

Martial Law and the Avian Flu Pandemic

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The threat of the avian flu pandemic is real. Until recently, national governments and the WHO have dismissed the seriousness of the crisis. The public has been misinformed. The issue has been barely mentioned by the media.

Why all of a sudden is avian flu on the presidential agenda?

The issue was placed on the agenda of the President's White House Press Conference (October 4, 2005). There was nothing spontaneous in the White House journalist's question to President Bush, which explicitly pointed to a role for the country's "defense assets" in the case of a pandemic.

We are not dealing with an off-the-cuff statement. Both the question as well as Bush's response calling for a greater role of the Military, had been prepared in advance:

QUESTION: Mr. President, you've been thinking a lot about pandemic flu and the risks in the United States if that should occur.

I was wondering, Secretary Leavitt has said that first responders in the states and local governments are not prepared for something like that. To what extent are you concerned about that after Katrina and Rita?

And is that one of the reasons you're interested in the idea of using defense assets to respond to something as broad and long-lasting as a flu might be?

BUSH: Yes. Thank you for the question.

I am concerned about avian flu. I'm concerned about what an avian flu outbreak could mean for the United States and the world.

BUSH: I have thought through the scenarios of what an avian flu outbreak could mean. I tried to get a better handle on what the decision-making process would be by reading Mr. Barry's book on the influenza outbreak in 1918. I would recommend it.

The policy decisions for a president in dealing with an avian flu outbreak are difficult.

One example: If we had an outbreak somewhere in the United States, do we not then quarantine that part of the country? And how do you, then, enforce a quarantine?

It's one thing to shut down airplanes. It's another thing to prevent people from coming in to get exposed to the avian flu.

BUSH: And who best to be able to effect a quarantine?

One option is the use of a military that's able to plan and move. So that's why I put it on the table. I think it's an important debate for Congress to have.

I noticed the other day, evidently, some governors didn't like it. I understand that. I was the commander in chief of the National Guard and proudly so. And, frankly, I didn't want the president telling me how to be the commander in chief of the Texas Guard.

But Congress needs to take a look at circumstances that may need to vest the capacity of the president to move beyond that debate. And one such catastrophe or one such challenge could be an avian flu outbreak.

QUESTION: (OFF-MIKE)

BUSH: Wait a minute, this is an important subject.

Secondly, during my meetings at the United Nations, not only did I speak about it publicly, I spoke about it privately to as many leaders as I could find, about the need for there to be awareness, one, of the issue and two, reporting — rapid reporting to WHO, so that we can deal with a potential pandemic.

The reporting needs to be not only on the birds that have fallen ill, but also on tracing the capacity of the virus to go from bird to person to person. That's when it gets dangerous: when it goes bird, person, person.

BUSH: And we need to know on a real-time basis as quickly as possible the facts so that the world scientific community can analyze the facts and begin to deal with it.

Obviously, the best way to deal with a pandemic is to isolate it and keep it isolated in the region in which it begins.

As you know, there's been a lot of reporting of different flocks that have fallen ill with the H5N1 virus. And we've also got some cases of the virus being transmitted to a person, and we're watching very carefully.

Thirdly, the development of a vaccine.

BUSH: I've spent time with Tony Fauci on the subject.

Obviously, it would be helpful if we had a breakthrough in the capacity to develop a vaccine that would enable us to feel comfortable here at home, that not only would first responders be able to be vaccinated, but as many Americans as possible, and people around the world.

But, unfortunately, we're just not that far down the manufacturing process. And there's a spray, as you know, that can maybe help arrest the spread of the disease, which is in relatively limited supply.

So one of the issues is how do we encourage the manufacturing capacity of the country, and maybe the world, to be prepared to deal with the outbreak of a pandemic?

BUSH: In other words, can we surge enough production to be able to help deal with the issue?

I take this issue very seriously, and I appreciate you bringing it to our attention.

The people of the country ought to rest assured that we're doing everything

we can. We're watching it. We're careful. We're in communications with the world.

I'm not predicting an outbreak. I'm just suggesting to you that we better be thinking about it. And we are. And we're more than thinking about it, we're trying to put plans in place.

And one of the plans — back to where your original question came — was, you know, if we need to take some significant action, how best to do so. And I think the president ought to have all options on the table to understand what the consequences are — all assets on the table, not options — assets on the table to be able to deal with something this significant. (White House Press Conference, 4 October, 2005, italics added)

Militarization of Public Health

The statement of President Bush suggests the enactment of Martial Law in the case of an avian flu outbreak. Martial Law could also be established, using the pretext of an outbreak of avian flu in foreign countries and its potential impacts on the US.

In other words, the Military rather than the country's civilian health authorities would be put in charge.

A decision to put the Military in charge of a public health emergency spells disaster, as evidenced by the intervention of the Military in hurricane relief in Louisiana and Southern Texas. (See <http://www.globalresearch.ca/index.php?context=newsHighlights&newsId=29>

The pandemic is being presented to public opinion as an issue of National Security, with a view to triggering the militarization of civilian institutions in blatant violation of the Posse Comitatus Act.

