

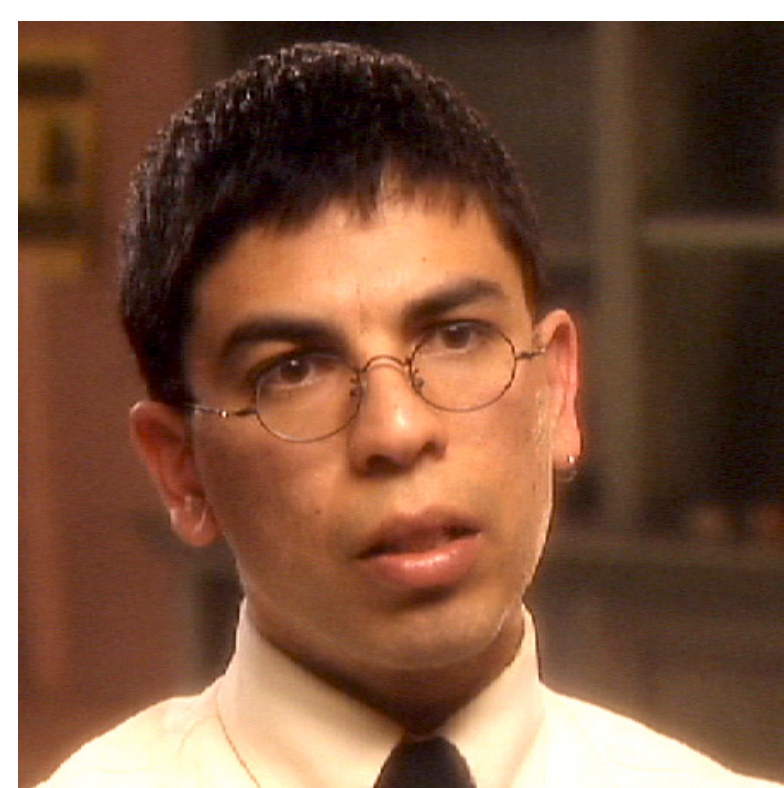
MILITARIZING THE HOME FRONT

America is the product of skepticism. Both the Declaration of Independence and the Constitution itself are expressions of skepticism about governmental power.

During the years of British rule, the English army would march into American colonial towns and take over the local infrastructure. Private homes, barns, and outbuildings were seized to quarter troops during their stay in the village.

Antipathy toward these actions is reflected in the Constitution. Just as the document is a reaction against other tactics of British rule, the Bill of Rights contains a prohibition on the quartering of troops in private homes.

Skepticism about standing armies also drove the politics of the founding era. The Federalist Papers – the lengthy arguments for the passage of the Constitution – deal extensively with possible threats posed by standing armies. A century later, Congress even passed a law barring the military from enforcing domestic laws – the Posse Comitatus Act. That law is still on the books today.



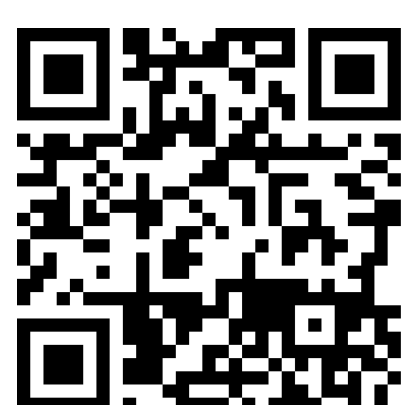
“Generally speaking, the military has been kept out of policing functions. The military is not trained to think in terms of Miranda rights, like the police do. So there’s been a long history of keeping the military out of policing.” – Jose Pallafox, author

While the Posse Comitatus law is still in force, Congress has weakened it in recent decades. The 1980s saw the creation of legal loop-holes that allowed the military to become involved in drug enforcement. The 1990s saw active-duty military troops being stationed at the Mexican border. Not long thereafter, American citizen Eziquiel Hernandez was shot and killed by a U.S. marine while herding goats.

The Bush administration’s domestic plans for the military were expansive. Internal legal memos reveal that the President’s advisors urged him to send the Army to arrest suspected terrorists in New York. The memos also indicate that administration lawyers considered the military to be exempt from key Constitutional constraints.

At the same time, elements of military culture have been absorbed into domestic law enforcement. Today, military agencies and local police departments share training and technology freely. In cities from Minneapolis to Miami to Denver, SWAT teams awash in military hardware have forced their way into the wrong homes, arrested the wrong suspects, and have even killed the innocent.

“That’s the problem when you play war in a civilian environment. Not surprisingly, since military action is not compatible with the Bill of Rights, the Bill of Rights has suffered.” – Larry Pratt, Gun Owners of America



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