



uruknet.info

اوروكنت.انفو

informazione dall'iraq occupato
information from occupied iraq
أخبار من العراق المحتل

[home page] | [tutte le notizie/all news] | [download banner] | [ultimo aggiornamento/last update 27/10/2006 17:31] 27769

Importante per i lettori italiani: È stata migliorata e rinnovata la sezione in lingua italiana: [clickare sulla bandierina](#) oppure entrare come www.uruknet.eu



Subscribe our newsletter! - Iscriviti alla nostra newsletter!

Now it is possible to post comments to the articles. Register here to get the password!

[:: contact](#)

[:: Uruknet on GoogleNews](#)
[:: Uruknet su GoogleNews Italia](#)

[:: Free Download of Uruknet Calendar 2006](#)

uruknet:
il nostro progetto
our project

[:: Segnala Uruknet agli amici. Clicka qui.](#)

[:: Invite your friends to Uruknet. Click here.](#)

[:: links](#)

[:: Segnalaci un articolo](#)
[:: Tell us of an article](#)



www.beppegrillo.it

[:: If you find this site informative, please donate - every donation helps us keep up with costs. Thanks.](#)



[:: Autodeterminazione e resistenza irakena](#)

Bush Moves Toward Martial Law

Frank Morales

October 26, 2006

In a stealth maneuver, President Bush has signed into law a provision which, according to Senator Patrick Leahy (D-Vermont), will actually encourage the President to declare federal martial law (1). It does so by revising the Insurrection Act, a set of laws that limits the President's ability to deploy troops within the United States. The Insurrection Act (10 U.S.C.331 -335) has historically, along with the Posse Comitatus Act (18 U.S.C.1385), helped to enforce strict prohibitions on military involvement in domestic law enforcement. With one cloaked swipe of his pen, Bush is seeking to undo those prohibitions.

Public Law 109-364, or the "John Warner Defense Authorization Act of 2007" (H.R.5122) (2), which was signed by the commander in chief on October 17th, 2006, in a private Oval Office ceremony, allows the President to declare a "public emergency" and station troops anywhere in America and take control of state-based National Guard units without the consent of the governor or local authorities, in order to "suppress public disorder."

President Bush seized this unprecedented power on the very same day that he signed the equally odious Military Commissions Act of 2006. In a sense, the two laws complement one another. One allows for torture and detention abroad, while the other seeks to enforce acquiescence at home, preparing to order the military onto the streets of America. Remember, the term for putting an area under military law enforcement control is precise; the term is "martial law."

Section 1076 of the massive Authorization Act, which grants the Pentagon another \$500-plus-billion for its ill-advised adventures, is entitled, "Use of the Armed Forces in Major Public Emergencies." Section 333, "Major public emergencies; interference with State and Federal law" states that "the President may employ the armed forces, including the National Guard in Federal service, to restore public order and enforce the laws of the United States when, as a result of a natural disaster, epidemic, or other serious public health emergency, terrorist attack or incident, or other condition in any State or possession of the United States, the President determines that domestic violence has occurred to such an extent that the constituted authorities of the State or possession are incapable of ("refuse" or "fail" in) maintaining public order, "in order to suppress, in any State, any insurrection, domestic violence, unlawful combination, or conspiracy."

[:: What happened in Kurdish Halabja?](#)



new!

[:: Lettera del Presidente Saddam Hussein al popolo americano](#)
[:: Letter from President Saddam Hussein to the American People](#)



[:: Lynching Saddam by Gabriele Zamparini](#)

[The newsletter archive](#)

di Aldo Bernardini, Ordinario di Diritto internazionale all'Università di Teramo

:: ONU - XX Assemblea Generale (1965): La XX Assemblea Generale dell'ONU (1965) dichiara "la legittimità della lotta da parte dei popoli sotto oppressione coloniale, per esercitare il loro diritto all'autodeterminazione e all'indipendenza". Inoltre, l'Assemblea invita "tutti gli Stati a fornire assistenza morale e materiale ai movimenti di liberazione nazionale nei territori coloniali".

:: ONU - Risoluzione 1514 L'Assemblea Generale dichiara che: la soggezione dei popoli a dominio straniero, conquista e asservimento costituisce una negazione dei diritti umani fondamentali, è contraria alla Carta delle Nazioni Unite ed è un impedimento alla promozione della pace e della cooperazione mondiali. Tutti i popoli hanno diritto all'autodeterminazione; in virtù di tale diritto essi devono liberamente determinare il loro status politico e liberamente perseguire il loro sviluppo economico, sociale e culturale".

