18. Authority for state and political subdivisions to pay full-time civil defense workers, and others as appropriate.

19. Authority for the Governor and political subdivisions to command the services of civilians in carrying out civil defense operations.28

26It is significant that in Britain in World War II local authorities bore less than 5 per cent of the total cost of civil defense, the central government bearing the remainder of almost a billion pounds. O'Brien, op. cit., p. 691.

27"Model Law," sect. 7(f).

28Cf. for example, the California provision: "The legislative body of a county, city and county, or city may, by resolution, authorize public officers, employees and registered volunteers to command the aid of citizens when
The above provisions will be discussed in more detail in subsequent chapters, as a basis of comparison for the present Ohio civil defense structure and its legal foundations. With reference to the inclusion of emergency powers in the law, it may be said, briefly, that it is necessary at least (a) to avoid the assertion of arbitrary authority when controls are needed; (b) to give both the people and local governments confidence that they would have the strength and support as well as the guidance and leadership of higher levels of government in an emergency. Local initiative and the spirit of public service must be fostered, of course, and the accomplishment of the desired objectives by co-operation must be developed as far as possible. However, in the absence of a co-operative solution arrived at under state law before an emergency, excessive hardship, confusion and disruption due to lack of adequate action at the local level would demand that the Gordian knot of local independence be slashed by the sword of arbitrary state authority, if not by martial law. The planning and organizing, the preparation for centralized direction and control, must take place now; the direction and control which would be exercised in an emergency, would be exercised to an even more extreme

necessary in the execution of their duties during a period of a state of extreme emergency. "California Disaster Act (Military and Veterans Code, Sects. 1500-1591), sect. 1571. See also New York State Defense Emergency Act, Art. 3, sec. 26, which is even more comprehensive, providing for conscription before an emergency under certain conditions.
degree if measures are left to be devised at the moment of emergency—if advance preparations, including fair and impartial provision for legal compulsion, are not adequate for maximum emergency conditions, including such contingencies as the collapse of authority or refusal or other failure to perform civil defense functions adequately.

The fact that we prepare for centralized, and if need be temporarily regimented, civilian controls for civil defense does not mean the loss of liberty. The condition of liberty in the modern world is a variable both in the long run and in the short run. Liberty for the individual in the United States today is not the same thing as it was for the individual in the agrarian order of a hundred years ago—even if the individual is now on a farm, much less if in the modern city. The advent of automobiles, unions and total war as well as nuclear weapons has meant added obligations for the citizen and added limitations to his liberty, in the interest of preserving the remainder of his liberty.
CHAPTER IX

THE OHIO GOVERNMENTAL ORGANIZATION FOR CIVIL DEFENSE, IN LAW AND IN FACT

We shall now measure the Ohio civil defense organization against the standards for an effective organization which were discussed in Chapter VIII. In doing so, we must keep in mind that the organizational structure must be largely tailored to the shape of the civil defense problems with which it must cope. The Ohio organization, then, must be examined in the light of its civil defense problems, including the vulnerability of the state to nuclear attack. Located at the approximate geographic center of the industrial heartland of the United States, Ohio is as open to attack by manned aircraft or ICBM as any state in the Union. It is also within easy range of submarine-launched missiles, being less than 600 miles from the Atlantic. As one of the leading industrial states of the nation, with a population of almost ten million, and having nine of the nation's 70 critical target areas\(^1\) (more than any other state), Ohio would seem to provide one of the highest priority non-military targets of nuclear attack. In addition, prevailing winds are such that nuclear explosions west and northwest of

\(^{1}\text{Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Steubenville (part of Wheeling-Steubenville critical target area), Toledo, and Youngstown.}\)
the state in the area roughly marked out by Detroit, Chicago, Louisville and the southwestern corner of Ohio could contribute substantially to the fallout that would cover much if not all of the state after a large-scale attack. Moreover, there are important military installations in the state which constitute attractive targets. In short, on the basis of geography, population, industry, and military facilities, Ohio would seem to be one of the most vulnerable states in the nation.

The basic structure designed to meet Ohio's civil defense responsibility is provided in the Ohio civil defense Act of 1953. The structure is elaborated, pursuant to the Act, in the Governor's Regulations dated 1 June, 1957, and in Ohio Civil Defense Corps Operational Instruction #38 (Revised) dated 13 May, 1957. The structure contemplated in these provisions consists of five levels:

1. The state level

2. A regional level consisting of five Civil Defense Areas.

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2Revised Code of Ohio, 1953, Sections 5915.01-5915.43 and 5915.99. (Amended Substitute Senate Bill No. 138, enacted 1953.)

3"Regulations of the Ohio Civil Defense Corps," 1 June 1957. Hereafter cited as "Governor's Regulations."

4Adjutant General's Department, Ohio Civil Defense Corps, 13, May 1957. Hereafter cited as Operational Instruction 38.
3. A multi-county local level consisting of 9 Civil Defense Authorities

4. A county level consisting of 88 county-wide organizations

5. A local level consisting of the organizations of political subdivisions.

At the state level, the Act establishes "within the adjutant general's department a civil defense section which shall be governed under regulations promulgated by the governor." The adjutant general is designated as "the state director of civil defense in addition to his other duties," and is authorized to appoint a chief executive assistant and other executive assistants and administrative and technical personnel in the civil defense section as may be necessary "to plan, organize, and maintain a civil defense organization adequate to the needs of the state." In addition, the adjutant general, in his capacity as state civil defense director, is directed to

a. supervise and co-ordinate all activities of all organizations for civil defense within the state,

b. maintain liaison with civil defense agencies and organizations of other states and of the federal government,

c. co-operate with such agencies and organizations subject to the approval of the governor.
Finally, he is to have "such additional authority, duties, and responsibilities as are prescribed by the governor or provided by law."\(^5\)

The governor is authorized by the Civil Defense Act of 1953 to "promulgate and enforce, and when necessary [to] amend or rescind the regulations with respect to the establishment of a civil defense organization for the state for the purpose of providing a defense for its people against enemy action, or other disaster."\(^6\) The governor's authority is further extended by the provision that in carrying out the Act, he shall

utilize the services, equipment, supplies, and facilities of existing departments, offices, and agencies of the state and of the political subdivisions thereof to the maximum extent practicable, and the officers and personnel of all such departments, offices, and agencies shall co-operate with and extend such services and facilities to the governor and to the state director of civil defense upon request.\(^7\)

The Act defines the governor's powers and responsibilities in civil defense more fully by providing that:

Every organization for civil defense established pursuant to sections 5915.01 to 5915.143, inclusive, of the Revised Code, and the officers thereof shall execute and enforce orders, rules and regulations made by the governor.\(^8\)

\(^5\)Revised Code of Ohio sec. 5915.02.
\(^6\)Revised Code of Ohio sec. 5915.05.
\(^7\)Revised Code of Ohio sec. 5915.08.
\(^8\)Ibid.
Pursuant to authority in sections 5915.02 and 5915.05, the Governor's Regulations establish the Table of Organization for the state organization, which is shown in Chart, page 182. Only some of the key positions are filled by full time paid personnel. Almost all of the positions shown in the "chiefs of civil defense services" block are filled—if at all—by governmental personnel of other agencies or by volunteers, who in either case devote only a small portion of their time to civil defense activities. The state staff sections and divisions shown are very thinly manned, and some are not manned at all. For example neither the administration nor the personnel section has had personnel assigned for some time, while other sections have one or at most two staff officers.

The regional level is established by the Governor's Regulations, not the Act. The Governor's Regulations establish five state Defense Areas, defined by county boundaries as follows:


Governor's Regulations, sec. 2.a.
c. **Third Area**: Belmont, Carroll, Columbiana, Coshocton, Guernsey, Harrison, Holmes, Jefferson, Mahoning, Monroe, Noble, Stark, Trumbull and Tuscarawas.

d. **Fourth Area**: Allen, Auglaize, Defiance, Fulton, Hancock, Hardin, Henry, Logan, Lucas, Ottawa, Paulding, Putnam, Sandusky, Van Wert, Williams and Wood.

3. **Fifth Area**: Ashland, Ashtabula, Crawford, Cuyahoga, Erie, Geauga, Huron, Lake, Lorain, Marion, Medina, Morrow, Portage, Richland, Seneca, Summit, Wayne and Wyandot.10

The Area Director of Civil Defense represents the state director in his Area "for the purpose of co-ordinating, co-operating with, and supporting" directors of local Civil Defense organizations within his Area. The Area staff organization parallels that provided for the state staff, but may be modified to meet conditions within the Area, subject to the approval of the state director.11 If the state staff is thinly manned, the Area staffs are fragments of skeletons. Each has only one or two full-time paid staff officers; and even these are threatened with elimination, at least temporarily, because of the current cut-back of the legislature in state funds for civil defense.

