

Military Says No Presidential Authorization Needed To Quell “Civil Disturbances”

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A recent Department of Defense instruction alters the US code applying to the military’s involvement in domestic law enforcement by allowing US troops to quell “civil disturbances” domestically without any Presidential authorization, greasing the skids for a de facto military coup in America along with the wholesale abolition of Posse Comitatus.

The instruction (embedded at the end of this article), which was originally released in February yet has only come to light this week, outlines DoD policy regarding, “DoD support to Federal, State, tribal, and local civilian law enforcement agencies, including responses to civil disturbances within the United States.”

On page 16 of the document ([PDF](#)), we find the following amendment (emphasis mine);

(3) When permitted under emergency authority in accordance with Reference (c), Federal military commanders have the authority, in extraordinary emergency circumstances where **prior authorization by the President is impossible** and duly constituted local authorities are unable to control the situation, **to engage temporarily in activities that are necessary to quell large-scale, unexpected civil disturbances** because:

(a) Such activities are necessary to prevent significant loss of life or wanton destruction of property and are necessary to restore governmental function and public order; or,

(b) When duly constituted **Federal, State, or local authorities are unable or decline to provide adequate protection** for Federal property or Federal governmental functions. Federal action, including the use of Federal military forces, is authorized when necessary to protect Federal property or functions.

On page 17 of the document, a number of different scenarios are listed under which the military is forbidden involvement, although the broader power of quelling domestic disturbances without presidential or congressional authorization is claimed.

In essence, this policy change seeks to supersede [Posse Comitatus](#), the 1878 law which forbids the military from being involved in domestic law enforcement “except in cases and under circumstances expressly authorized by the Constitution or Act of Congress.”

Under the [Insurrection Act of 1807](#), the President may deploy armed forces domestically under extreme circumstances but Congress has to review the action every 14 days.

Under the [War Powers Resolution of 1973](#), the President cannot commit troops to an armed

conflict for a period longer than 60 days without an authorization from Congress of the use of military force or a declaration of war.

Under no circumstances in current US law is it legal for the military to deploy itself domestically without authorization from either the President, Congress or both.

In claiming this power, the Pentagon is effectively opening the door to a potential future military coup.



“It’s quite shocking actually because it violates the long-standing presumption that the military is under civilian control,” Bruce Afran, a civil liberties attorney and constitutional law professor at Rutgers University, [told Long Island Press](#), adding that the rule change represents “a wanton power grab by the military.”

Afran pulled no punches in comparing the move to what happened in Nazi Germany under similar decrees, noting that it hands, “emergency power to the military to rule over parts of the country at their own discretion.”

Afran also cautioned that the term “temporarily” was a misnomer.

“Governments never like to give up power when they get it,” he stated. “They still think after twelve years they can get intelligence out of people in Guantanamo. Temporary is in the eye of the beholder. That’s why in statutes we have definitions. All of these statutes have one thing in common and that is that they have no definitions. How long is temporary? There’s none here. The definitions are absurdly broad.”

The new DoD “instruction” follows numerous other examples of how the military is clearly gearing up for civil unrest and confrontation with American citizens on U.S. soil.

[A US Army Military Police training manual](#) for “Civil Disturbance Operations” leaked in July last year outlines how military assets are to be used domestically to quell riots, confiscate firearms and even kill Americans on U.S. soil during mass civil unrest.

The document outlines how military assets will be used to “help local and state authorities to restore and maintain law and order” in the event of mass riots, civil unrest or a declaration of martial law.

The manual also describes how prisoners will be processed through temporary internment camps under the guidance of U.S. Army FM 3-19.40 Internment/Resettlement Operations, which [as we reported last year](#), outlines how internees would be “re-educated” into developing an “appreciation of U.S. policies” while detained in prison camps inside the United States.

On page 20 of the manual, rules regarding the use of “deadly force” in confronting “dissidents” are made disturbingly clear with the directive that a, “Warning shot will not be fired.”

Preparations for civil unrest inside the United States have accelerated over the past five years.

Back in 2008, U.S. troops returning from Iraq were [earmarked for “homeland patrols”](#) with one of their roles including helping with “civil unrest and crowd control”.

In December 2008, the [Washington Post reported](#) on plans to station 20,000 more U.S. troops inside America for purposes of “domestic security” from September 2011 onwards, an expansion of Northcom’s militarization of the country in preparation for potential civil unrest following a total economic collapse or a mass terror attack.

A report produced that same year by the [U.S. Army War College’s Strategic Institute](#) warned that the United States may experience massive civil unrest in the wake of a series of crises which it termed “strategic shock.”

“Widespread civil violence inside the United States would force the defense establishment to reorient priorities in extremis to defend basic domestic order and human security,” [stated the report](#), authored by [Ret.] Lt. Col. Nathan Freir, adding that the military may be needed to quell “purposeful domestic resistance”.

[Rex 84](#), short for Readiness Exercise 1984, was established under the pretext of a “mass exodus” of illegal aliens crossing the Mexican/US border.

During the Iran-Contra hearings in 1987, however, it was revealed that the program was a secretive “scenario and drill” developed by the federal government to suspend the Constitution, declare martial law, assign military commanders to take over state and local governments, and detain large numbers of American citizens determined by the government to be “national security threats.”

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