

# “Homeland Defense” and the Militarization of America. Repeal of the Posse Comitatus Act

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*GR Editor’s Note: This incisive article with foresight by author Frank Morales originally published by GR in 2003 describes a process which is now culminating in the militarization of law enforcement in the US and the repeal of the Posse Comitatus Act.*

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To further prepare for new “law enforcement” missions for the military within America, overseen by the Northern Command, the Center for Law and Military Operations, based in Charlottesville, Virginia, recently published the legal rationale for these developments.

Entitled, Domestic Operational Law Handbook for Judge Advocates, the document reflects the growing momentum towards the repeal of the Posse Comitatus Act. Virtually unreported in any media, and published prior to 911, the document states that although “the Founding Fathers’ hesitancy to raise a standing army and their desire to render the military subordinate to civilian authority” is “rooted in the Constitution,”

“exceptions to the restrictions on employment of federal armed forces to assist state and local civil authorities are also grounded in the Constitution, which provides the basis for federal legislation allowing military assistance for civil disturbances.”

(See Domestic Operational Law Handbook for Judge Advocates, <https://www.jagcnet.army.mil/JAGCNETInternet/Homepages/AC/CLAMO-Public.nsf> )



The JAG handbook attempts to solidify, from a legal standpoint, Pentagon penetration of America and its “operations other than war,” essentially providing the U.S. corporate elite with lawful justification for its class war against the American people, specifically those that resist the “new world law and order” agenda.

Militarization of law enforcement (right)

The handbook notes that “the Department of Defense Civil Disturbance Plan, named GARDEN PLOT, provides guidance and direction for planning, coordination, and executing military operations during domestic civil disturbances.”

Operation Garden Plot, originating in 1968 and continually updated, is according to the JAG handbook, tasked with the mission of conducting “civil disturbance operations throughout the United States,” providing “wide latitude to a commander to use federal forces to assist civil law enforcement in restoring law and order.”

And it’s exactly this type of “wide latitude” that we’ve witnessed at recent protests [2003] in NYC and Oakland.

United States Army Field Manual 19-15, entitled Civil Disturbances, issued in 1985, is designed to equip soldiers with the “tactics, techniques and procedures” necessary to suppress dissent. The manual states that “crowd control formations may be employed to disperse, contain, or block a crowd. When employed to disperse a crowd, they are particularly effective in urban areas because they enable the control force to split a crowd into smaller segments.”

(See <http://www.globalsecurity.org/military/library/policy/army/fm/19-15/CH8.htm> )

Sound familiar?

If you were at the February 15 [2003] NYC Peace Rally it certainly does. The manual goes on to state that “if the crowd refuses to move, the control force may have to employ other techniques, such as riot control agents or apprehensions...”

The Army’ “civil disturbance” manual, correlated to present day realities, also makes the point that “civil disturbances include acts of terrorism,” which “may be organized by disaffected groups,” who hope to “embarrass the government,” and who may in fact “demonstrate as a cover for terrorism.”

The sophistry involved in turning a peace rally into a pro-al Qaeda rally is precisely the logic that is operative within Pentagon driven civil disturbance planning situated within the broader context of so-called “homeland defense.” In fact, rather than protest being the occasion of “terrorism,” the “war on terrorism” is the cover for the war on dissent. But don’t take my word for it. Listen to what the California Anti-Terrorism Information Center spokesman Mike Van Winkle had to say recently to the Oakland Tribune (5/18/03):

“You can make an easy kind of link that, if you have a protest group protesting a war where the cause that’s being fought against is international terrorism, you might have terrorism at that protest...You can almost argue that a protest against that is a terrorist act.”

(See <http://fact.trib.com/1st.lev.inquisitionUSA.html> )

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