At this point, it will be more convenient to jump to the bottom of the organizational pyramid and work upward, since the establishment of succeeding levels depends to some extent on the establishment of the next lower level. By the

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10 Governor's Regulations, sec. 3. See map, p. 189.

11 Governor's Regulations, sec. 4.
terms of the Civil Defense Act, each political subdivision
of the state

may establish a local organization for civil
defense in accordance with the regulations pro-
mulgated by the governor. Each local organization
for civil defense shall have a director who shall
be appointed by the board of county commissioners
for the counties and by the chief executive for
the municipal corporations. He shall have direct
responsibility for the organization, administra-
tion, and operation of such local organization for
civil defense, subject to the direction and con-
trol of such board and chief executive and not
inconsistent with regulations promulgated by the
governor.12

The Governor's Regulations make it mandatory for all
political subdivisions to establish local civil defense
organizations, apparently in pursuance of section 5915.06
of the law.13 In the light of the permissive phrasing of
the law, state courts might consider this provision of the
Regulations ultra vires and legally void so far as its
mandatory aspect is concerned.

The county-wide level of organization is also pro-
vided for in permissive phraseology in the law.

The board of county commissioners of any county
and the legislative authority of all or of a
majority of the other political subdivisions,

12Revised Code of Ohio, sec. 5915.06. Note that
townships also may establish civil defense organizations,
since sec. 5915.01(F) defines "political subdivision" so as
to include, "a county, township, city or village"; but sec.
5915.06 does not provide for the appointment of a township
civil defense director.

13"Each political subdivision of the State of Ohio, as
defined in Section 5915.01(F) . . . shall create a local or-
ganization for Civil Defense. . . ." Governor's Regulations,
sec. 5.a. It is of interest to note that this departure from
including the municipal corporation having the largest population, within such county may enter into an agreement establishing a county-wide local organization for civil defense in accordance with such regulations as are promulgated by the governor. A director of civil defense who shall have the direct responsibility for the organization, administration, and operation of such county-wide local organization for civil defense shall be appointed in accordance with and shall be subject to the direction and control prescribed by the regulations promulgated by the governor.¹⁴

In this case, however, the Governor's Regulations do not carry it further to a mandatory stage, specifying only that each county-wide organization which is established "by an agreement in writing" among the officials authorized by the Act to make such an agreement, shall have a civil defense director "who shall be appointed in accordance with the terms and conditions set forth in such agreement in writing."¹⁵

In the absence of a legal obligation on local governments, the state civil defense director has tried to establish a moral obligation, or at least an operational requirement, on the nine critical target cities and their counties, to establish county-wide organizations, by relying on the provisions cited above and placing the burden of initiative on civil defense officials, by providing in Operational Instruction 38 that:

each Civil Defense Director of a Critical Target City and/or Critical Target County, in conjunction

the permissive phrasing of the law is not repeated when the Regulations deal with county-wide and "regional local" organizations.

¹⁴Revised Code of Ohio, sec. 5915.07.
¹⁵Governor's Regulations, sec. 5.c.
with the legislative officials concerned, will take the necessary action to establish a county-wide Civil Defense organization. The object of this provision is to secure a basis for establishing the civil defense "Authorities."

The Act authorizes a "regional local" level of organization—again in permissive terms—to be set up by agreement by two or more counties that have established county-wide local organizations, the entity being called an Authority, or civil defense Authority. As in the case of the county-wide organization, the agreement setting up the Authority must be in writing (although in this case the requirement that the agreement be in writing is included in the Act), and in accordance with the Governor's Regulations, and the director of the organization "shall be appointed in accordance with and shall be subject to the direction and control prescribed by the regulations promulgated by the governor." Again the Governor's Regulations, as in the case of the county-wide organization, do not make the establishment of Civil Defense Authorities mandatory; it merely adds the requirement that each Authority which is established "shall have a Director of Civil Defense, who shall be appointed in accordance with the terms and conditions set forth in [the] agreement in writing." The burden of initiative in

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16Operational Instruction 38, sec. IV.
17Revised Code of Ohio, sec. 5915.07.
18Governor's Regulations, sec. 5.d.
establishing the Authority is placed on the civil defense
director of the county-wide organization of the target
county, who is made "directly responsible for the establish­
ment of a Civil Defense Authority for his Critical Target
Area."\(^{19}\) The object of establishing Authorities is to place
under centralized, operational control those coun­
ties generally adjacent to the Critical Target
County. . . . When so organized and approved as
"Authorities," these groups of counties banded to­
gether in accordance with their agreements will
have achieved centralized supervision and operational
control, which will enable the "Authority" Civil
Defense Director to establish complete coordination
in planning and efficient utilization of personnel,
equipment and resources under emergency or disaster
conditions.\(^{20}\)

The standard agreement forms for both county-wide and Author­
ity organizations\(^{21}\) are for the most part routine, adding
little, if anything, to the effectiveness of the organiza­
tions they are intended to establish. They include provi­
sions for: (1) civil defense councils and executive commit­
tees, representing member political subdivisions; (2)
apPOINTMENT OF DIRECTORS AND OTHER STAFF, AND RESPONSIBILITY
of directors to councils; (3) fiscal procedures; (4) dissolu­
tion of the organizations by mutual agreement or upon exces­
sive reduction of membership; and (5) voluntary withdrawal
of individual political subdivisions.

\(^{19}\)Operational Instruction 38, sec. IV.

\(^{20}\)Operational Instruction 38, sec. V.

\(^{21}\)"Ohio Standard Form for County-wide Civil Defense
Agreement," and "Standard Ohio Civil Defense Operating
Authority Agreement."
It should be noted that the State Civil Defense Areas include all of the state's 88 counties, while the Authorities include only the nine critical target counties and the counties contiguous to them. Areas and Authorities are shown on the map of Ohio, p. 189.

With respect to emergency powers, the civil defense Act is virtually silent: It simply defines "emergency" as "any period during which the president or the Congress of the United States or the governor has proclaimed that an emergency exists," and authorizes any local, county-wide or local regional civil defense organization, upon declaration of an emergency, to compel the evacuation of any person where safety demands, and to furnish emergency aid to persons made destitute by reason of an attack. In the Governor's Regulations, however, the governor assumes emergency powers which do not seem clearly supported by the Act. The Regulations state:

In the event a political subdivision or designated authority is incapable of meeting an emergency caused by enemy action, or other disaster, the Governor, or the State Director of Civil Defense as his duly authorized representative, shall assume control and supervision of those Civil Defense functions of such political subdivisions as the situation may require until local law enforcement officials are able to resume control.

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22Revised Code of Ohio, sec. 5915.01(D).
23Revised Code of Ohio, sec. 5915.06
24Governor's Regulations, Sec. 14.
This, in brief is the Ohio governmental structure for civil defense as contemplated in law and regulations: hundreds of civil defense organizations of political subdivisions; 88 county-wide organizations; 9 Civil Defense Authorities; 5 Areas, and a state organization and staff headed by a state civil defense director who is also the adjutant general. Further, since the establishment of all types of local civil defense organization is optional, political subdivisions do not come within the purview of state supervision and co-ordination for civil defense until they establish a civil defense organization.

We may now ask, to what extent has this contemplated structure been made a reality? The answer is that the actual establishment of civil defense organizations in Ohio has been very spotty indeed. Not only are there gaps in the structure, but the staffing of many organizations is so inadequate that they can hardly be called more than paper organizations. It is true that most political subdivisions have named a civil defense director, formally or informally, but most of them are volunteers or hold official positions such as village mayor, and have virtually no staff or substantial organization.

The establishment of county-wide civil defense organizations has lagged from the beginning of civil defense legislation. Progress has been accelerated somewhat in recent months--more likely because of changes in the surplus property
Incentive procedure than because of the international situation. In May, 1960, some seven years after enactment of the current civil defense law, there were 39 county-wide agreements completed; agreements were under consideration in 17 more counties; and two which had been completed recently had been abolished. By October, 1961, the total number of counties having county-wide agreements had reached only 50—little more than half the state's 88 counties. Although the critical target cities for the most part have fairly adequate organizations, not all of the critical target counties have county-wide organizations; Cuyahoga County, for instance, has a civil defense co-ordinator rather than a director and a county-wide organization meeting the legal standards.

As for the Civil Defense Authority, despite great efforts on the part of target city directors and state and Area staffs, none of the Authorities designated in Operational Instruction 38 have ever been established even on paper. On two occasions a critical target county and one neighboring county established a two-county Authority; but only one of these abbreviated Authorities has survived.

Because of inadequate staffing at the Area level, much of the routine operations and administration between the state and the lower levels has had to by-pass the Area offices. Although the Areas have substantial numbers of volunteers who serve on the Area staffs during exercises,
lack of full time staff personnel also limits training of such volunteers, so that they cannot be fully effective in operations. One result is that during operational exercises Area headquarters are to a considerable degree merely relay stations between state and lower echelons.

In short, the governmental organization for civil defense in Ohio, both as provided for in law, rules and regulations and as it exists in fact, falls far short of the standards for an effective civil defense organization set forth in the preceding chapter.
CHAPTER X

SOME LEGAL, STRUCTURAL AND OPERATIONAL WEAKNESSES
IN THE OHIO CIVIL DEFENSE ORGANIZATION

Having found that Ohio's organization falls consider-
ably short of the standards for an effective civil defense
organization set forth in Chapter VIII, we shall examine in
some detail the defects in its legal basis, organizational
structure and operation. In making such an examination, we
must take note of the political and legal climate in which
the civil defense law is established and carried into effect.
It must be remembered first of all that in the state-local
sphere the role of the state is primary; the state cannot
share civil defense responsibilities equally with its
political subdivisions. The proper execution of this pri-
mary role, however, is rendered difficult by the traditional
emphasis in state-local relations of home rule and local
independence. Nevertheless, the realities of constitu-
tional provisions for the distribution of powers between
state and local units and the disparity between state and
local resources, as well as the nature of the civil defense
problem, prohibit the state from surrendering its primary
responsibility for the safety, health and welfare of its
people. As one civil defense official put it, the hydrogen bomb has not yet recognized home rule.\textsuperscript{1}

Next must be noted the fact that in the state government the power of the legislature appears to be decisive. Ohio legal opinion lends strong support to this view. In a conference attended by the writer a representative of the Office of the Attorney General observed that almost any question on which the Attorney General might be asked for an opinion in an effort to strengthen the civil defense organization or the governor's powers in the field of civil defense would receive a negative response.\textsuperscript{2} The attitude of members of the legislature and of municipal officials toward civil defense is in general negative. The "climate" of the entire state seems to be to deliberately withhold powers and discretion from executive agencies, particularly the governor. The governor has no inherent powers. Any delegation of powers is narrowly interpreted; therefore

\textsuperscript{1}"Civil Defense for National Survival" (Hearings, 1956), p. 1515.

\textsuperscript{2}An example of this is afforded by the following statement from an opinion given by the Attorney General: "This section [i.e., Revised Code of Ohio, sec. 5915.08] seeks to give the governor and the state director of civil defense certain powers but in view of the lack of any express statutory provision for compelling co-operation and the supplying of services by officials of the local subdivisions it is doubtful that this could be enforced if they should choose not to cooperate." Attorney General's Informal Opinion No. 2, to The Adjutant General, January 22, 1959.
legislation would be needed in each case where present law is inadequate. 3

The narrow interpretations of executive power, both state and local, and the brevity of the civil defense law combine with its substantive defects to produce an extraordinarily weak legal basis for civil defense. (Brevity, it may be said, is more often a virtue than a vice. But it must be remembered that we deal here not with a constitution but a law, a set of rules, which must provide in clear terms for the establishment of an operable civil defense organization.)

One of the principal deficiencies of the civil defense law is the failure to make mandatory the establishment of civil defense organizations by political subdivisions. Moreover, where civil defense organizations are established, the multiplicity of elective officials, particularly in the county government, creates internal problems not only of coordinating the civil defense functions of such officials and their departments, but sometimes of persuading them to accept responsibility for a civil defense function in the first place. It may be noted in this connection that the provision giving the governor power to utilize the services and facilities of the various agencies of government 4 was not

3 Comments made in the course of a conference with civil defense officials, Columbus, Ohio, May 20, 1958.

4 Revised Code of Ohio, sec. 5915.08.
paralleled by a provision giving similar power to local executive authorities with respect to the agencies of their governments. In the county government there is in fact no unified executive authority with power to establish a government-wide, co-ordinated civil defense organization. The state attorney general has said that

a Board of County Commissioners or a Director of Civil Defense appointed by such board has only such powers as is given them by law and those powers necessary to carry out the duties imposed upon them by law. I find nothing in the Revised Code authorizing the board of county commissioners or a director of civil defense to assign civil defense missions and responsibilities to the elected officials of a county and require their cooperation and services in preparation for emergency and in emergency operations as contemplated in the civil defense law.  

What is needed, it seems, is not only more detailed and explicit statements of power and authority, duties and responsibilities, but also, as the attorney general suggested, "express statutory provision for compelling cooperation and the supplying of services by officials. . . ." of political subdivisions. Certainly there is no lack of power in the legislature to take the necessary action, both to impose duties and responsibilities on political subdivisions, and to put in the hands of the governor a reserve of

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coercive powers. Political subdivisions, especially counties, as "creatures of the state," exercise their powers subject to the priority of general laws of the legislature; their powers under the constitution are extremely circumscribed—in the case of counties, virtually non-existent. Many state court decisions emphatically underscore the limitation of local government powers to matters purely local, and the primary power and responsibility of the state and more especially the legislature. The Ohio Supreme Court has said, "in matters of state-wide concern the state is supreme over its municipalities and may in the exercise of its sovereignty impose duties and responsibilities upon them as arms or agencies of the state." It has also stated that

6E.g. (a) withholding of local government funds; cf. Ohio Legislative Service Commission, Local Government Financing Problems in Ohio (Columbus, 1959), p. 31; (b) provision for removal of government officials for cause, under Ohio Const., Art. III, sec. 38.

7"Municipality's constitutional powers of 'local self-government' authorize measures pertaining exclusively to municipality, in which people of state have no interest. Mansfield v. Endly, 88 App. 528, 529, 176 N.E. 462." Constitution of the State of Ohio, Annotated (1957), p. 78. The political subdivisions of the state exercise sovereignty and local autonomy subject to the sovereignty of the state. "By the adoption of Ohio Const. Art. 18 Sec. 3 [Home rule], the state did not cede the territory of the municipalities to other sovereigns . . . the municipalities remained, as they theretofore had been, political subdivisions of the state, agencies through which the state administered its government. State v. Davis, 119 O.S. 598, 599, 165 N.E. 298." Ibid., p. 977.

"In general, matters relating to police and fire protection are of state-wide concern and under the control of state sovereignty," and that ". . . there is reserved to the legislature power to direct the manner and method by which municipal corporations shall effectively carry out their functions having to do with the preservation of the peace and protection of persons and property."\(^9\)

If police and fire protection are of state-wide concern, civil defense is a fortiori a matter of state-wide concern and "under the control of state sovereignty," and the legislature is under obligation to go into as much legislative detail as is necessary to ensure that the duties and functions in this field are discharged adequately at all levels of government. Under such conditions, it is an egregious evasion of responsibility for the legislature to leave the provision for local civil defense to the option of local government officials; to withhold from the governor and from the executive authorities of political subdivisions the necessary authority to carry out civil defense programs;

\(^9\)Ibid. Norman Blume has observed, concerning this question, that not only such matters as police and fire, but "health, education, judicial and library administration have all been judged to be matters of statewide concern," as are affairs concerned with extra-territorial powers and territorial changes. Municipal Home Rule in Ohio (Unpublished Ph.D. dissertation, Department of Political Science, The Ohio State University, 1956), p. 206.

to permit the continuation of a situation in which elected local officials may frustrate at will any efforts to establish a civil defense organization and to prepare and carry out a program, and in which even appointed officials can evade civil defense responsibilities with impunity.