:: Convenzione di

For the current President, "enforcement of the laws to restore public order" means to commandeer guardsmen from any state, over the objections of local governmental, military and local police entities; ship them off to another state; conscript them in a law enforcement mode; and set them loose against "disorderly" citizenry - protesters, possibly, or those who object to forced vaccinations and quarantines in the event of a bio-terror event.

The law also facilitates militarized police round-ups and detention of protesters, so called "illegal aliens," "potential terrorists" and other "undesirables" for detention in facilities already contracted for and under construction by Halliburton. That's right. Under the cover of a trumped-up "immigration emergency" and the frenzied militarization of the southern border, detention camps are being constructed right under our noses, camps designed for anyone who resists the foreign and domestic agenda of the Bush administration.

An article on "recent contract awards" in a recent issue of the slick, insider "Journal of Counterterrorism & Homeland Security International" reported that "global engineering and technical services powerhouse KBR [Kellog, Brown & Root] announced in January 2006 that its Government and Infrastructure division was awarded an Indefinite Delivery/Indefinite Quantity (IDIQ) contract to support U.S. Immigration and Customs Enforcement (ICE) facilities in the event of an emergency." "With a maximum total value of \$385 million over a five year term," the report notes, "the contract is to be executed by the U.S. Army Corps of Engineers," "for establishing temporary detention and processing capabilities to augment existing ICE Detention and Removal Operations (DRO) - in the event of an emergency influx of immigrants into the U.S., or to support the rapid development of new programs." The report points out that "KBR is the engineering and construction subsidiary of Halliburton." (3) So, in addition to authorizing another \$532.8 billion for the Pentagon, including a \$70-billion "supplemental provision" which covers the cost of the ongoing, mad military maneuvers in Iraq, Afghanistan, and other places, the new law, signed by the president in a private White House ceremony, further collapses the historic divide between the police and the military: a tell-tale sign of a rapidly consolidating police state in America, all accomplished amidst ongoing U.S. imperial pretensions of global domination, sold to an "emergency managed" and seemingly willfully gullible public as a "global war on terrorism."

Make no mistake about it: the de-facto repeal of the Posse Comitatus Act (PCA) is an ominous assault on American democratic tradition and jurisprudence. The 1878 Act, which reads, "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or Air Force as a posse comitatus or otherwise to execute the laws shall be fined under this title or imprisoned not more than two years, or both," is the only U.S. criminal statute that outlaws military operations directed against the American people under the cover of 'law enforcement.' As such, it has been the best protection we've had against the power-hungry intentions of an unscrupulous and reckless executive, an executive intent on using force to enforce its will.

Unfortunately, this past week, the president dealt posse comitatus, along with American democracy, a near fatal blow. Consequently, it will take an aroused citizenry to undo the damage wrought by this horrendous act, part and parcel, as we have seen, of a long train of abuses and outrages perpetrated by this authoritarian administration.

Despite the unprecedented and shocking nature of this act, there has been no outcry in the American media, and little reaction from our elected officials in Congress. On September 19th, a lone Senator Patrick



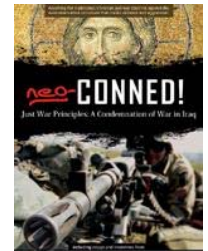
L'Impero si è fermato a Baghdad, by Valeria Poletti

Modulo per ordini

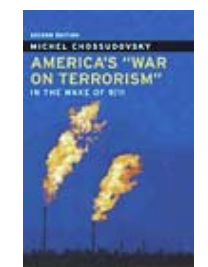
[:: subscribe](#)

[:: Newsletter](#)

[:: Comments](#)



"Neoconned" and "Neoconned Again", two new collections of essays



America's "War on Terrorism", book by Michel Chossudovsky

:: If you find this site informative, please donate - every donation helps us keep up with costs. Thanks.



:: Motore di ricerca / Search Engine

[:: search](#)

uruknet
 the web

powered by

:: [Special reports on the trial of President Saddam Hussein by Dr. Curtis F.J. Doebbler](#)



:: [Ego te baptizo carpat: realtà e misitacazione giuridica nella perdurante guerra di aggressione all'Iraq di Aldo Bernardini \(PDF \)](#)

Font size Carattere
 1 2 3
[cambia](#)
[change](#)

[Accessible](#)

:: [News: list + XML](#)

[\(English\)](#) [\(Italian\)](#) [\(Français\)](#)

[:: comunicati](#)

[:: All events](#)

Leahy (D-Vermont) noted that 2007's Defense Authorization Act contained a "widely opposed provision to allow the President more control over the National Guard [adopting] changes to the Insurrection Act, which will make it easier for this or any future President to use the military to restore domestic order WITHOUT the consent of the nation's governors."

Senator Leahy went on to stress that, "we certainly do not need to make it easier for Presidents to declare martial law. Invoking the Insurrection Act and using the military for law enforcement activities goes against some of the central tenets of our democracy. One can easily envision governors and mayors in charge of an emergency having to constantly look over their shoulders while someone who has never visited their communities gives the orders."

A few weeks later, on the 29th of September, Leahy entered into the Congressional Record that he had "grave reservations about certain provisions of the fiscal Year 2007 Defense Authorization Bill Conference Report," the language of which, he said, "subverts solid, longstanding posse comitatus statutes that limit the military's involvement in law enforcement, thereby making it easier for the President to declare martial law." This had been "slipped in," Leahy said, "as a rider with little study," while "other congressional committees with jurisdiction over these matters had no chance to comment, let alone hold hearings on, these proposals."

In a telling bit of understatement, the Senator from Vermont noted that "the implications of changing the (Posse Comitatus) Act are enormous". "There is good reason," he said, "for the constructive friction in existing law when it comes to martial law declarations. Using the military for law enforcement goes against one of the founding tenets of our democracy. We fail our Constitution, neglecting the rights of the States, when we make it easier for the President to declare martial law and trample on local and state sovereignty."

Senator Leahy's final ruminations: "Since hearing word a couple of weeks ago that this outcome was likely, I have wondered how Congress could have gotten to this point. It seems the changes to the Insurrection Act have survived the Conference because the Pentagon and the White House want it."

The historic and ominous re-writing of the Insurrection Act, accomplished in the dead of night, which gives Bush the legal authority to declare martial law, is now an accomplished fact.

The Pentagon, as one might expect, plays an even more direct role in martial law operations. Title XIV of the new law, entitled, "Homeland Defense Technology Transfer Legislative Provisions," authorizes "the Secretary of Defense to create a Homeland Defense Technology Transfer Consortium to improve the effectiveness of the Department of Defense (DOD) processes for identifying and deploying relevant DOD technology to federal, State, and local first responders."

In other words, the law facilitates the "transfer" of the newest in so-called "crowd control" technology and other weaponry designed to suppress dissent from the Pentagon to local militarized police units. The new law builds on and further codifies earlier "technology transfer" agreements, specifically the 1995 DOD-Justice Department memorandum of agreement achieved back during the Clinton-Reno regime.(4)

It has become clear in recent months that a critical mass of the American people have seen through the lies of the Bush administration; with the president's polls at an historic low, growing resistance to the war Iraq,

Ginevra, Protocollo Addizionale I (1977):
 La lotta armata può essere usata, come ultima risorsa, come mezzo per esercitare il diritto all' autodeterminazione.

:: Tribunale penale internazionale
 In base allo Statuto del Tribunale penale internazionale, sono definiti "crimini di guerra":
 (1) attacchi lanciati intenzionalmente contro popolazione civili in quanto tali o contro civili che non prendano direttamente parte alle ostilità;
 (4) attacchi lanciati intenzionalmente nella consapevolezza che gli stessi avranno come conseguenza la perdita di vite umane tra la popolazione civile, e lesioni a civili o danni a proprietà civili ovvero danni diffusi duraturi e gravi all'ambiente naturale che siano manifestamente eccessivi rispetto all'insieme dei concreti e diretti i vantaggi militari previsti.

:: [Iraq anthem \(click to listen\)](#)

[Master "Enrico Mattei in Medio Oriente", Università di Teramo](#)

:: If you find this site informative, please donate -

every donation
helps us keep up
with costs.
Thanks.



and the Democrats likely to take back the Congress in mid-term elections, the Bush administration is on the ropes. And so it is particularly worrying that President Bush has seen fit, at this juncture to, in effect, declare himself dictator.

Source:

(1) <http://leahy.senate.gov/press/200609/091906a.html> and <http://leahy.senate.gov/press/200609/092906b.html> See also, Congressional Research Service Report for Congress, "The Use of Federal Troops for Disaster Assistance: Legal Issues," by Jennifer K. Elsea, Legislative Attorney, August 14, 2006

(2) <http://www.govtrack.us/congress/bill.xpd?bill+h109-5122>

(3) Journal of Counterterrorism & Homeland Security International, "Recent Contract Awards", Summer 2006, Vol.12, No.2, pg.8; See also, Peter Dale Scott, "Homeland Security Contracts for Vast New Detention Camps," New American Media, January 31, 2006.

(4) "Technology Transfer from defense: Concealed Weapons Detection", National Institute of Justice Journal, No 229, August, 1995, pp.42-43.

:: Article nr. 27769 sent on 27-oct-2006 03:18 ECT

:: The address of this page is : www.uruknet.info?p=27769

:: The incoming address of this article is :
towardfreedom.com/home/content/view/911/

:: The views expressed in this article are the sole responsibility of the author and do not necessarily reflect those of Uruknet .

COMMENTS BY REGISTERED READERS OF URUKNET

The underneath postings are under the only responsibility of the authors, and not necessarily we agree with them. If someone feels that any comment contains pornographic or racist expressions, or contents contrary to the law, let us know and - if our legal office confirms - it will removed asap.

You can get the password for comments by clicking [HERE](#) (needed only once forever).

Once you have the password, click [HERE](#) to publish your own comment below here.

Still no comments for this article.



[[Printable version](#)] | [[Send it to a friend](#)]

[[Contatto/Contact](#)] | [[Home Page](#)] | [[Tutte le notizie/All news](#)]

:: [uruknet] [clicka qui per una traduzione automatica in italiano](#)
:: [uruknet] [cliquez ici pour une traduction automatique en français](#)
:: [uruknet] [klicken Sie hier für eine automatische Übersetzung in Deutschen](#)
:: [uruknet] [chasque aquí para una traducción automática en español](#)
:: [uruknet] [estale aqui para uma tradução automática no português](#)
:: [uruknet] [χτυπήστε εδώ για μια αυτόματη μετάφραση στα ελληνικά](#)
:: [uruknet] [日本語に自動翻訳のためにここにちりと鳴らしなさい](#)
:: [uruknet] [點擊這裡為自動翻譯成漢語](#)
:: [uruknet] [щелкните здесь для машинный перевод в русского](#)

[[home page](#)] | [[tutte le notizie/all news](#)] | [[download banner](#)] | [[ultimo aggiornamento/last update 27/10/2006 17:31](#)]

Vuoi una pagina più leggera di **uruknet.info** in italiano da mettere come tua pagina iniziale? [CLICKA QUI](#).
Would you like a lighter page of **uruknet.info** in english to set as your initial page? [CLICK HERE](#).
Est-ce que vous aimez **uruknet.info** en français comme votre page initiale? [CLIQUEZ ICI](#).
¿Usted quiere **uruknet.info** como su pagina inicial en español? [CLICK AQUÍ](#).
Você gostam de ter **uruknet.info** como sua página inicial no português? [ESTALE AQUI](#).

You are using a MS operating system! Nothing so wrong with this, but try also others (Mac, Linux, Unix)

27-Oct-2006 21:33

W

:: This site contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available in our efforts to advance understanding of environmental, political, human rights, economic, democracy, scientific, and social justice issues, etc. We believe this constitutes a 'fair use' of any such copyrighted material as provided for in section 107 of the US Copyright Law. In accordance with Title 17 U.S.C. Section 107, the material on this site is distributed without profit to those who have expressed a prior interest in receiving the included information for research and educational purposes. For more info go to: <http://www.law.cornell.edu/uscode/17/107.shtml>. If you wish to use copyrighted material from this site for purposes of your own that go beyond 'fair use', you must obtain permission from the copyright owner.

:: **We always mention the author and link the original site and page of every article.**

uruknet, uruklink, iraq, uruqlink, iraq, irak, irakeno, iraqi, uruk, uruqlink, saddam hussein, baghdad, mesopotamia, babilonia, uday, qusay, udai, qusai, hussein, feddayn, fedayn saddam, mujaheddin, mojahidin, tarek aziz, chalabi, iraqi, baath, ba'ht, Aljazira, aljazeera, Iraq, Saddam Hussein, Palestina, Sharon, Israele, Nasser, ahram, hayat, sharq awsat, iraqwar, irakwar All pictures

Your free
NeoCounter
will be back as
soon as server
resources
are available for
the free version.