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# Defense Report

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## Secretary Brown Evades the Military Union Issue—The Cost Could Be Ruinous

The very narrow segment of the US labor movement that favors organizing the military establishment has found an unexpected ally in the man who is charged under the Constitution to manage those armed forces, the Secretary of Defense, Dr. Harold Brown.

In a letter written to Senator John Stennis (D-Miss.), whose Armed Services Committee was hearing testimony on bills to outlaw military unions, Brown proposed to issue regulations which would have the effect of letting any military member join a union as long as that union was not planning any strikes, job actions or does not, "pose a clear danger to the discipline, obedience to lawful orders or chain of command of the armed forces." Brown urged Senator Stennis to hold any further Congressional action in abeyance until the new regulations have been tested, perhaps for as long as a year.

The big issue in the Secretary's mind—or at least in the minds of the civilian lawyers who have been advising him—is whether a law forbidding union participation by military personnel will withstand the test of constitutionality under the First Amendment right to free speech. Military lawyers have consistently taken the opposite position. An anti-union law, they maintain, would be consistent with other exceptions the Supreme Court has already made to adjust for differences in the way military service impacts on individual rights.

Perhaps the most alarming aspect of the regulations the Secretary proposes is the intent to make military commanders responsible to determine which organizations and which activities constitute "a clear danger." The Secretary and his advisors seem to have lost sight of the mission of a commander—to train and prepare his forces to execute their mission—whether that mission is on land, sea or in the air. With the Congress and the Defense Department already demanding detailed management of the smallest resource the harried commander would be hard-pressed to conduct examinations of union actions to determine whether they constitute a "clear danger". His natural reaction could be negative toward anything that complicated the achievement of his mission. The result would be constant turmoil.

Secretary Brown's acquiescence to pressure that lacks abroad base in the union movement is puzzling. And there is no substantial sentiment in military ranks for representation outside the established channels.

The Secretary should stand against a proposition that could wreck the armed forces, rather than take a half-hearted action then wait to see just how ruinous the results will be.