That these problems are not merely academic is a matter of record and this fact has been demonstrated repeatedly over the years. Numerous examples can be cited not merely of failure to perform civil defense functions but of active opposition to the program on the part of government officials. Even when pressed, one county welfare director refused to serve as the chief of the county civil defense welfare service. In another instance a county auditor held that the civil defense expenses which the state law authorized a county to pay did not include salaries and that therefore the county board of commissioners could not pay a county civil defense director a salary. This county auditor gave other evidence of his strong opposition to civil defense. A meeting of officials of the county and its subdivisions to hear a discussion on civil defense was scheduled by state civil defense officials and county officials, and the auditor was charged with giving notice of the meeting to all officials concerned and to the public, but failed to do so. On the evening of the scheduled meeting the sheriff, who was completely unaware of it, had to be called from his home to open the courthouse, where the meeting was to be held. Only
two local officials showed up by the scheduled starting time—officials who had attended the preliminary meeting at which the discussion meeting had been arranged.\textsuperscript{11}

The weaknesses in civil defense organization arising from the permissive nature of the law relating to the establishment of organizations by political subdivisions are increased by the failure of the law to make mandatory the establishment of intergovernmental arrangements between political subdivisions for the integration and co-ordination of civil defense activities and resources. Yet even when established, the organizational structures prescribed by law and regulations are not fully capable of preparing and carrying out an effective civil defense program. The crux of the latter problem, in both the county-wide organization and the multi-county Authority, is that control of the organization and its civil defense director (as pointed out in Chapter IX) is vested in a body of representatives of the member political subdivisions. These political subdivisions join voluntarily. They can withdraw at will, or withhold funds from the director for staffing and other purposes, or frustrate

\textsuperscript{11}These and many other generally similar incidents and situations were reported by the county planners in their weekly reports to the Ohio Survival Project Manager during the period they served, December 1957–March, 1959. It must not be concluded, of course, that these were typical. There was more co-operation and effort to meet civil defense needs than the contrary. There were enough of these, however, to make painfully clear the shortcomings of the law and other defects, such as inadequate funds.
the purposes of the organization even after they have approved it. As in a confederation, the central representative body and executive head are at the mercy and subject to the whim of the individual members. The civil defense executive does not act for and is not backed by the executive authority of a specific government, as is the case, for example, of a regional entity having a civil defense director appointed by the state director.

The difficulties created by these legislative deficiencies are of course compounded by the political climate in which efforts are being made to establish the civil defense structure. Although we may reasonably feel that local governments will for the most part respond adequately to the demands for mutual assistance and co-operation which would be posed by actual emergency conditions, many local governments fail to give evidence of a state of readiness, or even of appreciation of the need, to co-operate fully and effectively in advance preparations for coping with the effects of a nuclear attack.

The effects of political rivalries and jealousies which plague metropolitan governments in so many other fields are greatly increased when the question arises of organizing for civil defense on a multi-government basis, either county-wide or multi-county. It is not like setting up an inter-governmental arrangement for a special limited purpose such as is the case with a conservancy district, or a water or
sewage district, or park district. Because of their limited scope and function, such units can set up the administrative machinery required to perform the tasks and manage the facilities concerned, even taking over such facilities of member governments as water supply and sewage in some instances. Although such efforts are usually attended by difficulties, they often succeed in accomplishing the desired purposes.

But civil defense is not limited in scope: as we have seen, it touches every agency of government; it must utilize all elements and resources of government in an emergency, and must therefore make adequate preparations in advance involving all agencies of government. Such requirements do not make for easy solutions of problems of inter-governmental relationships at the local level, where complications established by the rigidities of territorial fragmentation and the formal provisions for home rule are greatly increased by human frailties.

Civil defense operations in an emergency go to the very roots of governmental authority; therefore, despite progress in other aspects of civil defense, when it comes to the necessary arrangements for emergency operations there is an enormous reluctance to surrender in advance any part of governmental authority, even though it is a matter of trying to ensure survival. Yet some surrender there must be. Cooperation, mutual aid arrangements and agreements between
political subdivisions, are essential of course; but they must be backed up by an integrated organizational structure, and legally vested powers of compulsion for use as necessary. The knowledge that the powers are there would doubtless make it more likely that local government authorities would participate more co-operatively and effectively in co-ordinated civil defense planning and preparation as well as in emergency operations.

Far more than the air attacks of World War II, thermonuclear bombs have "made a mockery of . . . local independence and civil self-sufficiency" and demand "a willingness to relinquish some part of local sovereignties." Both state and local governments (with some exceptions) have been dragging their feet in taking appropriate action; as the bearer of the greater responsibility, it rests first with the state legislature to stop such foot-dragging. The remedy, as suggested by the state attorney general's office is (1) to improve civil defense legislation by providing detailed and explicit statements of authority, responsibility, duty and function, and (2) to provide the necessary sanctions to make these measures meaningful.

Another important defect in the Ohio Civil Defense organization arises out of its geographical structure. The existing arrangement of Areas and Authorities is unnecessarily unnecessary.

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complex and fails to solve adequately the problem of establishing a workable regional level of organization for civil defense in Ohio. The state civil defense structure includes a regional level of five Areas below the state headquarters, and below this a regional level of nine Authorities based on local option. Such an arrangement clearly goes beyond any reasonable span of control: it hardly seems necessary to have two intermediate levels (one of five elements and one of nine) between the state and a total of 88 counties. Considerations of simplicity of structure, economy, efficiency of co-ordination and operations, not to mention span of control, suggest that one of these levels is superfluous. The Authority, as presently conceived, seems to be defective in both theory and practice. It should be abandoned since it is not a viable solution to the problem of regional co-ordination and control.

As noted previously (Chapter VIII), the need to decentralize the state level of organization for effective co-ordination and control and the need to integrate local units in a large enough geographical area to cope adequately with the effects of nuclear attack meet at the regional level. The solution is not arbitrarily limited to one arrangement, but it must promote rather than impede the efficient co-ordination of the component elements of the state
Depending on the size and population of the state, number of critical target areas, number of counties, and other factors, the problem (if it exists at all) can be solved by either one or two levels between state and counties; and it is even possible to ignore county boundaries.

Massachusetts, with an area of about one-fifth and a population of about one-half that of Ohio, and with only fourteen counties to deal with, chose a two-level civil defense structure and ignored county boundaries except where it was convenient to follow them. The Massachusetts state structure includes four Areas and 20 sectors, each headed by a state appointee. "The chain of command runs from the State Agency to the Area, from the Area to the Sector and from the Sector to the municipality." New York, with an area about one-fourth larger than Ohio's, has established one level of twelve "Target Support Areas" between state and counties; each Area is headed by a Deputy State Director of

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13 Typical of many verbal and written criticisms of the Ohio arrangement is that of an Authority director after a state civil defense exercise which was part of the national annual Operation Alert Exercise: "The play of the problem demonstrated once more, and with added emphasis, the faulty structure of civil defense territorial organization in the state of Ohio, viz., the imbalance created by five Areas, nine Authorities, and overlapping responsibilities." Unpublished "Final Report on Exercise Opal Ohio," submitted to Director, Ohio Civil Defense Corps, 1958.

Civil Defense appointed by the State Director. These Areas are based on what were considered the twelve most likely target areas in the state, and cover all 62 counties of the state.15

Ohio has tried to solve the problem with what might be called a one-and-one-half level arrangement, with the five Areas covering the whole state and the nine Authorities, under the Areas, covering some of the counties. As shown by the consistent failure of attempts to establish these Authorities, political subdivisions are even more reluctant to delegate any authority voluntarily to an intercounty than to a county-wide organization. The Ohio State Civil Defense Area arrangement itself leaves something to be desired. Both design and implementation have been faulty. The Areas seem to bear little relationship to the civil defense problem in terms of a proportional division of the state according to area, population, number and size of critical target areas, resources, or other aspects of the subject. The result is a wide variation in the burdens likely to be imposed by a civil defense emergency in the different Areas.16


For example: the fourth Area contains only the Toledo critical target area—seventh largest in the state—and no other large cities; the fifth Area contains both the Cleveland and Akron critical target areas—largest and fifth largest—and the Lorain-Elyria standard metropolitan area, which is not a critical target area but is a target area. In the third Area there are three critical target areas. Another distortion of the Area arrangement is that, in planning for possible evacuation, the reception counties assigned to critical target areas are in some cases not in the same Area as the critical target area to which they are assigned.\(^{17}\)

The logical solution to the problems of geographical arrangement of the structure and effective co-ordination and control seems to be to (a) eliminate the Authority; (b) establish nine regional elements (whether called Civil Defense Areas, districts, or by any other name), each based on a critical target area, under a civil defense director appointed by the state director and acting as his representative in the region; and include in each region such counties as seem appropriate, in accordance with civil defense studies and plans, for supporting and co-operating with the critical target area on which the region is based.\(^{18}\)

\(^{17}\)Ohio Civil Defense Corps, Operational Instruction No. 38.

\(^{18}\)Because of the geographical spacing of the target areas, there would be variations in the number of counties in the regions; it is possible that a region with a relatively large number of counties might need a sub-region arrangement during emergency operations.
As for the county-wide element of the civil defense structure, there may be a number of alternatives. Basically, it seems most desirable to have an integrated county organization. This could be accomplished by providing by law for either (a) the appointment of county civil defense directors by the state director in some form of co-operative procedure with a body representative of the executive authorities of the political subdivisions of each county, or (b) the establishment of the office as a paid appointive office under the county commissioners with appointment subject to approval of the state director, and with appropriate functions, duties and authority spelled out. The principal objective is to have a single co-ordinating agency in each county to complete the administrative and geographical structure at this level.

One of the most glaring deficiencies in the Ohio civil defense law is its failure to provide adequate powers for the governor. This is in strong contrast with pertinent provisions in the national civil defense law, the Model State Civil Defense Law, and in the civil defense laws of most other states.\(^{19}\) The legislature has been rather parsimonious in delegating authority to the governor for normal times, but the deficiency is especially marked with respect to provision for emergency powers. Firstly, it will be noted that the

\(^{19}\)Comparison of State Civil Defense Legislation, p.31 and passim.
Ohio law does not give the governor or the state director of civil defense authority to perform civil defense functions, but only (a) directs the governor to "promulgate and enforce . . . regulations with respect to the establishment of a civil defense organization for the state. . . .," and (b) authorizes the state civil defense director to "plan, organize and maintain a civil defense organization," for the state, and directs him to "supervise and co-ordinate all activities of all organizations for civil defense within the state. . . ." The failure to authorize or direct the performance of civil defense functions or to provide for emergency powers at the state level is in contrast to the provisions of the law that civil defense organizations of political subdivisions, if and when they are established, (1) "shall perform civil defense functions," and (2) may, "in addition to other powers, upon the declaration of an emergency," exercise a number of specific powers.

Secondly, the law does not give the governor adequate authority to co-ordinate the activities of political subdivisions for civil defense purposes. Government officials of political subdivisions are not subject to the governor's

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20 Revised Code of Ohio, secs. 5915.02, 5915.05.

21 Revised Code of Ohio, sec. 5915.06. "Civil defense" as defined in sec. 5915.01(c) includes certain emergency actions.

22 Ibid., sec. 5915.06(A),(B). See above, p. 188.
civil defense regulations as local officials but as members of civil defense organizations. They do not come under the civil defense law and regulations unless and until the political subdivisions choose to establish such organizations. The authority which the Act purports to give the governor over the "departments, offices, and agencies of the state and of the political subdivisions thereof" is, according to the Attorney General, virtually meaningless. 23:

Despite the absence of specific legislative provision for emergency powers, it is most unlikely that the governor, in the event of nuclear attack, would fail to take action to cope with the situation. But in the absence of specific legal authorization, the exercise of extraordinary emergency powers would have to be legitimated by the declaration of martial law. In the absence of established legislative guidelines, under the pressures of urgent and unprecedented conditions, the governor would be guided by the dictates of his conscience, and under some conditions his actions might even be highly arbitrary. The people, and later the courts, would probably go along with whatever course of action the governor found it necessary to take; but his actions could lead to much unnecessary hardship and, eventually, litigation.

The preservation of democratic institutions would be much better ensured, and the effective performance of

23See above, note 2, p. 194.
emergency operations much better provided for, by the establishment in advance of an appropriate legal basis for emergency actions. Specific legal provisions for emergency actions and powers would provide a sound basis for effective planning and preparation. For example, economic controls would have to be imposed immediately in any undamaged areas; but in the absence of advance legal sanctions for such controls, there would not be an effective organization with individuals in and outside government trained and given appropriate responsibilities and duties in the operation of such controls.

Attention should also be given to the need for the governor to have the power in an emergency: (1) to assume control over the civil defense forces and workers of political subdivisions; (2) to pledge the credit of the state to pay for the costs of coping with disaster, including reimbursement of political subdivisions; (3) to command the services of individuals for civil defense purposes; (4) to furnish aid in the form of cash, goods, or otherwise to persons in need as a result of disaster; (5) to compel evacuation as the situation may require; \(^{24}\) (6) to direct the

\(^{24}\)It is of interest that local civil defense organizations are given the specific emergency powers to compel evacuation and to furnish aid in the form of cash or goods (Revised Code of Ohio, sec. 5915.06 (A),(B)); but neither the governor nor the political subdivisions are given power to incur debts or pledge the credit of their respective governments for the latter purpose.
performance of civil defense functions and duties by government personnel of the agencies of state and local governments other than civil defense agencies; (7) to delegate his powers as he deems necessary; (8) to take, condemn or utilize private property for emergency purposes. Consideration of such powers, which would inevitably have to be resorted to in a civil defense emergency, either in whole or in part, can only lead to the conclusion that to ensure the exercise of these powers within the permissible limits of democratic government there is much detailed legislation needed to spell out the forms, conditions, and procedures which must be followed. Such legislation would not hamper the effective use of the powers in emergency but would protect individuals, the public and political institutions from the consequences of unplanned arbitrary actions. It would also, as indicated above, establish a basis for planning and practicing the co-ordination of all levels and agencies of government for emergency operations.

A deficiency of great significance in the Ohio civil defense Act is the establishment of the state civil defense agency as a section in the adjutant general's department, with the adjutant general designated as state director of civil defense in addition to his other duties. Discussions in preceding chapters suggest that this arrangement is wrong on two counts: (a) it places the civil defense agency on too
low a hierarchical level, thus denying it the status and prestige it needs for maximum effectiveness, (b) it places civil defense under the control of the chief military officer of the state. The adjutant general is not and cannot be the day-to-day head of civil defense; he is not intimately familiar with civil defense matters. The deputy state director, as the head of the civil defense section, is the de facto chief civil defense official of the state. The adjutant general devotes little of his time and attention to civil defense (as would be true of the head of any department to whom the role of civil defense director might be assigned as an additional duty). Since he is the chief military officer of the state, it is not surprising that his interest and energy are absorbed largely by military matters. The inevitable consequence is that civil defense lacks adequate emphasis at the highest levels. As the day-to-day chief of civil defense, the deputy director rather than the director maintains liaison with other departments of the state. It is overly optimistic to expect a deputy director in charge of a subordinate section to be as successful as a department head might be in co-ordinating the work of heads of other departments, in winning their whole hearted support for programs and policies which might conflict with their normal interests and activities in terms of time, money and personnel and which do not further their personal political interests.
There are many other ways in which the subordinate position of the civil defense agency militates against the realization of maximum results for civil defense. For example, it is the deputy director who makes most of the public relations contacts; the adjutant general may make some introductory remarks at civil defense conferences, briefings of state officials, or on other occasions, but the deputy director, with his staff, delivers the substance of the civil defense message and appears clearly as the chief civil defense operating official. Again, liaison with other states' civil defense directors is maintained by the deputy director; and contacts of government officials and civil defense directors of lower echelons with the state civil defense agency are normally and almost invariably with the deputy director. As in the case of relations with heads of state departments, the position of department head and the title of director would be more conducive to securing maximum co-ordination and co-operation. The best efforts and highest competence of a deputy civil defense director cannot fully compensate for the handicap of being below the departmental level. In short, there seems to be little, if anything, that the adjutant general can do in civil defense that the head of a department of civil defense could not do.

\[25\] A number of other states have similarly placed civil defense in some existing department of the state; but the writer does not feel that the extent of the practice detracts from the arguments against it.
more effectively by virtue of having civil defense as his sole concern (except to guarantee the co-operation of the state's military forces, subject to prior military requirements). The adjutant general (or any department head in a similar situation) is simply an extra level of administration between the de facto civil defense chief and the governor.

With regard to placing the civil defense agency under the adjutant general qua military chief, some factors should be noted. An analogy might be seen between this situation and the assignment of civil defense functions to the Defense Department. Such an analogy is misleading and breaks down on a number of points: (1) The Secretary of Defense is a civilian, while the adjutant general is a military officer; thus in the national government civil defense is under a civilian (who also controls the military); in the state the civilian forces are under military control. (2) The state of Ohio's military establishment does not compare to the Department of Defense in manpower, organizational, financial and material resources and skills which can be drawn on to benefit civil defense; it does not have the large civilian forces to provide support for civil defense, as for example medical and engineering services. (3) The state military departments do not enjoy as high status and prestige as the national military establishment; for one thing, the prestige which attaches to professionalism operates much more strongly
for the national military than for any state military establishment.

It is sometimes suggested that the people would look with relief to the military taking charge in a major disaster. This is much to be doubted. It does not take into account the possible civilian reaction to military controls in direct contacts with the general populace as distinguished from the handling by the military of situations remote from the general public. It must not be forgotten that in the event of nuclear attack most areas will be subject only to fallout rather than to blast and fire effects. What will individuals in an undamaged area say when they are told—by the military—that they must accept evacuees in their homes; that they cannot use their cars; that they must serve in some civil defense activity so many hours per week; that they must go to a neighboring county to help civil defense activities there? Such directions from a military headquarters are likely to strike a different response than the same orders coming from civilian officials.

In a conference with the representative of the Ohio attorney general, the deputy director of civil defense stated that civil defense officials had some reservations on the use of martial law, believing that the people would be most reluctant to accept it on a national basis. He noted

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26 See above, note 3, p. 195.
that in the national civil defense exercise "Operation Alert 1955" martial law was declared by the President. This action caused dismay and embarrassment and drew much criticism; it was finally withdrawn as a principle of handling mass disaster problems. The explanation given for this quick withdrawal was that they only intended to arrange "for military assistance to support civil authority."

If, in an emergency, the commanding general of the state's military forces, which are "assisting" civil government and civilian forces, is also directing and co-ordinating the agencies of civil government, it would be difficult indeed to avoid the appearance, if not the actuality, of military control.

An emergency will bring into play in broad co-ordinated action the resources of every agency of government. Therefore any agency in which the civil defense agency might be housed as a subordinate section in normal times, will suddenly find itself turned upside down, so to speak—in the position of being but part of the civil defense apparatus, one of many agencies, whose emergency activities are co-ordinated by its erstwhile underling. The fact that the head of the agency can change hats and assume operating control of civil defense will do little to minimize the grinding and slippage of administrative gears caused by the reversal of roles and the necessary activities of members of subordinate staffs co-ordinating higher level staffs. The civil defense
director, after all, must work through his staff, and his staff for civil defense is not the adjutant general's staff but a staff working on a subordinate level.

Arguments of economy and convenience may be advanced for subordinating the civil defense agency to another agency. Whatever savings there may be in such areas as payroll and personnel administration, utilization of office space and facilities, seem hardly significant in comparison with the disadvantages flowing from placing the civil defense agency in a subordinate position in an existing department of government.

Another area in which Ohio civil defense legislation is deficient is in the provision of legal sanctions and incentives—both positive and negative. Such provision can be of considerable significance. The state contributes some matching funds for federal surplus property for local civil defense organizations, and this is virtually the extent of incentive action. While the national government has finally begun to provide 50 per cent matching funds for the payment of personnel and administrative costs of civil defense, Ohio does not make any contribution to such costs for its political subdivisions. In view of the legal restrictions on the taxing powers of political subdivisions in Ohio,\(^\text{27}\) the

\(^{27}\)One of the difficulties encountered by political subdivisions in trying to make more adequate provision for civil defense is that voted levies for civil defense fail under the 55 per cent majority requirement of sec. 5705.19
state might well provide some incentive to its political subdivisions for more effective participation in the civil defense program by adding perhaps another 25 per cent for personnel and administration costs to the 50 per cent provided by the national government.

Some of the possible punitive sanctions have already been noted. One of these could be useful in connection with the mandatory establishment of civil defense organizations by political subdivisions. As the attorney general suggested, mandatory provisions of law may not be entirely effective without some means of compulsion attached. It would therefore seem appropriate to provide that the state take action to establish needed local civil defense organizations, where the political subdivisions fail to carry out their responsibilities within a reasonable time, and that the costs of such establishment be made a high priority.

of the Revised Code of Ohio. There have been occasions when such levies have failed of approval with a vote between 50 and 55 per cent. This is an undue burden on efforts to provide for so important a function as civil defense. It has been noted that charter cities can avoid this particular problem; with this exception, "the legislative limitations imposed on all other subdivisions of local government constitute one of the most restrictive tax limitations in the nation." Ohio Legislative Service Commission, Local Government Financing Problems in Ohio (Staff Research Report No. 33), (Columbus, Ohio, February, 1959), p. 13. Another limiting factor is the pre-emption doctrine. Ibid., p. 33.

See above, note 6, p. 197; note 25, p. 173.
charge against the budgets of the appropriate subdivisions.29

Perhaps the most useful incentives that the state could provide would be a civil defense volunteer reserve, along the lines previously suggested,30 and the example of its own more effective participation and leadership. For example, the state requires political subdivisions to appropriate civil defense funds equivalent to twelve and one-half cents per capita in order to qualify for surplus property; but the state's appropriations for civil defense have normally amount to about three cents or less per capita—and in the current biennium, as the result of the cut in the civil defense appropriation it is less than two cents per capita. This is almost at the bottom of the scale of per capita civil defense expenditures by the 50 states;31 The national average is five and two tenths cents per capita, and many smaller states, and states with lower average incomes and

29Cf. State ex rel. Strain v. Houston, 138 O.S. 203 34 N.E. (2d) 219: "Fire protection is a matter of concern to the people of the state generally, and when the legislature enacts general laws to make more efficient the management of fire departments within the cities for the protection of persons and property against the hazards of fire, the cities of the state may be required within reasonable limits to provide funds for the purpose of carrying out such legislation." Quoted in Ohio Constitution Annotated (1957) p. 76. Emphasis added.

30See above, p. 171.

31See Chart 2, p. 221.
STATE GOVERNMENT DIRECT EXPENDITURES
For Civil Defense - FY 1960
Per Capita

<table>
<thead>
<tr>
<th>State</th>
<th>Cents</th>
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<td>Alaska</td>
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Based on State government direct expenditures for civil defense in FY 1960, and the 1960 Census Population.
smaller resources, are making civil defense expenditures at a considerably higher rate than the average.\textsuperscript{32} Even the customary rate of expenditure was never sufficient to provide Ohio with adequate staffing at either the state or Area echelons.

CHAPTER XI

SUMMARY AND CONCLUSIONS

From the foregoing discussions it can be seen that in the field of civil defense the tasks faced by the United States in general and Ohio in particular are enormous. The mere existence and effects of thermonuclear weapons set the magnitude of the problems; the declared objectives and the course of total conflict pursued by the USSR determine the high urgency of solving these problems effectively and quickly. Nuclear warfare has made civil defense a large and vital element of national defense. Accordingly, as with military defense, we must have a civil defense program that is adequate to meet the requirements of the situation. The cost and effort called for should not deter us in the field of civil defense, any more than in military defense, from establishing such a program—a program measured by the needs and the challenge, not by the degree of improbability of the emergency envisioned. To accept the need for an adequate civil defense program, it is not necessary to believe or assume that nuclear war is inevitable—only that it is possible.

An adequate civil defense program must serve a number of purposes: (a) It must, in the event of nuclear attack,
help ensure national survival, recovery and victory by minimizing the effects of the nuclear weapons on the people, communities, resources and facilities of the nation and by establishing a basis for the nation's rapid and effective recovery, support the war effort, and the eventual return to normal ways of life. (b) It must establish before an emergency the capability to fulfill the requirements set forth in (a), as an added deterrent to enemy aggression, by credibly showing that we are not only able, but ready and willing to resist nuclear blackmail and any degree of aggression attempted. (c) It must provide a basis for the confidence of both our own people and our allies in our leadership of the free world; a foundation for the national resolution and psychological readiness to endure the risks involved which are necessary in both people and leaders to support a firm and positive foreign policy program. In short, in an age of national sovereignty, space flight and nuclear power, the realities of present and foreseeable international relations and new techniques and weapons of war establish the need for an effective civil defense program. There is general agreement, however, that we have not yet filled this need.

We have seen that, regardless of the substantive contents of particular civil defense programs such as fallout shelter, evacuation, warning procedure, and others, the vast and diversified problems which must be solved in the over-all
civil defense program demand that there be an effective, integrated and co-ordinated organizational structure, reaching every part of the nation and every element of government from Washington to the smallest political subdivision. Because of the great diversity of contingencies which may confront civil defense, organization must be, like a military organization, highly flexible: it must be fully integrated so as to permit rapid and efficient co-ordination and action at all levels, and at the same time must be as self-sufficient as possible at each level so that any of its elements will be able to function without outside aid or direction to the maximum extent permitted by circumstances. In other words, the structure must have strong characteristics of both centralized and decentralized organization, and these capabilities must not be allowed to become mutually exclusive or mutually frustrating.