The statement of President Bush with regard to the avian flu pandemic bears a marked resemblance to an earlier statement, also at a Press Conference, in the wake of Hurricane Rita, during which the President and Commander in Chief called for the Military to become the "lead agency" in disaster relief.

BUSH ".....The other question, of course, I asked, was, is there a circumstance in which the Department of Defense becomes the lead agency. Clearly, in the case of a terrorist attack, that would be the case, but is there a natural disaster which — of a certain size that would then enable the Defense Department to become the lead agency in coordinating and leading the response effort. That's going to be a very important consideration for Congress to think about. (Italics added)

(Press Conference, 25 Sept 2005
<http://www.globalresearch.ca/index.php?context=viewArticle&code=BUS20050925&articleId=1004>)

The hidden agenda consists in using the threat of a pandemic and/or the plight of a natural disaster as a pretext to establish military rule, under the facade of a "functioning democracy".

What Bush's statements suggest is that Congress should enact legislation which will, in

practice suspend Constitutional government and allow the Military to intervene in civilian affairs in violation of the Posse Comitatus Act. The latter, however, while still on the books, is in practice already defunct.

(See Frank Morales at <http://globalresearch.ca/articles/MOR309A.html>).

Legislation inherited from the Clinton administration, not to mention the post 9/11 Patriot Acts I and II, “blurs the line between military and civilian roles”. It allows the military to intervene in judicial and law enforcement activities even in the absence of an emergency situation.

In 1996, legislation was passed which allowed the military to intervene in the case of a national emergency (e.g.. a terrorist attack). In 1999, Clinton’s Defense Authorization Act (DAA) extended those powers (under the 1996 legislation) by creating an “exception” to the Posse Comitatus Act, which permits the military to be involved in civilian affairs “regardless of whether there is an emergency”.

(See <http://www.aclu.org/NationalSecurity/NationalSecurity.cfm?ID=8683&c=24>) at
ACLU

Despite this 1999 “exception” to the Posse Comitatus Act”, which effectively invalidates it, both the Pentagon and Homeland Security, have been actively lobbying Congress for the outright repeal of the 1878 legislation.

(See Michel Chossudovsky, <http://www.globalresearch.ca/articles/CHO504B.html>)

To achieve public support for the Military to become “the lead agency”, the Bush administration is not only resorting to the usual counter-terrorism justification.

Other supportive criteria are being developed to justify military rule. In this regard, at the height of Hurricane Katrina, meetings were held under the auspices of US Northern Command, involving the participation of Bush, Rumsfeld and Chertoff, to examine the role of the military in disaster relief. (See <http://www.globalresearch.ca/index.php?context=viewArticle&code=CHO20050924&articleid=991>)

Spiraling Defense Budget

According to the Wall Street Journal (Oct 1, 2005), the Bush administration plans to ask Congress for an estimated \$6-10 billion “to stockpile vaccines and antiviral medications as part of its plans to prepare the U.S. for a possible flu pandemic”

This commitment of the administration has not, however, resulted in an expansion of the nation’s public health budget. In fact quite the opposite. Consistent with its role as “lead agency”, more than half of the money earmarked for the program is slated to be handed over to the Pentagon.

An amendment to the defense-spending bill in the Senate would earmark \$3.9 billion “to prepare the U.S. for a flu pandemic”.

In other words, what we are dealing with is a process of militarization of the civilian budget. Civilian social sector budgets are now being transferred to the Department of

Defense. The money for a public health program is controlled by the Department of Defense, under the rules of DoD procurement.

“The US Senate voted yesterday to provide \$4 billion for antiviral drugs and other measures to prepare for a feared influenza pandemic, but whether the measure would clear Congress was uncertain.

The Senate attached the measure to a \$440 billion defense-spending bill for 2006, according to the Associated Press (AP). But the House included no flu money in its version of the defense bill, and a key senator said he would try to keep the funds out of the House-Senate compromise version. The Senate is expected to vote on the overall bill next week.

Almost \$3.1 billion of the money would be used to stockpile the antiviral drug oseltamivir (Tamiflu), and the rest would go for global flu surveillance, development of vaccines, and state and local preparedness, according to a Reuters report. The government currently has enough oseltamivir to treat a few million people, with a goal of acquiring enough to treat 20 million”

(CIDRAP,
<http://www.cidrap.umn.edu/cidrap/content/influenza/panflu/news/sep3005avian.html>)

Multibillion Financial Bonanza for the BioTech Conglomerates

The threat of the avian flu pandemic will result in multibillion dollar earnings for the pharmaceutical and biotech industry.

In this regard, a number of major pharmaceutical companies including GlaxoSmithKline, Sanofi-Aventis, California based Chiron Corp, BioCryst Pharmaceuticals Inc, Novavax and Wave Biotech, Swiss pharmaceutical giant Roche Holding, have positioned themselves in the procurement of vaccines in case of an avian ‘flu outbreak. Maryland-based biotechnology company MedImmune which produces “an inhaled flu vaccine” has also positioned itself to develop a vaccine against the H5N1 avian flu.

(Although it has no expertise in the avian flu virus, one of the major actors in the vaccine business, on contract to the Pentagon, is Bioport, a company which is part owned by the Carlyle Group, which is closely linked to the Bush Cabinet with Bush Senior on its board of directors.)

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