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In America Drones Are a Local Issue: In Violation of Fourth Amendment

By David Swanson
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War is a Crime

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No city is an island, Entire of itself. Each is a piece of the continent, A part of the main.

I write from Charlottesville, Va., but am hopeful that this message applies to your city, town, or county as well.

In the absence of state or federal laws, localities around the United States are proceeding to put unmanned aerial vehicles in our skies as they see fit. The federal government has authorized the flight of 30,000 drones, and the use of drones up to 400 feet by police departments, at least 300 of which already have surveillance drones in operation.

States and localities can ban or regulate such actions. Or they can proceed to endanger our health and our civil rights.

In Montgomery County, Texas, the Sheriff showed off a drone to the media but crashed it into his armored vehicle (thereby, I guess, proving that he needed an armored vehicle).

When the Dept. of Homeland Security challenged the University of Texas-Austin to hack into a drone and take control of it, the response was “No problem,” and it was quickly done.

Drones are not safe.

Surveillance by drones cannot comply with the Fourth Amendment.

And the arming of drones with tear gas and rubber bullets, already underway in many U.S. localities, is an outrageous threat to our First Amendment right to assemble and petition our governments for a redress of grievances.

If Charlottesville were to remain silent while (how shall I put this delicately?) *crack-pot* cities continue setting de facto law, we would all be worse off.

Charlottesville City Council routinely informs the state general assembly of its wishes. That state assembly has already been considering legislation on drones. Charlottesville has a responsibility to speak up, as well as to act locally on its own behalf.

Moreover, Charlottesville’s influence spreads. Its past resolutions on Iraq, military spending, uranium, and other matters have inspired other localities and the U.S. Conference of Mayors to raise their voices as well. Some of these resolutions have been directed to the federal government, to which the residents of Charlottesville pay taxes and whose laws the residents of Charlottesville are subject to.

This is how our republic is supposed to work. City council members in Virginia take an oath to support the Constitution of the United States and the Constitution of the Commonwealth of Virginia. Cities and towns routinely send petitions to Congress for all kinds of requests. This is allowed under Clause 3, Rule XII, Section 819, of the Rules of the House of Representatives. This clause is routinely used to accept petitions from cities, and memorials from states, all across America. The same is established in the Jefferson Manual, the rule book for the House originally written by Thomas Jefferson for the Senate.

In 1967 a court in California ruled (Farley v. Healey , 67 Cal.2d 325) that "one of the purposes of local government is to represent its citizens before the Congress, the Legislature, and administrative agencies in matters over which the local government has no power. Even in matters of foreign policy it is not uncommon for local legislative bodies to make their positions known."

Abolitionists passed local resolutions against U.S. policies on slavery. The anti-apartheid movement did the same, as did the nuclear freeze movement, the movement against the PATRIOT Act, the movement in favor of the Kyoto Protocol, etc.

We are not an island. If we become environmentally sustainable, others will ruin our climate. If we ban assault weapons, they'll arrive at our borders. And if the skies of the United States are filled with drones, it will become ever more difficult for Charlottesville to keep them out.

Just over a year ago, the Charlottesville City Council passed a resolution calling for an end to "foreign ground and drone wars."

U.S. drone wars are now under investigation by the United Nations as possible crimes. We now know that individuals are targeted without so much as identifying their names. We now know that hundreds of children have been killed. We now know that at least three Americans have been targeted and killed. The view of our city should be restated in the context of local and state actions on drones.

This is an action desired by local people, affecting local people, and costing the local budget exactly nothing.

Each man's death diminishes me, For I am involved in mankind. Therefore, send not to know For whom the bell tolls, It tolls for thee.
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