In view of the vast scope of civil defense and the problems with which it is intended to cope, the primary responsibility for civil defense must inevitably rest with government, at all levels; only government can provide adequately for the essential elements of organization, legal basis, funds and leadership which are the foundation of an adequate civil defense program. The factor most responsible for the unsatisfactory state of the civil defense program has been the failure of government, at all levels, to recognize, accept and discharge its responsibilities in this
field. Although it may be debated, in the context of the federal system of government, whether the national government should assume primary responsibility for civil defense or should call on the states and local governments to share responsibility equally with it, there can be little debate as to the proper distribution of responsibility for civil defense between state and local governments. In the state of Ohio, at least, the provisions of the state constitution bearing on the relations between the state and local governments leave little doubt that the state government must bear much the greater portion of responsibility for civil defense.

An examination of the whole range of civil defense activities in the state of Ohio indicates that the state government has not met its responsibilities in this field—from the basic foundation in law through support with funds to the day-by-day leadership of responsible government officials. Nor has the state government fulfilled its responsibility of ensuring that local governments discharge adequately their responsibilities in civil defense. The state legislature, which has a special duty here, in the light of its pre-eminent power under the state constitution, seems to have signally failed to recognize, accept and fulfill its responsibility. These shortcomings have resulted in the failure to establish an integrated, effective organization for civil defense in Ohio. The Ohio civil defense structure is doubly defective in that (1) efforts to establish
the structure as it is contemplated in law and regulations have been unsuccessful in the past and are likely to continue to be unsuccessful, unless some basic changes are made, and (2) even if it were successfully established, the structure as contemplated does not measure up to the standards for an integrated and effective state civil defense structure (as described in Chapter VIII).

Specifically, the Ohio civil defense organization suffers from major deficiencies in the following areas: (a) the legislative framework of the organization, including such aspects as the allocation and specific definition of authority, responsibilities, functions, and duties of political subdivisions and of government officials at all levels; (b) incentives and sanctions to facilitate establishment of the organization; (c) the geographical arrangement of the structure; (d) local government relationships for civil defense; (e) political leadership. As a result of these deficiencies the Ohio civil defense organization may be said to include a nebulous and in part non-existent patchwork of ineffective confederation-type elements bridging the crucial gap between the individual political subdivisions and the state. A civil defense system organized in this defective fashion is not capable of performing the tasks which face it.

This study indicates that such deficiencies may be remedied and that the Ohio civil defense structure may be given
the necessary capabilities for preparing and implementing an adequate state civil defense program, by the following measures.

1. The civil defense agency should be established as a separate agency at the cabinet level with a full-time civil defense director reporting directly to the governor. This action, which would remove the civil defense agency from the Adjutant General's Department, is perhaps the most important single step that could be taken, one that in the long run would not only do more than any other to further civil defense in Ohio but would in fact facilitate the adoption of other proposed measures.

2. The permissive phraseology of the civil defense law regarding the establishment of civil defense organizations by political subdivisions and of county-wide civil defense organizations should be eliminated and the establishment of such organizations should be made mandatory.

   a. In making such organizations mandatory, consideration should be given to the varying capabilities and resources of political subdivisions; the burden might well be excessive for most townships and many villages. In any case, townships should not be required to establish civil defense organizations of their own, but should be considered as part of the county for civil defense purposes and included in the county civil defense organization and program. The
mandatory provision should apply to municipalities with a population over (for example) 5,000. Smaller municipalities should be authorized to establish their own organizations, but should be encouraged to participate on a basis similar to townships as parts of their county organizations; it should be mandatory that a choice be made.

b. Each subdivision coming under the mandatory provision should be required to appoint a paid civil defense director, with salaries scaled according to population and the larger cities and counties required to have full-time paid directors.

c. The fact that some political jurisdictions may still fail to comply if the establishment of civil defense organizations is made mandatory should not be an argument against such legislation. It is no argument against legislation prohibiting gambling or the illicit manufacture of intoxicating beverages or requiring the payment of an income tax, that some people will continue to gamble, make moonshine, and fail to pay their income taxes, and get by with all three. The law at the least sets a standard desired or required by the community; and an explicitly stated standard, as embodied in law, is more likely to gain compliance than no standard at all or a mere suggestion in a permissive statute. Moreover, mandatory legislation provides a basis for sanctions calculated to render compliance more attractive.
d. In making the establishment of and participation in civil defense organizations mandatory on political subdivisions, the legislature should also provide for adequate financing for such organizations, both with legislation making it easier for political subdivisions to vote levies for civil defense, and with substantial financial help from the state.\(^1\)

3. The county-wide organization should be established as a mandatory part of the state structure rather than simply as a voluntary local organization. As long as local governments—aided and abetted by state government—cling to the sanctity of their local autonomy and jurisdictional prerogatives in the field of civil defense, there is not likely to be an effective civil defense structure, adequate to cope with the conditions which would result from a nuclear attack. Political subdivisions have joined in county-wide organizations for the most part only under the pressures of incentives such as the availability of Federal surplus property, or under the direct persuasion, guidance and assistance of representatives of the state agency devoting considerable time to the effort. (The county planners, one in each of the five Areas, paid for by Federal funds under the Ohio Survival Project Program, showed that such

efforts could produce some good results. Unfortunately, since their services were lost with the termination of the Survival Project, the impetus has been largely lost; the state-paid staff has been too undermanned to continue such efforts.)

The director of the county-wide civil defense organization should be appointed by a county civil defense board comprised of the executives (or their representatives) of appropriate political subdivisions of the county, subject to the approval of the state director, and with the latter making the final determination in the case of unresolvable disagreement within the board or the board's failure to make an appointment. The county-wide director could be the director of the county organization or the largest city's organization.

4. The law should assign specific duties and functions to heads of state government agencies other than the civil defense agency in such matters as preparing plans, assigning emergency duties to their personnel, providing for training, and other necessary preparatory activities, as well as emergency functions, all in accordance with civil defense plans and programs approved by the governor.

5. Specific provision should be made in the law for the board of county commissioners, or the county civil defense director with their approval, to assign civil defense duties and missions to any or all county government officials,
elected or appointed, in accordance with approved civil
defense plans and programs. Similar provision should be
made with respect to civil defense directors and mayors of
municipalities having civil defense organizations. It is of
interest to note, in considering the problem of securing the
participation of all agencies of government, that the
original Senate Bill No. 138 providing for civil defense in
Ohio included a section setting forth detailed duties and
functions for various municipal officials "and the corres­
ponding officials of other political subdivisions," includ­
ing the police and fire chiefs, director of health, law
director, directors of public works and of welfare, super­
intendent of schools, traffic engineer, and coroner. 2

6. The present Ohio law should be changed so as to
remove the authorization for multi-county "regional local
organizations or authorities," and to add authority for the
governor to divide the state into regional elements for civil
defense purposes. Provision should then be made in the
Governor's Regulations for a regional structure of nine
elements as described above (p. 207).

7. To avoid the dangers of arbitrary and illegiti­
mate power in emergency, as well as to minimize the need for
martial law, the legislature should provide in advance for

2Senate Bill No. 138 (100th General Assembly, Regular
Sess., 1953-1954), sec. 5915.08. These provisions were
deleted before the amended bill was finally passed.
adequate emergency powers for the governor, to be effective only in a civil defense emergency. The nature of such powers has been indicated above (see Chapters VIII, X). The more important ones may be stressed; these include authority for the governor, in an emergency:

a. To assume direct control over all civil defense organizations and workers in the state;

b. To implement economic controls throughout the state or in specific parts, in accordance with prepared plans;

c. To incur debts in the name of the state to cope with effects of disaster, and to pledge the credit of the state to cover the costs of such aid and to reimburse political subdivisions for expenses or debts incurred by them in coping with disaster;

d. To direct the performance of civil defense functions and duties by all agencies and personnel of all governments in the state;

e. To take, condemn, or use private property for emergency purposes (with specified safeguards for the owners of such property);

f. To command the services of private individuals for civil defense purposes;

g. To remove and replace government officials of any government administrative or executive agency for incompetence or failure to perform civil defense duties;
h. To take over the functions of government in any political subdivision whose government is unable to function;

1. To delegate his powers as the situation may require.

8. Some of the emergency powers listed above, in appropriate form, should be provided for the executives of political subdivisions, in addition to the two already in the law. These should include authority:

a. To incur debts in coping with effects of disaster;

b. To direct officials of their respective governments to perform civil defense functions;

c. Implement economic controls within their political subdivisions, in accordance with approved plans;

d. To command the services of private individuals for civil defense purposes, in accordance with approved plans and procedures;

e. To take, condemn, or use private property for civil defense purposes (with specified safeguards for the owners of such property);

f. To delegate his powers as the situation may require.

9. Adequate incentives and sanctions should be added to the law to stimulate the co-operation and compliance of political subdivisions. Most of these have been mentioned
previously, and may be summarized here: (a) provision of matching funds for equipment and supplies; (b) provision of matching funds for personnel and administrative costs; (c) withholding of funds; (d) removal of officials under the provisions of Art. III, sec. 38, Ohio Constitution; (e) establishment of a civil defense organization where political subdivisions have failed to comply with the obligations imposed on them by the law, and making the costs of such organization a charge against the political subdivision concerned. Of these only (a) and, to a lesser extent, (c) (affecting funds provided under (a)) have so far been used by the state.

It is axiomatic of course that efforts to gain co-operation will be more successful through the use of financial incentives than through compulsion. In view of the far greater tax resources of the state and its consistently small expenditures for civil defense, it would seem that the state could well provide for considerable increases of expenditures to provide incentives for co-operation. Nevertheless, means of compulsion should be available, for use in emergency; and even in normal times, it seems the need to establish effective civil defense organizations as a foundation for an adequate state civil defense program warrants the use of action under (e) in cases of continuing non-compliance. A real incentive could be given to local civil defense without
cost to the state government, by lowering to 50 per cent
the extraordinary majority vote of 55 per cent required for
civil defense levies.

10. The problem of providing personnel to man the
civil defense organization needs a thorough-going re-examin-
ation. This problem involves both full-time staffs and
volunteers, and calls for action by the legislature to pro-
vide funds and to enact appropriate legislation. Inadequate
staffing of the permanent civil defense agencies, at all
levels in the state, has resulted in extensive lags in many
civil defense programs as well as crucial weaknesses in
operational capabilities for emergency. It would seem that
the principle legislative action called for here is a loosen-
ing of the purse-strings for civil defense.

The solution of the problem with respect to volunteers
seems to be a civil defense reserve system provided by law,
as described in Chapter VIII. Volunteers are of course
vital to civil defense. Without them the civil defense
effort might well collapse. Yet even with them the civil
defense program falls far short (let it be said again,
through no fault of the volunteers but rather in spite of
their most praiseworthy efforts) of the necessary capabili-
ties for emergency. As has been noted, civil defense relies
on volunteers to fill out the staffs as well as the operat-
ing elements in an emergency. Experience in test exercises,
however, has shown that such augmentation has not been sufficient to provide all the trained personnel needed. Particularly in control center and other staff positions, the administrative, intelligence, supply, control, and other functions and duties require a variety of skills and training. Failure to secure enough trained volunteers at Area control centers, for example, has often resulted in a situation in which the control center has done little more than serve as a communications relay station, sending messages in the form "following message received from state headquarters" down to Authority control centers, and "following message received from ____ Authority" up to the state control center. Clearly the present volunteer program is not adequate to meet the needs of the civil defense organization.

11. A state civil defense co-ordinating board or committee, and similar bodies at the county and city levels, should be established to increase the co-operation and capabilities of all agencies of government for emergency operations. It should include the governor, the civil defense director, and heads of state agencies charged by law with significant civil defense functions and responsibilities. The establishment of such a body should lead to considerably greater knowledge and understanding of civil defense and its problems, both in general and with particular reference to their own agencies, on the part of such heads of agencies, and should generate a stronger spirit of
co-operation and a more positive attitude in readying their agencies for emergency operations. Proper utilization of such a body should thus result in a more rapid and effective development of emergency capabilities for both the agencies and the over-all governmental structure for civil defense. The law now provides for a civil defense advisory council of eleven members appointed by and serving at the pleasure of the governor. This council seldom, if ever, meets and apparently has served no useful purpose for many years. There is no doubt that this condition could be remedied, since the council, which consists of a group of representative and leading citizens serving in the public interest, could bring considerable public attention to focus on the problems of civil defense.

12. Another measure which would promote the development of emergency operational capabilities would be legislative provision for a minimum annual civil defense training time of, for example, 5 days, for all government employees, state and local, on government time.

The problem of designing and establishing an effective civil defense structure is in part the problem of preserving democratic institutions and traditions and at the same time providing enough centralized direction and control.

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3 The United States and many states have such boards or committees.
to get the job done in peace as well as in war. The job is: in peace, to establish the structure and make all necessary plans and other preparations, at all levels of government; in war, to implement plans as required, apply all preparations appropriately, and, in short, execute all operations effectively at all levels. If the objective is to be gained with a minimum of injury to our political institutions and traditions, one method of avoiding permanent injury, of course, is to provide in advance by legislation for the temporary abandonment or modification under emergency conditions of such of our procedures and institutions as might otherwise impede or conflict with the accomplishment of civil defense purposes. The more fully such changes are authorized by legislation in advance, the less likely is the solution in an emergency to be arbitrary, excessive, and a threat to the ultimate restoration of our traditional democratic political institutions. Making plans in advance for all possible contingencies will permit continuing study and revision of such plans with a view to improvement for both effective civil defense performance and preservation of political institutions.

The crux of the problem is that in peace many cumulative pressures make it all too easy to support the preservation of traditions, vested interests and institutions, to stop far short of the necessary degree of departure to provide the required civil defense structure; while in war it
is all too easy to resort to excessive controls, more arbitrary than is necessary even in very dire circumstances, when advance provision has not been fully detailed in a graduated set of controls calculated to meet the demands of a graduated set of contingencies—witness the incidents in World War II of martial law in Hawaii and military control of people of Japanese ancestry on the west coast.

It is perhaps the awareness of the first half of this dilemma, the realization of the difficulty in peacetime of securing a sufficient degree of centralized co-ordination and control to make adequate preparation, that leads public officials—and the public as well—to accept, with varying degrees of resignation or anticipation, the prospect of martial law in the event of nuclear attack. It is a problem calling for vision and statesmanship, at all levels of government, if we are to hold martial law as the last resort instead of the first resort in event of such disaster.

It has been said that government provides services in response to felt needs. It appears that the need for civil defense in all its vast ramifications has not yet been felt widely enough to bring effective demands for adequate government action. This is why the times call for superior political foresight and leadership on the part of the responsible officials of state and local government. If we wait until the need is fully patent to all, it may be too late to start the preparations.
Some of the suggestions made for remedies for the deficiencies in the state civil defense structure may seem overly optimistic, in the light of some of the underlying causes—provincialism of political leaders, not only at the local level but in the state legislature; vested political interests; political and personal rivalries and jealousies involving not only individuals but governments, as for example between rural and urban entities, neighboring municipalities, counties and cities, neighboring counties; the whole complex of local political fragmentation and metropolitan problems; the paradoxical contrast of home rule and local independence in a climate which supports almost a condition of tutelage by the legislature over political subdivisions; and all compounded, of course, by such basic institutions as separation of powers which at the county courthouse becomes fragmentation of powers. Yet the difficulties do not necessarily spell failure; they mean only that the effort must be great, and many must participate in trying to overcome the obstacles.

The energy, the initiative to implement the solutions more effectively must come from all of us, but primarily and vigorously from our political leaders. We must look to the halls of the legislature and the council chambers, to the mayors' offices and the Governor's office, for effective action—not only in this state but in every state. The elected leaders must examine their political consciences and
look to their responsibilities for the safety and welfare of the people. We dare not wait for another Pearl Harbor to shock an unprepared nation into united and dedicated effort and sacrifice—a new Pearl Harbor would mean it is already too late. If our political leaders continue to fall short in these responsibilities, the Nation will be revealed as a bankrupt democracy—wanting in the coin of democratic responsibility and barren of statesmanship. We will be marked as a sterile society, ready to be laid to rest with the many similar societies of history with an epitaph that echoes down the corridors of time—"Here sleeps a people who awoke too late."

We cannot expect a period of grace after another war starts, during which government may pass the necessary laws, build the necessary structure, adequately man and train the staffs and other elements, develop and perfect the necessary administrative and operational procedures, and practice the techniques of co-ordination and co-operation. Our time of grace is now.
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