

Say NO to the Use of the Military against Peaceful Protest in the United States

Will the Military be used against the Occupy Movement?

By [Kevin Zeese](#)

Global Research, December 13, 2011

13 December 2011

Region: [USA](#)

Theme: [Police State & Civil Rights](#)

The Congress is rushing through S. 1867, the Defense Authorization Bill. It contains a radical change in law – allowing the use of the military inside the United States, against U.S. citizens and residents, allowing their indefinite military detention based merely on suspicion of being engaged in hostilities against the U.S. This amendment, sponsored by Senators Carl Levin and John McCain, was added in the senate after a closed door hearing and has received bi-partisan support on the Senate floor, with very little debate.

At the request of the White House language that exempted American citizens and legal residents from indefinite military detention was removed from the bill passed by the Senate Armed Services Committee, as Senator Levin said on the senate floor.

http://www.youtube.com/embed/PLiKvSz_wX8

This is a major shift from a country that forbids the use of the military domestically under the [Posse Comitatus Act](#) passed in 1878 during the Reconstruction Era. There have been holes in the domestic use of the military primarily in drug enforcement. Indeed, I worked on one case involving [Esequiel Hernandez](#), an 18 year old high school student killed on the Texas-Mexican border by Marines on drug patrol in 1997. The Hernandez killing shows why the U.S. military is the wrong tool for enforcement inside the United States and raises questions for young soldiers ordered to turn their weapons on Americans.

On Friday [Occupy Washington, DC](#) on Freedom Plaza had a discussion on the Department of Justice's responsibility to uphold the rule of law when it comes to abuses of the military and CIA regarding human rights abuses like torture and the killing of civilians. During that discussion Ray McGovern, a retired 27 year veteran of the CIA, who provided the morning intelligence briefing to multiple presidents and security advisers, said that he thought the provisions allowing domestic use of the military and military detention were being added because of fear of civil unrest at home.

The Tea Party and Occupy Movement are signs of an American revolt – a revolt against a corrupt government that funnels wealth to the top 1% while leaving Americans economically insecure. When I asked McGovern about this he said he could not see any reason for the domestic use of the military except for the fear of the elites:

"I think it may be fear. They worry that the DC police, Park Police, even Capitol Police will be subverted into seeing that they are really part of the 99%; that

when push comes to shove (literally) they cannot be relied upon to carry out mass arrests/imprisonments; that the powers-that-be need to be able to call on the Army, which can be more dependably relied upon to carry out whatever bloody orders may be required at the time.”

In fact, there have been examples of police criticizing and not participating in efforts to arrest or remove occupiers. In [Albany, NY police refused](#) to arrest occupiers saying they were not causing any trouble. In [Baltimore, the police union endorsed](#) the occupy and urged the mayor to let them stay. Retired Philadelphia [Police Captain Ray Lewis](#) went to Zucotti Park to [urge police](#) to join the occupiers. When a police commander in New York pepper sprayed arrested women, you can hear another police officer saying on the video tape, “I can’t believe he just pepper sprayed her.” Oakland police officer [Fred Shavies](#) who had gone undercover against the Occupy Movement now says he supports it and knows police are part of the 99%. From the beginning at Freedom Plaza we have described [the police as part of the 99%](#). Police have mostly treated us with respect; some have even made financial donations to our effort. Those police who abuse their power will create more divides among police and pull more to our side because most know we only seek fairness, justice and participatory democracy.

But, will the military obey orders to shoot Americans or make mass arrests of non-violent civilian protesters? That is an open question. There is dissent in the military as well. United States Marine Corps. Sgt. Shamar Thomas from Roosevelt, NY told New York City police, in a widely watched, now iconic video, there is no heroism in attacking unarmed civilians. No doubt many who have volunteered to serve in the military feel the same way as Sgt. Thomas.

<http://www.youtube.com/embed/WmEHcOc0Sys>

The the vague language of the amendment allows the military to be used against protesters. In subsection A of Section 1032 it states that the military can be used against people (including U.S. citizens) that “are substantially supporting, al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners; or (B) have engaged in hostilities or have directly supported hostilities in aid of a nation, organization, or person described in subparagraph (A). The key, vague words are “substantially supporting” “associated forces” “engaged in hostilities” “in aid of a . . . organization or person.” There is a lot of flexibility in those words and when they apply – no need for probable cause, a trial, jury verdict or sentencing – just on suspicion you get indefinite military detention.

The military’s role in the United States has been growing. In 2002 President Bush established [NorthCom](#), a military command inside the United States based in Colorado with additional bases in Alaska, Florida, Texas, Virginia and the DC area. On October 1, 2008, the [3rd Infantry Division \(United States\)](#)’s 1st [Brigade Combat Team](#) was assigned to U.S. Northern Command, marking the first time an active unit had been given a dedicated assignment to Northern Command. In 2008 The Pentagon [announced plans](#) to deploy 20,000 troops inside the United States, set to be trained by 2011. The change in law in the new Defense Authorization comes at a time of rapidly creeping domestic military expansion.

Could the elites actually see protesters seeking a participatory democracy who challenge concentrated wealth as terrorists? Well, in a December 2, 2011 [document issued by City of](#)

[London police](#) entitled a “Terrorism/extremism Update” given to London businesses, the police defined Occupy London as a terrorist group. In the section on domestic terrorism the Occupy Movement and other critics of capitalism were singled out as terrorists. As the [Guardian reported](#) the document said: “As the worldwide Occupy movement shows no sign of abating, it is likely that activists aspire to identify other locations to occupy, especially those they identify with capitalism.” The document went on to say that police had “received a number of hostile reconnaissance reports concerning individuals who would fit the anti-capitalist profile,” and asked businesses to be “vigilant for further sign of occupation activity.”

When the Guardian asked the police about the document rather than apologizing, they defended it saying the “City of London police works with the community to deter and detect terrorist activity and crime in the City in a way that has been identified nationally as good practice . . . We’ve seen crime linked to protests in recent weeks, notably around groups entering office buildings, and with that in mind we continue to brief key trusted partners on activity linked to protests.” While the terrorist label has not been applied to U.S. occupiers, the [counterterrorism unit](#) of the NYPD has been used at Zucotti Park.

The Occupy Movement is in its infancy, less than three months old, and already it [has the elites petrified](#). As a top Republican pollster, Frank Luntz, told a Republican Governors meeting last week, I’m “[scared of this anti-Wall Street effort](#). I’m frightened to death.” The Tea Party, which has its roots in similar economic insecurity and economic unfairness has for the most part been co-opted by the Republican Party and lost its energy, but the Occupy Movement has [resisted co-option](#) by the Democratic Party and its [operatives](#).

The Occupy Movement, despite [more than 5,100 arrests](#) and [aggressive police](#) actions across the country, is not going anywhere. In fact, it strives to become an even bigger movement and more powerful political force. Plans are being made to bring occupiers from across the country to Washington, DC for [an American Spring](#). If the elites are scared now, what will it be like when this movement grows and matures?

This is all occurring when economic insecurity is getting worse. The economy is not done collapsing, critical resources are getting more limited and hence more expensive, the greed of the elites seems unquenchable, the global economy means that the middle class will have a hard time getting decent paying jobs as more jobs are shipped to less expensive labor markets and the very limited social safety net is under attack while poverty rises. The elites know they are not solving critical problems, are incapable of doing so because of their own corruption and that the political system cannot respond. As economic insecurity gets worse, the [economic unfairness](#) becomes [more evident](#) resulting in growing anger and action.

It is not that the economic problems are unsolvable. When Occupy Washington, DC held its own [Occupied Super Committee hearings](#) and asked experts to put forward evidence-based solutions to the economic mess, they did so. By facing up to the 1% and the military industrial complex, we [achieved the super committee’s deficit reduction targets in two years](#), created millions of jobs, forgave student debt, restored the housing market and began to democratize the economy. Knowing solutions exist, but the dysfunctional government cannot implement them will lead to more Americans joining the Occupy Movement.

One of the gravest grievances described in the [Declaration of Independence](#) was the misuse

of standing armies against the colonialists. Numerous state constitutions declared standing armies a threat to liberty and the U.S. Constitution showed [antipathy to militarism](#). Now, the Congress and President Obama are prepared to turn the military against Americans and allow indefinite military detention without any finding of guilt. If the elites think military force against Americans will quell the revolt of the people they are wrong; it will have the opposite effect and fuel the revolt against the elites.

Wednesday, December 14th is [a national day of action](#) against the use of the military in the United States.

More Information:

Christopher A. Andrews, [Behind Closed Doors: Congress Trying to Force Indefinite Detention Bill on Americans](#), Huffington Post, December 9, 2011.

David Kopel, [Defense bill will allow President to indefinitely detain American citizens](#), The Volokh Conspiracy, November 30, 2011.

Glenn Greenwald, [Congress endorsing military detention, a new AUMF](#), Salon, December 1, 2011.

Coleen Rowley, [BRINGING the War on Terror Home](#), Consortium News, December 4, 2011.

Matt Taibbi, [Indefinite Detention of American Citizens: Coming Soon to Battlefield U.S.A.](#), Rolling Stone, December 9, 2011.

Kevin Zeese is an organizer of the [Occupation of Washington, DC](#), co-director of [It's Our Economy](#) and co-chair of [Come Home America](#).

The original source of this article is Global Research
Copyright © [Kevin Zeese](#), Global Research, 2011

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Kevin Zeese](#)

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca