

# US Has been preparing to turn America into a military dictatorship

From the Rodney King riots to unannounced "training" exercises over American cities, the US military is being trained to turn the United States into a dictatorship.

## **U.S. MILITARY CIVIL DISTURBANCE PLANNING: THE WAR AT HOME**

*By Frank Morales*

Under the heading of "civil disturbance planning", the U.S. military is training troops and police to suppress democratic opposition in America. The master plan, Department of Defense Civil Disturbance Plan 55-2, is code-named, "Operation Garden Plot". Originated in 1968, the "operational plan" has been updated over the last three decades, most recently in 1991. The plan was activated during the Los Angeles "riots" of 1992, and more than likely during the recent anti-WTO "Battle in Seattle."

Current U.S. military preparations for suppressing domestic civil disturbance, including the training of National Guard troops and police, are part of a long history of American "internal security" measures dating back to the first American Revolution. Generally, these measures have sought to thwart the aims of social justice movements, embodying the concept that within the civilian body politic lurks an enemy that one day the military might have to fight, or at least be ordered to fight.

Equipped with flexible "military operations in urban terrain" and "operations other than war" doctrine, lethal and "less-than-lethal" high-tech weaponry, US "armed forces" and "elite" militarized police units are being trained to eradicate "disorder", "disturbance" and "civil disobedience" in America. Further, it may very well be that police/military "civil disturbance" planning is the animating force and the overarching logic behind the incredible nationwide growth of police paramilitary units, a growth which coincidentally mirrors rising levels of police violence directed at the American people, particularly "non-white" poor and working people.

Military spokespeople, "judge advocates" (lawyers) and their congressional supporters aggressively take the position that legal obstacles to military involvement in domestic law enforcement civil disturbance operations, such as the 1878 Posse Comitatus Act, have been nullified. Legislated "exceptions" and private commercialization of various aspects of U.S. military-law enforcement efforts have supposedly removed their activities from the legal reach of the "public domain". Possibly illegal, ostensible "training" scenarios like the recent "Operation Urban Warrior" no-notice "urban terrain" war games, which took place in dozens of American cities, are thinly disguised "civil disturbance suppression" exercises. Meanwhile, President Clinton recently appointed a "domestic military czar", a sort of national chief of police. You can bet that he is well versed in Garden Plot requirements involved in "homeland defense".

Ominously, many assume that the training of military and police forces to suppress "outlawed" behavior of citizens, along with the creation of extensive and sophisticated "emergency" social response networks set to spring into action in the event of "civil unrest", is prudent and acceptable in a democracy. And yet, does not this assumption beg the question as to what civil unrest is? One could argue for example, that civil disturbance is nothing less than democracy in action, a message to the powers-that-be that the people want change. In this instance "disturbing behavior" may actually be the exercising of ones' right to resist oppression. Unfortunately, the American corporate/military directorship, which has the power to enforce its' definition of "disorder", sees democracy as a threat and permanent counter-revolution as a "national security" requirement.

The elite military/corporate sponsors of Garden Plot have their reasons for civil disturbance contingency planning. Lets' call it the paranoia of the thief. Their rationale is simple: self-preservation. Fostering severe and targeted "austerity", massive inequality and unbridled greed, while shifting more and more billions to the generals and the rich, the de-regulated "entities of force" and their interlocking corporate directors know quite well what their policies are engendering, namely, a growing resistance.

Consequently, they are systematically organizing to protect their interests, their profits, and their criminal conspiracies. To this end, they are rapidly consolidating an infrastructure of repression designed to "suppress rebellion" against their "authority". Or more conveniently put, to suppress "rebellion against the authority of the United States." And so, as the Pentagon Incorporated increases its' imperialist violence around the world, the chickens have indeed come home to roost here in America in the form of a national security doctrine obsessed with domestic "insurgency" and the need to pre-emptively neutralize it. Its' code-name: "Garden Plot".

Recently, Pentagon spokesman Kenneth H. Bacon "acknowledged that the Air Force wrongfully started and financed a highly classified, still-secret project, known as a black program without informing Congress last year." The costs and nature of these projects "are the most classified secrets in the Pentagon."(1) Could it be that the current United States Air Force Civil Disturbance Plan 55-2 Garden Plot is one such program financed from this secret budget? We have a right to know. And following Seattle, we have the need to know.

As this and numerous other documents reveal, U.S. military training in civil disturbance "suppression", which targets the American public, is in full operation today. The formulation of legitimizing doctrine, the training in the "tactics and techniques" of "civil disturbance suppression", and the use of "non-lethal" weaponry, are ongoing, financed by tax dollars. The overall operation is called Garden Plot. And according to the bosses at the Pentagon, "US forces deployed to assist federal and local authorities during times if civil disturbances will follow use-of-force policy found in Department of Defense Civil Disturbance Plan-Garden Plot." (Joint Chiefs of Staff, Standing Rules of Engagement, Appendix A, 1 October 1994.)

## ORIGINS OF OPERATION GARDEN PLOT

***"Knowledge makes a man unfit to be a slave."  
-- Frederick Douglass***

Rochester, New York is the former home of Frederick Douglass's, North Star newspaper. In 1964, it erupted in one of the first large-scale urban outbursts of the decade. Precipitated by white police violence against the black community, the July uprising lasted several days, subsiding only after the arrival of 1500 National Guardsmen. In "the fall of 1964, the FBI, at the direction of President Johnson, began to make riot control training available to local police departments, and by mid-1967 such training assistance had been extended to more than 70,000 officials and civilians."(2)

On July 29, 1967, President Johnson issued Executive Order 11365, establishing the National Advisory Commission on Civil Disorders. It is more commonly known as the Kerner Commission, named for it's chair, former Major General, and then Governor of Illinois, Otto Kerner. The creation of the commission came hot on the heels of the violence in Detroit, a conflict which left 43 dead, several hundred wounded and over 5,000 people homeless. Johnson sent troubleshooter Cyrus Vance, later Secretary of Defense, as his personal observer to Detroit. The commission issued its' final report, completed in less than a year, on March 1, 1968.

Although the Kerner Commission has over the years become associated with a somewhat benign, if not benevolent character, codifying the obvious, "we live in two increasingly separate America's" etc., the fact is that the commission itself was but one manifestation of a massive military/police counter-insurgency effort directed against US citizens, hatched in an era of emergent post-Vietnam "syndrome" coupled with elite fears of domestic insurrection. While the movement chanted for peace and revolution, rebellious, angry and destructive urban uprisings were occurring with alarming frequency, usually the result of the usual spark, police brutality, white on black crime. The so-called urban riots of 1967-1968 were the zenith, during this period, of social and class conflict. "More than 160 disorders occurred in some 128 American cities in the first nine months of 1967."(3)

The executive order establishing the commission called for an investigation of "the origins of the recent major civil disorders and the influence, if any, of organizations or individuals dedicated to the incitement or encouragement of violence."(4) The work of the commission was funded from President Johnson's "Emergency Fund." The executive order sought recommendations in three general areas: "short term measures to prevent riots, better measures to contain riots once they begin, and long term measures to eliminate riots in the future."(5) Their two immediate aims were "to control and repress black rioters using almost any available means", (6) and to assure white America that

everything was in hand. Commission members included Charles B. Thorton, Chairman and CEO, Litton Industries, member of the Defense Industry Advisory Council to the DoD and the National Security Industrial Association, John L. Atwood, President and CEO, North American Rockwell Corporation ("Commission Advisor on Private Enterprise"), and Herbert Jenkins, Atlanta Chief of Police and President of the International Association of Chiefs of Police.

During the early stages of staff recruitment, commission Deputy Executive Director Victor H. Palmieri "described the process as a war strategy"(7) and so he might given the overwhelming presence within the commission and its' consultants of military and police officials. One quarter of over 200 consultants listed were big-city police chiefs, like Daryl F. Gates, former chief LAPD. Numerous police organizations, including the heavily funded Law Enforcement Assistance Administration (financiers of SWAT), guided the commission's deliberations. No less than 30 police departments were represented on or before the commission by their chiefs or deputy chiefs.

A key player within the commission, "consultant" Anthony Downs, stated at the time that, "it would be far cheaper to repress future large-scale urban violence through police and military action than to pay for effective programs against remaining poverty." (8) As for the military, twelve generals, representing various branches of the armed services appeared before the commission or served as contractors. The commission's "Director of Investigations", Milan C. Miskovsky, was "on leave as assistant general counsel of the treasury, and formerly connected to the Central Intelligence Agency."(9)

The Kerner Commission's "study" of "civil disorder" lead directly to (civilian) recommendations regarding the role of the military in domestic affairs. The report dutifully "commends the Army for the advanced status of its training." Further, it states that "the Department of the Army should participate fully in efforts to develop non lethal weapons and personal protective equipment appropriate for use in civil disorders." In addition, "the Army should investigate the possibility of utilizing psychological techniques to ventilate hostility and lessen tension in riot control, and incorporate feasible techniques in training the Army and National Guard units."

Under the heading, "Army Response To Civil Disorders", the commission report states that "the commitment of federal troops to aid state and local forces in controlling a disorder is an extraordinary act. An Army staff task group has recently examined and reviewed a wide range of topics relating to military operations to control urban disorders: command and control, logistics, training, planning, doctrine, personnel, public information, intelligence, and legal aspects." The results of the Army brass's study was subsequently, "made known to the National Guard and to top state and local civil and law enforcement officers in order to stimulate review at the state and local level."(10)

The Army Task Force which assisted the Kerner Commission issued its' own report in early 1968. In it, the Pentagon took a multi-pronged approach to solving the civil disturbance problem. "Expanding the suggestion of Cyrus Vance, Military Intelligence ' working with the FBI, local, county and state police forces ' undertook a massive domestic intelligence gathering operation the Senior Officers Civil Disturbance Course was instituted at the Military Police Academy in Georgia Security forces ranging from Army troops to local police were trained to implement their contingency plans Contingency plans, called planning packets, were prepared for every city in the country that had a potential for student, minority or labor unrest."(11)

In addition, "the Army Task Force that had designed this program took on a new name, the Directorate of Civil Disturbance Planning and Operations. The Army Task Force transformation into the Directorate occurred during the massive rioting that broke out in black ghettos of 19 cities after the assassination of Martin Luther King in April 1968."(12) At that time "seven army infantry brigades, totaling 21,000 troops were available for riot duty. And a huge, sophisticated computer center kept track of all public outbursts of political dissent, thereby furnishing the first of the Army Task Force's prescribed remedies: intelligence."(13)

By June of 1968, the Directorate had become the Directorate of Military Support, setting up shop in the basement of the Pentagon. "Better known as the domestic war room, the Directorate had 150 officials to carry out around-the-clock monitoring of civil disorders, as well as to oversee federal troop deployments when necessary. At the cost of \$2.7 million, this massive directorate also developed policy advice for the secretary of the Army on all disturbances and maintained intelligence packets on all major U.S. cities."(14)

Even though the full extent of US military intelligence activities during this period is far from generally known, "by 1968, many Justice Department personnel knew that the military was preparing to move in massively if needed to quash urban riots, and some officials feared the development of a large national military riot force. It was well known among top officials that the Department of Defense was spending far more funds than the Justice Department on civil disorder preparations indicative of the growing trend at the federal level toward repression and control of the urban black rioters."(15)

By 1971, Senator Sam Ervin, later of Watergate renown, had convened his Subcommittee on Constitutional Rights which "revealed that Military Intelligence had established an intricate surveillance system covering hundreds of thousands of American citizens. Committee staff members had seen a master plan - Garden Plot ' that gave an eagle eye view of the Army-National Guard-police strategy."(16) "At first, the Garden Plot exercises focused primarily on racial conflict. But beginning in 1970, the scenarios took a different twist. The joint teams, made up of cops, soldiers and spies, began practicing battle with large groups of protesters. California, under the leadership of Ronald Reagan, was among the most enthusiastic participants in Garden Plot war games."(17)

As time went on, "Garden Plot evolved into a series of annual training exercises based on contingency plans to undercut riots and demonstrations, ultimately developed for every major city in the United States. Participants in the exercises included key officials from all law enforcement agencies in the nation, as well as the National Guard, the military, and representatives of the intelligence community According to the plan, joint teams would react to a variety of scenarios based on information gathered through political espionage and informants. The object was to quell urban unrest "(18)

Unrest of a different sort took place on the evening of February 27th 1973. At that time, a group of Native Americans occupied a trading post in the village of Wounded Knee on the Pine Ridge Reservation in South Dakota. By the 2nd of March the takeover had "triggered the army contingency plan for domestic disturbances. Emergency Plans White ' now coded as Garden Plot ' brought the Army into South Dakota Three army colonels, disguised as civilians, and reconnaissance planes assisted", while "the Justice Department used the army to conduct intelligence for civilian law enforcement around Wounded Knee."(19) Information on other instances in which Garden Plot was "triggered" over the intervening years is presently locked in Pentagon vaults.

In essence, the contemporary roots of militarized efforts to suppress domestic rebellion lie in the US Army's master plan, Department of Defense Civil Disturbance Plan 55-2, Garden Plot. Since at least 1968, the military has expended millions of dollars in this effort. The plan is operative right now, most recently during and after the Los Angeles uprising of 1992. A view into details of this plan is possible by way of an examination of United States Air Force Civil Disturbance Plan 55-2, Garden Plot which is the "implementing" and "supporting plan for the Department of the Army (DA) Civil Disturbance Plan - GARDEN PLOT ' dated 1 March 1984 (which) provides for the employment of USAF forces in civil disturbances." It is specifically drawn up "to support the Secretary of the Army, as DOD Executive Agent for civil disturbance control operations (nicknamed GARDEN PLOT), with airlift and logistical support, in assisting civil authorities in the restoration of law and order through appropriate military commanders in the 50 States, District of Columbia, the Commonwealth of Puerto Rico and US possessions and territories, or any political subdivision thereof." The plan "is effective for planning on receipt and for execution on order."(20)

### **U.S. AIR FORCE 55-2 - GARDEN PLOT**

"The long title of the plan is United States Air Force Civil Disturbance Plan 55-2, Employment of USAF Forces in Civil Disturbances. The short title of this document is USAF Civil Disturbance Plan 55-2. The nickname assigned by Department of the Army is GARDEN PLOT."

The plan opens with some basic "assumptions", namely that "civil disturbances requiring intervention with military forces may occur simultaneously in any of the 50 States, District of Columbia, Commonwealth of Puerto Rico, US possessions and territories." And like the current situation in Vieques, Puerto Rico, "civil disturbances will normally develop over a period of time." In the event it evolves into a confrontational situation, under Garden Plot, it is a "presidential executive order" that "will authorize and direct the Secretary of Defense to use the Armed Forces of the United States to restore law and order."

According to the Air Force plan, the military will attempt "to suppress rebellion whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impractical to enforce the laws of the United States in any state or territory by the ordinary course of judicial proceedings (10 USC 332)". Applying its' own version of equal protection under the law, the military can intervene "when insurrection, domestic violence, unlawful combinations, or conspiracies in a state so hinder or obstruct the execution of the laws as to deprive individuals of their Constitutional rights, privileges, and immunities or when the insurrection impedes the due course of justice, and only when the constituted authorities of the state are unable, fail or refuse to protect that right, privilege, immunity, or to give that protection (10 USC 333)." In other words, the Army makes an offer of "protection" that the citizenry can't refuse.

T. Alden Williams, in a sympathetic 1969 treatment of the Army in civil disturbances, put it this way: "Where officials have not shown determination, or have invited violence by predicting it, violence has developed. Hence, it follows that with few exceptions, serious riots are evidence of police failure and that, implicitly, it is at the point of police failure that states and their cities redeem their national constitutional guarantees and the Regular Army may be asked to intervene."(21) Some redemption.

According to the Air Force plan's "Classification Guidance", the roughly 200 page document "is UNCLASSIFIED and does not come within the scope of direction governing the protection of information affecting national security. Although it is UNCLASSIFIED, it is FOR OFFICIAL USE ONLY as directed by AFR 12-30. This plan contains information that is of internal use to DOD and, through disclosure, would tend to allow persons to violate the law or hinder enforcement of the law." Consequently, the plan's "operations orders and operating procedures must be designed to provide the highest degree of security possible." Therefore "the entire staff should identify known or suspected opposition awareness of previous operations and operations plans", while "procedures should be designed to eliminate the suspect sources to the degree possible." And "in the event of organized opposition some sort of advisory intelligence gathering capability should be assumed."

The Air Force document warns, under the heading of "Open Literature Threat", presaging current military discourse on "info-war", that "any information/document, though seemingly unclassified, which reveals information concerning this Plan is a threat to OPSEC (operational security)" This is especially true given the nature of the "Human Intelligence (HUMINT) Threat." Recognizing that, "prior to and during sustained military operations in Support of the Plan, the potential HUMINT threat could be considerable", the plan recommends that "every effort should be made to reduce vulnerability to this threat by adhering to OPSEC procedures and safeguarding Essential Elements of Friendly Information (EEFI)."

Under "Operations to be Conducted: Deployment", the Air Force plan states that "a civil disturbance condition (CIDCON) system which has been established to provide an orderly and timely increase in preparedness for designated forces to deploy for civil disturbances control operations, will be on an as required basis for USAF resources for such operations as aerial resupply, aerial reconnaissance, airborne psychological operations, command and control communications systems, aeromedical evacuation, helicopter and weather support." The Air Force does have some experience in this area. "In response to the US invasion of Cambodia, student unrest broke out. Under Operation Garden Plot, from 30 April through May 4, 1970, 9th Air Force airlift units transported civil disturbance control forces from Ft. Bragg to various locations throughout the eastern US."(22) In fact, two years earlier, "Air Force Reserve C-119 and C-124 units participated in Garden Plot operations set up to quell domestic strife that followed the assassination of Martin Luther King."(23)

Although the section on "Counterintelligence Targets and Requirements" is "omitted", the plan does specify its' targets, namely, those "disruptive elements, extremists or dissidents perpetrating civil disorder." A "civil disturbance" is defined as a "riot, acts of violence, insurrections, unlawful obstructions or assemblages, or other disorders prejudicial to public law and order. The term civil disturbance includes all domestic conditions requiring the use of federal armed forces pursuant to the provisions of Chapter 15, Title 10, United States Code." Conditions precipitating Garden Plot activation are "those that threaten to reach or have reached such proportions that civil authorities cannot or will not maintain public order." As for legal authority, "the Constitution of the United States and numerous statutes provide the President with the authority to commit Federal military forces within the United States DOD Directive 3025.12 provides guidance in committing Federal armed forces."

The "application of forces should be in the following order: local and state police, Army and (in support role) Air National Guard under State control, Federal civil law enforcement officials, federal military forces to include Army and (in support role) Air National Guard." According to the plan, "State Adjutants General prepare civil disturbance plans for the employment of National Guard units under state control." Specifically, "as a general rule for planning purposes, the minimum forces to be supported in any single objective area is 5,000. The maximum to be supported is 12,000 for any objective area other than Washington, DC and 18,000 for Washington, DC." The "objective areas" are "those specified by the Presidential Proclamation and Executive Order in which the Secretary of Defense has been directed to restore law and order", and as "further defined by the Letter of Instruction issued to Task Force Commanders by the Chief of Staff, US Army."

In order to avoid the unseemly implications of "martial law", "requirements for the commitment of Federal military forces will not result in the declaration of a National Emergency". In this regard, the "Public Affairs Objectives" include the development of "procedures for the public release of appropriate information regarding civil disturbance control operations." Media and other queries "concerning employment of control forces may be locally answered by an interim statement that the: Department of Defense policy is not to comment on plans concerning the possible employment of military units and resources to carry out assigned missions."

Concerning "Force Requirements", the plan states that, "US Army and Marine Corps units designated for civil disturbance operations will be trained, equipped and maintained in readiness for rapid deployment, (with) ten brigades, prepared for rapid deployment anywhere in CONUS. A Quick Reaction Force (QRF) will be considered to be on a 24 ' hour alert status and capable of attaining a CIDCON 4 status in 12 hours " Upon receipt of orders, "the Task Force Commander assumes operational control of the military ground forces assigned for employment in the objective area", including "specials operations assets." In case the soldiers are unfamiliar with "urban terrain", the "Defense Mapping Agency Topographic Center provides map services in support of civil disturbance planning and operations."

The "Summary of the Counterintelligence and Security Situation" states that "spontaneous civil disturbances which involve large numbers of persons and/or which continue for a considerable period of time, may exceed the capacity of local civil law enforcement agencies to suppress. Although this type of activity can arise without warning as a result of sudden, unanticipated popular unrest (past riots in such cities as Miami, Detroit and Los Angeles serve as examples) it may also result from more prolonged dissidence." USAF Garden Plot advises that "if military forces are called upon to restore order, they must expect to have only limited information available regarding the perpetrators, their motives, capabilities, and intentions. On the other hand, such events which occur as part of a prolonged series of dissident acts will usually permit the advance collection of that type of information "

The United States Army Training and Doctrine Command (TRADOC), "provides training programs and doctrine for civil disturbance operations to military services." The US Army Force Command (FORSCOM), "organizes, trains, and maintains in readiness Army forces for civil disturbance operations", while the Director of Military Support (DOMS), "conducts, on a no-notice basis, exercises which direct headquarters of uniformed services, appropriate CONUS command, and other DOD components, having GARDEN PLOT responsibilities to assume a simulated increased preparedness for specified forces." In addition, the DOMS, "maintains an around-the-clock civil disturbance command center to monitor incipient and on-going disturbances."

The document, the United States Air Force's "implementing plan" for the US Army's Civil Disturbance Plan 55-2, Garden Plot, goes on to detail every aspect of military "suppression" of "rebellion against the authority of the United States", including who pays, who bills and how to secure "loans" to cover the costs "attributable to GARDEN PLOT." Ominously, under "Resources Employed Without Presidential Directive", the document states that when the "immediate employment of military resources is required in cases of sudden and unexpected civil disturbances or other emergencies endangering life or federal property, or disrupting the normal processes of Government, expenses incurred will be financed as a mission responsibility of the DOD component employing the military resources."

## **PENTAGON DIRECTIVES**

Department of Defense Directive 3025.12, Military Assistance for Civil Disturbances (MACDIS) became effective on February 4, 1994 when signed by then Defense Secretary William Perry. It states that, "the President is authorized

by the Constitution and laws of the United States to suppress insurrections, rebellions, and domestic violence under various conditions and circumstances. Planning and preparedness by the Federal Government and the Department of Defense for civil disturbances are important, do to the potential severity of the consequences of such events for the Nation and the population." (24) Further, "the Secretary of the Army, as DoD Executive Agent, shall provide guidance to the other DoD Components, through DoD 3025.12-R, the DoD Civil Disturbance Plan (GARDEN PLOT), or both, in accordance with this Directive".

DoDD 3025.12 makes it clear that "MACDIS operations are unprogrammed emergency requirements for the Department of Defense", and that in order to "ensure essential control and sound management of all military forces employed in MACDIS operations, centralized direction from the DoD Executive Agent (the Army) shall guide planning by the DoD component." Thus, "MACDIS missions shall be decentralized through the DoD Planning Agents or other Joint Task Force Commanders only when specifically directed by the DoD Executive Agent."

According to the directive, the "Army and Air National Guard forces have primary responsibility for providing military assistance to state and local governments in civil disturbances." Accordingly, "the Army National Guard State Area Commands (STARCs) shall plan for contingency use of non-Federalized National Guard forces for civil disturbance operations." The directive further outlines policy, guidelines, and legal justification for "military assistance for civil disturbances", including policy regarding domestic law enforcement, designating the Army as "the principle point of contact between the Department of Defense (DoD) and the Department of Justice (DoJ) for planning and executing MACDIS."

The militarization of domestic "law enforcement" is founded, in part, upon Department of Defense Directive 5525.5, DoD Cooperation with Civilian Law Enforcement Officials, dated January 15, 1986, five years after Congressional "drug warriors" passed the Military Cooperation with Civilian Law Enforcement Agencies Act. Referencing the 1971 version of DODD 3025.12 (above), Directive 5525.5 states that, "it is DoD policy to cooperate with civilian law enforcement officials to the extent practical consistent with the needs of national security and military preparedness." (25) In addition, "the Military Departments and Defense Agencies may provide training to Federal, State, and local civilian law enforcement officials."

Apparently, military Judge Advocates (lawyers) have no problem with the 1878 Posse Comitatus Act, (18 U.S.C.1385) which states that: "Whoever, except in cases and under circumstances expressly authorized by the Constitution or Act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than \$10,000 or imprisoned not more than two years or both." Nor is there much concern shown for "the historic tradition of limiting direct military involvement in civilian law enforcement activities" cited by the military.

For even though the Posse Comitatus Act is cited within the Directive as "the primary restriction on military participation in civilian law enforcement activities", it is rendered null and void in deference to "actions that are taken for the primary purpose of furthering a military or foreign affairs function." In fact, "under guidance established by the Secretaries of the Military Departments and the Directors of the Defense Agencies concerned, the planning and execution of compatible military training and operations may take into account the needs of civilian law enforcement officials for information when the collection of the information is an incidental aspect of training performed for a military purpose."

United States Army Field Manual 19-15, Civil Disturbances, dated November 1985, is designed to provide hands-on "guidance for the commander and his staff in preparing for and providing assistance to civil authorities in civil disturbance control operations." (26) The Army manual opens by noting that, "the DA Civil Disturbance Plan, known as Garden Plot, provides guidance to all DOD components in planning civil disturbance missions." Its' thirteen chapters cover, in depth, every aspect of military "tasks and techniques employed to control civil disturbances and neutralize special threats." Subjects include the nature of civil disturbances, participants ("the crowd"), federal intervention, information planning ("intelligence"), control force operations, crowd control operations, threat analysis ("criminal activists"), about which "law enforcement sources can provide useful information", riot control agents, extreme force options, apprehension, detention, and training.

According to the Army manual, "civil disturbances in any form are prejudicial to public law and order." They "arise from acts of civil disobedience", and "occur most often when participants in mass acts of civil disobedience become

antagonistic toward authority, and authorities must struggle to wrest the initiative from an unruly crowd." They are caused by "political grievances" and "urban economic conflicts", or maybe even by "agents of foreign nations", but mostly, "urban conflicts and community unrest arise from highly emotional social and economic issues." And in a statement that resonates with the "benign neglect" of some years ago, the manual points out that disturbances may arise because "economically deprived inner-city residents may perceive themselves treated unjustly or ignored by the people in power."

Utilizing Garden Plot language, the manual states that "the president can employ armed federal troops to suppress insurrection, domestic violence, unlawful assemblies, and conspiracy if such acts deprive the people of their constitutional rights and a state's civil authorities cannot or will not provide adequate protection." Never mind the Congress or Constitution, "federal intervention in civil disturbances begins with the issuance of a presidential proclamation to the citizens engaged in the disturbance." In other words, the President reads "the riot act" and "a control force" is sent in to "isolate the disturbance area." The goal is to "isolate the people creating the disturbance from those who have not yet become actively involved."

According to FM 19-15, the Army can gather intelligence on civilians if their "activities can be linked directly to a distinct threat of a civil disturbance that may involve federal forces." This is especially important, given that "during civil disturbances many people engage in unlawful behavior." Therefore, "when at all possible, civil law enforcement agents are integrated with the military control force team making apprehensions", and "if police are not available, military personnel may search people incident to an apprehension." Useful measures for "isolating an area include barriers, patrols, pass and ID systems, and control of public utilities." Also, "imposing a curfew is a highly effective control measure in many civil disturbances." Army "saturation patrols", "integrated with civil police patrols", blanket the area, creating "the psychological impression of the control force being everywhere at once."

The Army field manual points out that when "control forces" resort to "forceful measures" they can turn to a host of weaponry, including "the M234, which is a non-deadly force measure, to the machine gun, which is the most deadly force measure." The manual states that "machine guns, 7.62 millimeter and below, may accompany units on civil disturbance missions." In addition, the "control forces" can utilize the M234 launcher, which is "a riot control weapon" mounted on an M16 rifle which "fires a projectile that causes pain on impact." In addition, "the riot shotgun is an extremely versatile weapon. Its appearance and capability have a strong psychological effect on rioters."

The concept of martial rule, as distinct from martial law, is not written, and therefore is an eminently more workable arrangement for "law enforcement forces". That's because, as FM 19-15 points out, "martial rule is based on public necessity. Public necessity in this sense means public safety." According to the manual, U.S. state authorities "may take such action within their own jurisdictions." And yet, "whether or not martial rule has been proclaimed, commanders must weigh each proposed action against the threat to public order and safety. If the need for martial rule arises, the military commander at the scene must so inform the Army Chief of Staff and await instructions. If martial rule is imposed, the civilian population must be informed of the restrictions and rules of conduct that the military can enforce." Realizing the power of free speech, the manual suggests that "during a civil disturbance, it may be advisable to prevent people from assembling. Civil law can make it unlawful for people to meet to plan an act of violence, rioting, or civil disturbance. Prohibitions on assembly may forbid gatherings at any place and time." And don't forget, "making hostile or inflammatory speeches advocating the overthrow of the lawful government and threats against public officials, if it endangered public safety, could violate such law."

During civil disturbance operations, "authorities must be prepared to detain large numbers of people", forcing them into existing, though expanded "detention facilities." Cautioning that "if there are more detainees than civil detention facilities can handle, civil authorities may ask the control forces to set up and operate temporary facilities." Pending the approval of the Army Chief of Staff, the military can detain and jail citizens en masse. "The temporary facilities are set up on the nearest military installation or on suitable property under federal control." These "temporary facilities" are "supervised and controlled by MP officers and NCOs trained and experienced in Army correctional operations. Guards and support personnel under direct supervision and control of MP officers and NCOs need not be trained or experienced in Army correctional operations. But they must be specifically instructed and closely supervised in the proper use of forces" according to the Army, the detention facilities are situated near to the "disturbance area", but far enough away "not to be endangered by riotous acts." Given the large numbers of potential detainees, the logistics (holding, searching, processing areas) of such an undertaking, new construction of such facilities "may be needed to provide the segregation for ensuring effective control and administration." It must

be designed and "organized for a smooth flow of traffic", while a medical "treatment area" would be utilized as a "separate holding area for injured detainees." After a "detainee is logged in and searched", "a file is initiated", and a "case number" identifies the prisoner. In addition, "facility personnel also may use hospital ID tags. Using indelible ink, they write the case number and attach the tag to the detainees' wrist. Different colors may be used to identify different offender classifications " Finally, if and when it should occur, "release procedures must be coordinated with civil authorities and appropriate legal counsel." If the "detainee" should produce a writ of habeas corpus issued by a state court, thereby demanding ones' day in court, the Army will "respectfully reply that the prisoner is being held by authority of the United States."

Training under FM 19-15/Garden Plot must be "continuous" and must "develop personnel who are able to perform distasteful and dangerous duties with discipline and objectivity." Dangerous to the local citizenry given that "every member of the control force must be trained to use his weapon and special equipment (including) riot batons, riot control agent dispersers and CS grenades, grenade launchers, shotguns, sniper rifles, cameras, portable videotape recorders, portable public address systems, night illumination devices, fire fighting apparatus, grappling hooks, ladders, ropes, bulldozers, Army aircraft, armored personnel carriers, and roadblock and barricade materials." Sounding a lot like recent Urban Warrior war-games (below), the manual makes note that although unit training must address "the sensitivity and high visibility of civil disturbance operations", the "unit training must be realistic." In this regard, "the unit commander should try to include local government officials in field training exercises. The officials can be either witnesses or participants. But care must be taken to prevent adverse psychological effects on the local populace, especially if tension is high."

United States Field Manual 100-19, Domestic Support Operations, dated July 1, 1993, opens with a bit of military history: "Domestic support operations are not new. They had their beginning with settlement of the new world and organization of the colonial militia. With the establishment of the United States and a federal military, the Army routinely provided support to state and territorial governors as the nation expanded westward." (27) Further clarifying the Army's role in law enforcement, the manual states that "traditionally, nations have raised and maintained armies to provide for the national defense", whereas "today, the United States calls upon its Army to perform various functions as well, for example, controlling civil disturbances " Asserting that, "Congress has determined and the National Command Authorities have directed that the military should become more engaged in supporting domestic needs", FM 100-19 seeks to assist in this area "by providing both operational and non operational support to law enforcement", stressing that, "the Army can be a formidable force multiplier for civil authorities." The goal of Army "force" is "to restore law and order". And even though the military "may be used to disperse unlawful assemblies and to patrol disturbed areas to prevent unlawful acts", they will "remain under the military chain of command during civil disturbance operations."

The Army is cognizant of the fact that, "federal military forces may not give law enforcement assistance to civil authorities without running afoul of The Posse Comitatus Act. However, Constitutional and statutory exceptions to this prohibition do exist." For example, a "Constitutional Exception" exists "when necessary to protect civilian property and functions" during "a sudden and unexpected civil disturbance " In addition, other "statutory exceptions (10 USC 371-380) allow military personnel to provide limited support to civilian law enforcement agencies (LEAs) indirectly. Under these laws, the military may share certain information and provide equipment, facilities, and other services to LEAs." Lastly, "in supporting OPLAN GARDEN PLOT, intelligence personnel may conduct close and continuous liaison with the LEAs", especially, "the Attorney General (who) is responsible for coordinating and managing all requests for federal military assistance for civil disturbance operations."

The Marine Corps gets its' marching orders from Order 3000.8B, Employment of Marine Corps Resources in Civil Disturbance (CD), dated July 30, 1979, "scanned by MCCDPA Quant, during 1989-90 and are uploaded as is". (28) The order opens with a reference to "DA OPLAN Garden Plot", stating that US Marine "Garden Plot Forces" are composed of "two battalions from the 2d Marine Division for employment in CD missions." Taking no chances, the marines have assigned "one company to be employed exclusively for U.S. Capitol security." According to the Marine order, war-game training in civil disturbance suppression "will be identified by the use of the exercise term Grown Tall." The "CIDCON" (civil disturbance condition) alert is coordinated from the Operations Coordination Group (OCG) at Marine Headquarters. It "initiates action", utilizing, if necessary, "riot-control (chemical) agents by Garden Plot Forces " (28) And while the air in Seattle still reeks of these "agents", the military is sharpening its' skills in urban combat.

## **URBAN WARRIOR: MILITARY OPERATIONS IN URBAN TERRAIN**

"Training for war is the Army's top priority. With the exception of the training required in OPLAN GARDEN PLOT, the Army does not normally do specific training for domestic support missions. As an exception to most domestic support operations, OPLAN GARDEN PLOT requires that Army units conduct civil disturbance training."

### **US Army Field Manual 100-19**

"You know, you never hear of suburban war", said Zulene Mayfield of the Chester (Pennsylvania) Residents Concerned for Quality Living (CRCQL), "always urban war why is that?"(29) She and scores of other American citizens are up in arms over the recent series of urban war games executed by the U.S. Marines and Special Forces in some 20 cities across the U.S. Code named "Operation Urban Warrior", the military exercises could very well be Garden Plot/Grown Tall maneuvers in disguise. This past May 13th, "acting under the cloak of darkness, 100 Army Special Operations troops descended on two vacant public housing complexes in three training exercises and terrified nearby residents and surprised even the housing director. Residents of the areas around the two projects, some of whom were notified hours beforehand of a law enforcement training exercise, said they found the experience startling and intimidating." (30) Defining the exercise as a "law enforcement training exercise" was appropriate, given the fact that according to witnesses, most of the troops were dressed as police. "This is beyond reasoning, people are traumatized and terrified, Vietnam vets are experiencing flashbacks", said Mayfield. Many in the Chester community are angry "with the arrogance of all parties involved", and are determined to "deal with the local government, which has been totally unresponsive." This past June 1st the citizens of Chester marched to Mayor Dominic Pileggi's house, who refused, or was unable to answer questions about the military invasion. Targeting their local Congressman Bob Brady, the public housing residents of Chester are trying to get some answers as to why their community was subjected to "no-notice" exercises using real ammunition and explosives. And despite the military's disclaimer that they are using "less than lethal" bombs and bullets, this is little consolation to the terrified residents of Chester. As Mayfield sees it, "if they are using disintegrating bullets, why are the windows blown out?"

In some cases the Army was asked to leave town. "In March 1997, the City of Charlotte, NC, evicted the Army after the first night of a would-be three night stand after public outcry. Likewise, the army cut short its stay in Houston and Pittsburgh when its activities, which typically involved fatigue-clad soldiers bearing arms and setting off minor charges, prompted fears."(31) Angered by "the misrepresentation of the proposed training exercise", Charlotte Mayor Patrick McCrory, stated in a letter to President Clinton, that "on the night of March 4, (1997) residents of the uptown neighborhoods were stunned by the sudden appearance of 12 low-flying helicopters without lights, in possible violation of FAA regulations. There were snipers on rooftops shooting live ammunition at fake targets. Explosive devices were set off, creating a tremendous amount of noise. Given these conditions and the large number of military personnel in the area, neighborhood residents were in fear. Many of them called 911 to get what scant information was available, and many of them called me at home. I could hardly hear some of them because of the noise." As a result of pressure generated by outraged citizens of Charlotte, "we insisted the DOD cancel the exercise scheduled for later that week and it is unlikely we would be willing to host any future activities of this type."(32) It might have also been related to the fact that some residents began "carrying weapons in case the troops arrived."(33) Army Special Operations spokesman Walter Sokalski offered up the lame "this Army saves lives. We want to thank the communities for being a part of saving lives in the future."(34)

The Army also got the cold shoulder in San Francisco this past February as protests shut down a portion of the exercise which was to involve "five ships, 6,000 sailors and Marines, and four days of simulated combat using helicopters and F-18 bombers, tens of thousands of blank rounds of small arms fire, and simulated explosions."(35) Other cities which have experienced the little-or-no-notice drills include Jacksonville, Florida, Chicago, the Corpus Christi area of Texas, New York, Charleston, South Carolina, and Oakland, California, who unlike their neighbors across the bay, welcomed the military. "If San Francisco didn't want it, we're happy to accommodate," said Stacey Wells, press secretary to Oakland Mayor Jerry Brown. (36)

Cities that were targeted for the war-games had a few things in common. One was the near total lack of information or warning passed on to the residents, including city officials, prior to the onslaught. Except for the occasional police chief, (makes sense) no one was let in on the planned "exercises", and when they were, they were sworn to solemn secrecy! Another tendency was "the satchel full of cash" the military used to bribe officials into compliance

and pay for damages. For example, even though the Army wasn't asked to pay for damages to an old police building in Kingsville, Texas, because it was going to be torn down anyway, the fire marshal and the other officials said the Army promptly paid the police and fire departments for their time. "They paid cash money. They had a satchel ready to go."(37) In another instance, in early 1998 Army officials approached San Antonio, Texas, Mayor Howard Peak, about training in San Antonio, but he refused to give his consent because the Army would not divulge the details of the operation. At that point, he said, "they tried to go around us and offer money to people for their support, which was very unfortunate."(38)

Since 1994, the U.S. Army Special Operations Command, set up in 1989 and based at Fort Bragg, Fayetteville, North Carolina, has conducted (or tried to conduct) the series of "Operation Urban Warrior" training exercises. The stated rationale for the Marine exercises is "the expectation that future wars are increasingly likely to be waged on city streets."(39) Part of the operation's stated mission and goals include the enhancement of "domestic national security", with the goal of conducting combat operations "in an urban environment against a backdrop of civil unrest, and restore order."(40)

Col. Mark Thiffault, Director, Joint Information Bureau, Operation Urban Warrior, stresses that "potential foes view cities as a way to limit the technological advantages of our military. They know that cities, and their narrow streets, confusing layout and large number of civilian non-combatants, place limits on our technological superiority and especially our use of firepower. We have to develop technologies that allow us to win while minimizing collateral damage."(41)

The Urban Warrior Advanced Warfighting Experiment (AWE) recently took place this past March 12th thru 22nd, examining "new concepts, tactics, techniques and procedures, and technologies to meet the challenges of conflict" in urban areas, where "by 2020, approximately seventy percent of the world's population will live." Operation Urban Warrior internet homepage recently made unavailable its website on "marines prepared for protesters " (42) Too bad.

The theory and tactics of urban warfare, currently under vigorous scrutiny by numerous sectors of the military, fall under the subject of Military Operations in Urban Terrain (MOUT). The primary U.S. Army doctrinal publication on the subject, Field Manual 90-10, published in August 1979, was recently updated to FM 90-10-1, An Infantryman's Guide to Combat in Built-up Areas. Despite this reformulation, George J. Mordica II, analyst for the Center for Army Lessons Learned (CALL), feels it needs reworking. He states that "U.S. doctrine on combat operations in urban areas is outdated". His recommendation, that "tactics, techniques, and procedures (TTP) need to be developed as an interim measure until doctrine can be written that supports armed combat." (43) Mordica praises "a new publication, Marine Corps Warfighting Publication (MCWP) 3-35.3, Military Operations on Urbanized Terrain, published 16 April 1998 by the United States Marine Corps." He thinks it's the most realistic. He also likes "the Marine Corps' current Urban Warrior experiment", believing it to be a positive step, offering "a different approach and fresh review of many of the questions the Army needs to address."

One of these questions concerns weaponry, and on that issue Mordica is dead serious: "Develop weapons based on the need to defeat the threat, not on political considerations concerning whether such a weapon would be used in a given situation." In addition, "a high-level review of the ammunition necessary in urban combat must be conducted. The use of high-explosive, high-explosive plastic, white phosphorus, and flechette rounds need to be evaluated and considered for re-introduction into the inventory in sufficient quantities for effective training. Satchel charges, explosives, and bangalore torpedoes should also be re-evaluated for use in urban conditions." White Phosphorus, used in flares, as an incendiary and for smoke screens, comes in every size from hand grenades to howitzer shells and is, according to the EPA, extremely toxic to humans.(44) In addition, Mordica and the Army Center believe that, "the training we are using to prepare our soldiers for urban combat is not realistic enough to present the full spectrum of command and control, along with the psychological impact, close combat, and logistical problems associated with this kind of combat." Maybe they should get in touch with Firearms Training Systems, Inc. They're the experts in "virtual killing", recently consummating a "cooperative research and development agreement" with the Office of Naval Research to "commercialize" an "advanced training systems product line", all in the hopes of "enhancing military and law enforcement training." (45) Realistic training is critical, after all, according to Mordica, "the sugar coated version of urban combat will not reflect the truth. Battles in a city are savage, and many times do not allow for the precautions normally taken in the field concerning refugees, civilian casualties, evacuation of friendly and enemy wounded and dead, and prisoners of war (POWs)." Now, "does this mean the Army cannot hold

itself to a high moral code", asks Mordica. Well, "no" he replies, but "the political realities of urban combat have created a terminology that tends to place limitations on how to conduct these operations...these terms bring civility to urban combat operations." (46)

US Marine Corps Operations on Urbanized Terrain (MOUT) "X-Files" (47) contain "tactics, techniques and procedures" which deal with "urban attacks" (3-35.1), "urban defense" (3-35.2), "urban patrolling" (3-35.6), and "urban sustainability" (3-35.12). Unfortunately, "these files are accessible from the MILNET only". According to the Marine Corp Warfighting Lab, "the X-files are pocket-sized, useful, clear information" that "convey a synthesis of learning from experiments with MOUT tactics, techniques, and procedures, and some enabling technologies ' that can help us fight and win battles on urbanized terrain."

The Rand Corporation recently published a book by author R.W.Glenn, entitled, *Marching Under Darkening Skies: The American Military and the Impending Urban Operations Threat* (1998). In it, the author examines the state of "U.S. Military preparedness to undertake military operations in urban terrain (MOUT)." Glenn's number one recommendation, like his associates at CALL, is that "the four services should adopt Marine Corps Warfighting Publication 3-35.3 as the initial foundation "(48)

The 1998, MCWP 3-35.3, *Military Operations in Urbanized Terrain*, is written "with emphasis on the ground combat element", (49) attempting to provide a "level of detailed information that supports the complexities of planning, preparing for, and executing small-unit combat operations on urbanized terrain." Issued by the Commanding General of the Marine Corps Combat Development Command, Lieutenant General J.E.Rhodes, the 367 page publication covers a range of subjects including modern urban warfare, offensive and defensive operations, logistics and combat support, organization, combat skills, and weaponry, with a series of appendixes on attacking and clearing buildings, fighting positions, subterranean operations (subways and basements), mines and demolitions. The publication makes clear that urbanized areas are "an incredibly complicated and fluid environment", which "may be significant sources of future conflict." Noting that, "cities historically are where radical ideas ferment, dissenters find allies, mixtures of people cause ethnic friction, and discontented groups receive media attention", the author(s) of MCWP 3-35.3 want it to be known that into this milieu, the marines "are deployed as part of naval expeditionary forces (NEFs) that maintain a global forward presence for rapid crisis response", during which "urban intervention operations must often be planned and executed in a matter of hours or days (rather than weeks or months) to take advantage of the internal turmoil surrounding a developing crisis."

Under the heading "Military Operations Other Than War", the "Warfighting Publication" states in Chapter 7 that "one of the most likely missions that U.S. Marines will undertake abroad will be military operations other than war (MOOTW). These missions typically will take place in the Third World." During MOOTW, "it is important to remember that political considerations permeate at all levels." I wonder what political considerations came into play regarding urban warfare and the "third world" in the city of Los Angeles?

## **OPERATIONS OTHER THAN WAR: LOS ANGELES 1992**

"The fact that most things went right, despite the speed at which the situation developed, validated the Department of Defense (DOD) Civil Disturbance Plan (Operation GARDEN PLOT). However, refinements in doctrine must be made to account for the nature of joint civil disturbance operations in Operations Other Than War, (wherein) emerging doctrine must pay particular attention to unique threats and closer relationships the military must have with civilian law enforcement agencies." This, according to a lengthy 1993 "newsletter" disseminated by the Center for Army Lessons Learned (CALL), Fort Leavenworth, Kansas, entitled, "Civil Disturbance - LA Riots." (50)

According to the Center, "Civil Disturbance Operations is one facet of the U.S. Army's vital mission to conduct Operations Other Than War. The Los Angeles civil disturbance operation presented a unique opportunity for the U.S. Army " While "Army doctrine deals with civil disturbances in the context of Mass Acts of Civil Disobedience", it's important to remember that "given the nature of the criminal element in our nation's cities, it is reasonable to expect a propensity for greater violence and more focused resistance from organized criminal elements during future civil disturbances."

CALL analysts point out that "an important issue that came to the forefront during the civil disturbance operation was that the DOD GARDEN PLOT plan does not contain sufficient guidance on procedures for the Army to execute

selective mobilization." Correcting this oversight, "the Department of the Army revised plan will implement guidance for the Army, incorporating the Army Mobilization and Operations Planning and Execution System (AMOPES) under selective mobilization."

It's true. Getting the troops out onto the streets of Los Angeles proved to be problematic. And there were other concerns. As the CALL analysts point out: "A military force bristling with heavy weaponry and combat equipment will antagonize a citizenry unaccustomed to military involvement in civil affairs. Heavy weapons invite violations in Rules of Engagement (ROE) that could inflame public sentiment." In other words, "be sensitive to the traditional American disquiet of standing armies and martial law." In fact, as National Guard deployment occurred, "some first-line leaders applied arming order levels based on their perceptions of the threat, despite lack of reasons justifying an elevated arming status." This was no surprise to many residents of Los Angeles who are accustomed to "elevated" LAPD "arming status"

Some history. Back in 1991, former Clinton Secretary of State (1996), Warren Christopher, then a private citizen, chaired an "independent citizens commission" concerned with "arming orders", brutality and "bias" in the Los Angeles police department. Back in 1965, Christopher was the vice chair of ex-CIA chief McCone's study of the conflagration in Watts, L.A. The Christopher Commissions' more recent report, pure damage control, was released in July 1991, four months after the video seen round the world. It stated that, "the Commission found that there is a significant number of officers in the LAPD who repetitively use excessive force against the public and persistently ignore the written guidelines of the Department regarding force." It concluded that the failure to control these officers and their rampant "rules of engagement" was a "management problem."(51)

As luck would have it, Christopher was coincidentally enmeshed within the walls of police officialdom when South Central Los Angeles blew up once again. On Wednesday, April 29, 1992, the four L.A. cops who were charged with assaulting Rodney King, fracturing his skull in nine places, were found not guilty by an all-white Simi Valley jury. Suddenly, and predictably, all hell broke loose, at first in a small area at the intersection of Florence and Normandie Avenues. It was at that point that the "crowd swelled to 150, jamming and jostling the police skirmish line", when mysteriously, "the LAPD retreated" (52), thus insuring, that within this power vacuum, violence would erupt. Factor in the arson for profit, eyewitness testimony regarding strangers throwing molitovs, the California National Guardsman arrested by traffic cops on the first night of the "riot", in whose car were the makings for just such a bomb (53), and one begins to glimpse the insidious nature of the LA-Garden Plot "operation", in which provocation may have been the basic "tactic, technique and procedure" of urban warfare. [I lived in Los Angeles at the time, and it was common knowledge that timing of all the fires indicated a single team running from place to place to set them]

Eventually the organized chaos stretched 32 miles, from Hollywood Hills to Long Beach. Numerous reports chronicled the slowness of law enforcement response, including the National Guard. The violence which ensued lasted 5 days, leaving 54 dead and thousands injured. Thirteen thousand people were arrested, and contrary to popular portrayals of the "riot", nearly half of those arrested were Latino. Damage was estimated at \$1 billion. It was unquestionably the most costly civil disturbance in U.S. history. And yet, despite all of the destruction, the Major who commanded the California National Guard troops at the time stated that, "the Los Angeles riots were a tremendous success for the military."(54) Some success story. The New York Times reported mysteriously on 5/7/92 that "police may have ignored basic riot plan." Or maybe not. After all, scorched earth policies are as American as apple pie.

It was private citizen Warren Christopher who was on hand to help coordinate the "civil-military collaboration". With the police in retreat and the National Guard in disarray, he promptly "advised Mayor Bradley to call in the federal troops."(55) According to the post-riot, Harrison Report, authored by Army General William H. Harrison, "Mr. Warren Christopher first broached the subject of federal troops to the Mayor's staff when he became concerned about the slowness of the California National Guard deployment on the streets."(56) As a consequence of his "concern", and a Presidential Executive Order on May 1st federalizing the National Guard, "the 3d Battalion, 160th Infantry (Mechanized), 40th Infantry Division, California National Guard was ordered to mobilize."(57) At the same moment, the Joint Task Force - Los Angeles (JTF-LA) was formed.

The Executive Order federalizing California National Guard units also authorized active military forces to assist in the "restoration of law and order". As a result, "JTF-LA was assembled from US Army and Marine forces." (58)

Under "Operation Garden Plot, military forces established intelligence exchange with suburban police departments, local city command posts, the Los Angeles Police Department (LAPD), the LAPD emergency operations center, the city command center, the sheriffs office, the Federal Bureau of Investigation (FBI), and the Bureau of Alcohol, Tobacco, and Firearms." In addition, "Garden Plot units used a variety of government-owned, off-the-shelf purchased, and personally owned equipment to effectively conduct operations. Additional communications equipment included such things as cellular phones, facsimile machines, and police scanners." (59) The Garden Plot "units" remained on the streets of the city of Los Angeles for a month, until the 29th of May.

The Military Field Commander of the California National Guard during the uprising was Major General James D. Delk, now retired. In 1995, he wrote a book about it, attempting to deflect criticism of National Guard "readiness and performance", criticism being spearheaded, interestingly enough, by the Army's, Harrison Report. The book, entitled, *Fires and Furies: The L.A. Riots*, was published by a Palm Springs, California outfit called ETC Publications. In 1996, the U.S. Army's Foreign Military Studies office at Fort Leavenworth, Kansas, published a review of the book, authored by senior military analyst Colonel William W. Mendel, in which he states that Delk's book is a "case study in urban warfare". According to Mendel, "*Fires and Furies* is a warning to U.S. military leadership about the complex civil-military issues that face military commanders and their troops in an operations other than war (OOTW) environment." He stresses that, "in civil disturbance operations, it is clear that the police agencies will not be able to handle the situation alone. Soldiers will be called upon to support ' again." According to Mendel, the book "demonstrates that traditional ways of thinking about civil disturbances and the ways that the U.S. military goes about riot control training could be archaic", demonstrating, "the military's failure to confront the compelling issues of military operations other than war." Indeed, as Col. Mendel states, "the reader will be well served by Delk's identification of critical issues concerning civil disturbances and urban war "(60)

Delk wrote a much earlier piece in 1992 while still fresh from battle. Citing the standard "source", the "Department of Defense Civil Disturbance (Garden Plot) Plan", which he dates "15 February 1991" (61), he goes on to relate what it was like to be "in those neighborhoods which are carefully avoided by most law-abiding citizens." Citing "countless incidents of taunts and provocations by gang members", in which "there was considerable risk taking" on the part of he and his men, he goes on to conclude that "battle-focused training served us much better than the civil disturbance training we used to practice." In fact, as Delk put it, "our role was more akin to low-intensity conflict (or urban warfare) than riot control."

Delk's fingering of "gangs" dovetailed nicely with the Los Angeles Police Department's timely circulation of an "intelligence" memo, disseminated only a few days after the smoke cleared, stating that gangs under Muslim leadership were aiming to kill cops and start a war. (62) How convenient! Who wants to start a war? Maybe the racist LA cop who "would love to drive down Slauson with a flame thrower we would have a barbecue." Or his buddy, risking life and limb, who stated, "if you encounter these negroes shoot first and ask questions later."(63)

Since the mid-1980's US military strategists have sought to define "military operations other than war" (MOOTW) doctrine. Their aim: to rationalize and justify increasing application of military "expertise" to a wider array of operations, to grow the list of situations vulnerable to military penetration. Strikingly, this process parallels a similar development in some urban domestic police forces. In New York City, for example, Mayor Giuliani's "quality of life" police crackdown against poor communities, low-wage workers, youth, jay-walkers etc., began by creating new laws and enforcing old ones in order to criminalize the behavior of more and more New Yorkers. In fact, in 1995, "broken windows" police guru George Kelling stated that, "the NYPD's legal staff is scrambling to identify other sources of authority to arrest people."(64) It's "total war" on the home front, The calculated extension of the continuum of military/police "total force" options within America is leading to a type of "total war" on the home front.

US Joint Chiefs of Staff pronouncements on the subject of "military operations other than war" are contained in Joint Publication 3-07, *Joint Doctrine for Military Operations Other Than War*, dated June 1999. (65) The document states that " the wide range of MOOTW provides the National Command Authorities with many possible options during unsettled situations", including "options", like domestic civil disturbance, which are "not always conducted outside the United States." Although distinct from overt war-making, the Chiefs believe that MOOTW is "an extension of warfighting doctrine." Its' major feature is that it is "sensitive to political considerations", where the requirement is to "understand the political objective and the potential impact of inappropriate actions." To this end, MOOTW requires "restraint in order to apply appropriate military capabilities prudently", and "perseverance" which allows for "protracted application of military capability in support of strategic aims." The broad listing of MOOTW

"types of operations" includes "military support to civil authorities" under which civil disturbance operations are conducted.

The latest Army OOTW formulation is contained in Field Manual / FM 100-20. In 1990, it was called Military Operations in Low-Intensity Conflicts and was designed, in part, to cover covert destabilization of such nations as Nicaragua and El Salvador during the Reagan years. FM 100-20 is now known as Stability and Support Operations. The "new FM 100-20 amplifies and explains OOTW It addresses how we might execute peace enforcement and deal with ethnic conflict and failed states. It also adds depth to explanations of insurgency and counterinsurgency operations "(66) Colonel John B. Hunt, U.S. Army retired, extended the concept of OOTW in an article in an October 1996 issue of Military Review. (67) Recognizing that OOTW is "a concept in flux", he argues that the Army has not taken seriously "OOTW concepts and doctrine", concepts which are in "disarray". Further, Hunt believes that "the Army, as an institution has not fully accepted the doctrine", stating that, "we still are not fully agreed on what to call it." Exasperated, he says the Army "must name, not war ' not peace, situations." Continuing his obsession with naming, in a section entitled, "what's in a name?", Hunt asserts that "in addition to OOTW, the Army has used names such as low-intensity conflict (LIC), stability operations and operations short of war to describe these operations." According to Hunt, "one problem the names share is that the subject is a political-military situation." Ah, there's the rub! Hunt continues, "OOTW's goal is to persuade an enemy to change his behavior." According to Hunt, "OOTW's essence is that such missions are primarily political processes that are sometimes accompanied by violence." Therefore, OOTW "emphasizes the primacy of the political instrument of national power." Or to paraphrase Clausewitz's characterization of war, the continuation of politics by other means.

As Colonel Hunt sees it, "the domestic mobilization insurgency strategy, requires a persuasive, political approach." That is why Hunt believes that "OOTW's chief approach to war is the incorporation of political strategy", an approach that offers "a way to act politically, using military participation and support to solve a problem." And yet, it must be recognized that "OOTW's chiefly political methods" operate in a climate which is characterized by the "inequality of power", wherein, according to Hunt, "smaller, weaker actors cannot hope to defeat a larger, more modern power by direct military action. Their only hope for success is to combine political, informational, economic and military means." Consequently, Hunt predicts that "future war will almost certainly be some amalgamation of wars of attrition and annihilation with OOTW's political-informational methods" and that "prospects for success are higher through using the safer and cheaper OOTW methods of politics, propaganda and terrorism." To the point.

## **HOMELAND DEFENSE: DOMESTIC MILITARY CZAR**

"Terrorism is multifaceted and differs from group to group and incident to incident. Yet the single common denominator is that it is a psychological weapon, intended to erode trust and undermine confidence in our government, its elected officials, institutions or policies. What makes a WMD terrorist incident unique is that it can be a transforming event." Frank J. Cilluffo, Center for Strategic and International Studies, Council on Foreign Relations, Roundtable on Terrorism

"I personally believe that the next decade is a decade of homeland defense " John Hamre Deputy Secretary of Defense

In January 1999 the New York Times stated in an editorial that "there have been discussions in the Pentagon, but no decision, about creating a new domestic military command to combat terrorism. That would erode the long-established legal principle that America's armed forces should not be involved in domestic law enforcement." (67) While the military has, according to the Times report, "no intention of usurping civilian control", under the euphemistic banner of "homeland defense", the Pentagon "decided to ask President Clinton for the power to appoint a military leader for the continental United States."(68)

Recent testimony before a congressional committee on National Security, International Affairs, and Criminal Justice stressed that, "in order to institute a more systematic and integrative approach to protecting the Continental United States from threats such as WMD terrorism, critical infrastructure protection and missile defense, it may be worthwhile to create a new Commander-in-Chief (CINC) USA. The CINCUSA would be responsible for all Department of Defense related strategies and activities related to homeland defense issues and would serve as a focal point and facilitate coordination within the Department of Defense and between the many federal, state and local law enforcement, intelligence and medical communities with related responsibilities."(69)

White House officials "reacted favorably, characterizing the proposed step as a relatively minor adjustment of the lines of military authority and organization." President Clinton, whose nominal approval was required in order to move ahead with the appointment of the domestic military chief, commenced to "weighing the issue carefully", promising a response. His objectivity in the matter was doubtful all along given his authorship of various directives on the matter, including in particular, Presidential Decision Directive 62, Protection Against Unconventional Threats to the Homeland and Overseas, dated May 1998, and Presidential Decision Directive 39, a June 1995 presidential "counter-terrorism" edict which provides guidance in distinguishing "crisis management" from "consequence management".

Gregory T. Nojeim, legislative counsel on national security for the American Civil Liberties Union, concerned about the Pentagon proposal and its' impact on law enforcement stated that, "it's hard to believe that a soldier with a suspect in the sights of his M-1 tank is well positioned to protect that person's civil liberties." Nonetheless, for at least the past three years the Pentagon has organized and planned for "homeland defense." During that time, Defense Secretary Cohen signed off "on a plan to create a Joint Task Force for Civil Support", in which military forces would be involved in various types of "anti-terrorist" law enforcement operations, reporting "to the Department of Justice, which has the lead not only in law enforcement but in coordinating the domestic response to terrorism."(70) Actually, Cohen stated that "the joint task force to coordinate military actions would be ready to respond in the event of an attack on American soil, but under the direction of a civilian agency like the Federal Emergency Management Agency."(71)

On October 8, 1999, Pentagon foresight was rewarded when Admiral Harold W. Gehman Jr., NATO's Supreme Allied Commander, Atlantic (SACLANT), was put in charge of defending the homeland. According to script, President Clinton "approved these new changes made by the Pentagon's top officials as part of a routine revision of the responsibilities and roles of its nine commands scattered across the globe." According to this "routine revision", Admiral Gehman's new job "is to coordinate military actions should an enemy target this country " Again, "the idea has been criticized by civil libertarians who argue that any homeland defense plan might open the door for the military to assume the role of domestic police, which is prohibited by law." In reference to the appointment of a domestic military chief, ACLU Attorney Nojeim stated that "our concern is that there be a bright line drawn between law enforcement and the military. This not only blurs that bright line", warned Nojeim, "but virtually guarantees further involvement of the military in civilian law enforcement activity."(72)

As for legal considerations, "by law, the military cannot make arrests or act in civil law enforcement. The Posse Comitatus Act, passed after the Civil War to rein in the military, bars federal troops from doing police work within United States borders."(73) Comforting words from the New York Times. Unfortunately, not true. Strictly speaking, the Act refers only to the Army and the Air Force, not to the Marines or the National Guard in "state status". In fact, militarism is becoming increasingly imbedded within domestic law enforcement. Incredibly, "the paper of note" also declared that "the division of powers that bars the military from domestic law enforcement is similar to that between the Federal Bureau of Investigation and the Central Intelligence Agency. The former does surveillance work at home and the latter abroad." Apparently, this division of powers did not prevent an innocent Redford, Texas teenager, 18 year old Esequiel Hernandez Jr., not far from home, from being shot dead by Marines on a "drug interdiction" mission along the border. As for the FBI, the bureau in the 1990's has nearly doubled its overseas presence, having opened offices in more than 20 foreign countries. In addition, FBI Director Freeh recently stated that "the FBI and the Central Intelligence Agency have taken several steps to improve cooperation between agencies, including the exchange of deputies, exchange of personnel assigned to each agency's counter-terrorism center, joint meetings, and joint operational and analytical initiatives. At the field operational level, the FBI sponsors 18 Joint Terrorism Task Forces in major cities to maximize interagency cooperation and coordination among Federal, State, and local law enforcement."(74)

The 1878 Posse Comitatus Act, (18 U.S.C. 1385), often cited as a barrier to domestic military activity, reads as follows: "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 not more than \$10,000 or imprisoned not more than two years or both." Under the so-called "drug war", "exceptions" to the Posse Comitatus Act have proliferated. "Former Senator Sam Nunn of Georgia, who specializes in National Security issues, said another exception became law in the Reagan Administration when Congress permitted Posse Comitatus to be waived in the event of nuclear terrorism." Congress later widened the

exception in a "little known provision" sponsored by then Senator Nunn. Known as the Nunn-Lugar-Domenici Bill, the Defense Against Weapons of Mass Destruction Act of 1996 gave "the Pentagon power to step in domestically in the event of chemical and germ attacks."(75) The military, for its part, is making the very same arguments. US Army Colonel Sean J. Berne argues in a recent article for Military Review entitled, "Defending Sovereignty: Domestic Operations and Legal Precedents", that although "there continues to be considerable concern over the legal authority and limits of using the Armed Forces in domestic actions", and that some would even "argue against virtually any involvement by the military in domestic operations, that involvement is key to safeguarding national security and guaranteeing the continued freedom of our citizens." Berne asserts that "under specific circumstances, use of military forces in domestic operations, while controversial, is not only appropriate, but legal and warranted." The Colonel has little patience for "preconceived notions concerning civil-military relations based on incomplete information." While those who object to the military becoming the police usually cite, among other things, the Posse Comitatus Act, it is not, according to Colonel Berne, "the final word on the subject." He states that "based on emergency situations and emerging threats to national security, Congress passed a number of exceptions clearing the way for significantly increased involvement by the Armed Forces in domestic activities."

These "exceptions" to Posse Comitatus, or to put it in more precise language, these new missions for the military inside America, include "Title 10, US Code, Sections 331-335 dealing with civil disturbances and insurrection." These sections, and other "exceptions", according to Berne, "also provide the Executive and Legislative branches with a standing force involved with domestic law enforcement on a day-to-day basis." Now, while "at first blush it would appear these amendments could be in conflict with the intent of the Declaration of Independence, Constitution and the Posse Comitatus Act by placing a potentially unchecked military in a position to infringe on Fourth and Fifth Amendment right", we'll, don't be afraid, take comfort in the notion that our "Congress went to great lengths to ensure that civil-military relationships would not be subverted." And besides, "no case has been found involving criminal prosecution of anyone for Posse Comitatus violations."(76) So, lets get our heads screwed on right, cause after all, as Colonel Thomas R. Lujan, lead attorney ("staff judge advocate") for US Special Operations Command said back in 1997, "our nation can ill afford to have the effectiveness of its military assets artificially constrained by a misunderstanding of the law."(77)

Along those same lines, the Air Force's Air University offered a 1998 course entitled "The Posse Comitatus Act: Consideration of its Contemporary Value/Appropriateness." An abstract of the course states that "this project will review the history of the Posse Comitatus Act, the rationale for its existence, contemporary exceptions, and explore the logic for its continued existence and enforcement. If it is determined the Act is no longer necessary, consideration will be given to making a recommendation for modification or elimination of the Act."(78) Finally, the US Army Peacekeeping Institute summed it up this way in a slide entitled: "The Posse Comitatus Act (18 USC 1385)." It's simple: "Exceptions: Military Purpose Doctrine, Sovereign Authority, Civil Disturbances."(79)

This past year, President Clinton appointed Richard A. Clark his national counter-terrorism coordinator, his point man on domestic counter-insurgency. Earlier this summer, Clark wrote a piece for the journal Low Intensity Conflict and Law Enforcement, entitled, "The Intelligence Threat Assessment Function and the New Threats".(80) During the Bush Administration, he was a staff member of the National Security Council and has remained there ever since. Sitting in Oliver North's old office at the NSC, Clark is trying mightily to "coordinate everything from the Pentagon and its evolving plans to defend the United States against terrorists down to local police and fire departments."(81) At a recent National Governors Association conference attended by "emergency planners" from 45 states, Clark said that, "in the future, they will look for our Achilles' heel, and it's here - here in the homeland."(82) At the conference, Clark and Attorney General Reno outlined various ways in which that "defense" is coming together, including congressional approval for President Clinton to recall (involuntarily) 200,000 reservists for up to 270 days. The National Guard and Reserve Units have been designated as among the "first responders" in the event of an "incident".

On May 22, 1998, Secretary of Defense William S. Cohen announced "the stationing plan for 10 recently announced rapid assessment elements using National Guard personnel." According to Cohen, the Guard teams, at a cost of some \$50 million, "are part of Department of Defense 's overall effort to support local, state and federal civil authorities in the event of an incident involving the use of weapons of mass destruction (WMD) on U.S. soil." The teams, placed in the regions designated by FEMA, are stationed in California, Colorado, Georgia, Illinois, Massachusetts, Missouri, New York, Pennsylvania, Texas, and Washington. The plan is that within 4 hours time they "will be able to deploy rapidly and pave the way for the identification and arrival of follow-on federal response

assets." According to Cohen, they "will act as the tip of the national military spear." In support of this plan, Cohen called for the "total force" "integration" of the National Guard and "other Reserve components" into "a national WMD preparedness strategy." (83) New York's Governor George Pataki, enamored over the new role of the New York National Guard, which had been "developing the doctrine of homeland defense over the past year and a half", stated on July 20, 1998 that "with the Guard stronger than ever, the creation of this unit is a right step at the right time."(84) New York is part of FEMA Region II, which consists of New York, New Jersey, Puerto Rico and the Virgin Islands.

Some months earlier the DOD released Department of Defense Plan for Integrating National Guard and Reserve Component Support for Response to Attacks Using Weapons of Mass Destruction, spelling out the particulars on the subject of National Guard/Reserve "integration". Among its numerous chapters, a section entitled "Response Elements: Civil Disturbances" states that "the potential for lawlessness and disorder will exist following any WMD incident. Units designated with on-street civil disturbance missions need to have awareness level training on WMD incidents."(85) In this regard, the report references not only the Posse Comitatus Act (Title 18, Sections 1385) and the Insurrection Act (Title 10, Sections 331-335), but also DOD Directive 3025.12, Military Assistance for Civil Disturbances. Lt. General Edward Baca, chief of the National Guard Bureau, stated in 1998 that the Guard was ready to implement homeland defense initiatives. "We are now in the process of determining what the threats are so that doctrine can be developed to meet those threats."(86) While the "threats" may require determination, the process of militarizing law enforcement to meet the "threats" is clear.

On the 3rd of March, 1998, Army Brig. Gen. Roger Schultz, deputy for the Director of Military Support, the DOD agency that coordinates "assistance" to local law enforcement, stated that "we don't know when and we don't know the place, but we will be attacked." Gen. Schultz "sees a nation and citizenry not fully prepared for attacks", and the new Guard program "will help educate the public about its vulnerability." But even more, Schultz wants to make the point that "the task we're going to be training Guard and Reserve soldiers and airmen on is related to our warfighting. We're not just investing in a domestic response, we're investing in a commander in chief's requirement to go to war."(87)

This past April 27-29, 1999, the US military's Training and Doctrine Command (TRADOC) held its' Modeling and Simulation Advisory Council and Distributed Simulation Working Group Meeting at the Joint Warfighting Center, Fort Monroe, Virginia. The session took up the issue of "homeland defense" in a series of briefings (slide shows). One such briefing, entitled, Army Force XXI - New Analysis Requirement, explicitly lists elements of "homeland defense" including "domestic preparedness, weapons of mass destruction (WMD), terrorism, civil disorder, evacuations, natural disasters." Stating that "examples of M&S in Support of Domestic Preparedness" include "operation Test Visualization (OTV)", the briefing explains that OTV "provides real time and playback capability for live or simulated exercises" which "law enforcement agencies agree is needed," Currently, they are busy at work "with the San Bernadino Sheriff's Department and Boeing to provide training and analysis for Shoot House exercises." These "Soldier Station" scenarios include "MOUT, non-lethal weapons and Land Warrior/Force XXI" elements, as well as "complete search and capture scenarios for the San Bernadino Sheriff's Department." Hands-on "incident command operations" with the San Bernadino Sheriff's Department completed in February 1999 consisted of a "single jurisdiction, multi-agency response to civil disorder."(88)

In January 1999, the Washington, DC based Center for Strategic and International Studies released a study entitled Defending the U.S. Homeland, which calls for the Pentagon to "develop, deploy, and operate a wide range of defensive measures for the protection of the U.S. homeland." The Center, founded in 1962, is a public policy research institution that maintains resident experts on all the world's major geographical regions. It also covers key functional areas, such as international finance, U.S. domestic and economic policy, and U.S. foreign policy and national security issues. On January 1, 1999, none other than former Congressman Sam Nunn assumed the position of chairman of the CSIS Board of Trustees. At that time the Center made known its' differences with President Clinton's proposals to defend the homeland, stating that "the President's program is useful to cope with isolated terrorist attacks involving biological or nuclear weapons. However, it fails to address the need for the Pentagon to be prepared for taking the lead should a rogue state smuggle such weapons into the United States." The study's author, Fred C. Ikle, former Under Secretary of Defense in the Reagan Administration, pointed out other inadequacies, such as "inadequate or insufficiently understood legal authorities for a military role in homeland defense", although Ikle believes that "legislation can overcome this deficiency." Towards that end, a future CSIS

study intends to "address the legal aspects of the military's role in homeland defense." Dr. Ikle, a CSIS "distinguished scholar", is currently also a director of the National Endowment for Democracy.

The Centers' Global Organized Crime Project is chaired by William Webster, former Director of the CIA and FBI. CSIS "Senior Advisor" Arnaud de Borchgrave serves as Project Director. The Project membership lists numerous former intelligence and defense chiefs including former directors Woolsey, Soyster, Schlesinger, Brown, Gates, Deutch, Rumsfeld and Cohen (prior to his current appointment), as well as CSIS "scholar", Walter Laqueur, co-chair, International Research Council, and holder of the Henry A. Kissinger Chair in National Security Policy. Although the Project believes that "the rise of transnational organized crime is an unfortunate by-product of globalization", its' Terrorism Task Force believes that "zealots are arriving on the scene not with traditional political objectives but with more unique idiosyncratic, religious, or personally psychotic purposes." Its' members include former FEMA head Lt. Gen. Julius Becton, U.S. Army, (retired) and Joshua Lederberg of Rockefeller University. (89) Stating that "rogue nations or transnational actors may be able to threaten our homeland", a 1997 report by the National Defense Panel, entitled Transforming Defense: National Security in the 21st Century, advises that "the terrorist threat to the United States is a complex issue which, as it encroaches upon U.S. territory, transitions from a Defense and State activity to one managed primarily by the Department of Justice or local law enforcement." (90) Towards this end, the Attorney General's office has established a National Domestic Preparedness Office within the FBI. Various Presidential directives issued over the past two years put the FBI in the lead of counter terrorism activities. At the same time, "the mythic G-men, who once concentrated exclusively on solving crime, are today focusing on crime prevention as never before", making use of greatly "increased investigatory and surveillance powers that have come with its' new role." (91) Another sign of the FBI's expanded "homeland" mission, to go along with its overseas activities, is the massive infusion of funding it has received. Annual funding for the FBI's Counter terrorism program has grown from \$78.5 million in 1993 to \$301.2 million in 1999. In 1995 the FBI's Counter terrorism Center, located at FBI Headquarters became operational.

And thus, as President Clinton recently put it, does "the last big kind of organizational piece" (92) on "homeland defense" fall into place. And while many citizens fear greater involvement of the military in domestic law enforcement, there is no need for concern, for as Defense Secretary Cohen earnestly put it to Ted Koppel and the American public the other night, "the military has no plans for a take-over" (93) Some reassurance.

## **MILITARY COUP**

The winner of the 1992 "Strategy Essay Competition" sponsored by the Chairman of the Joint Chiefs of Staff was a National War College student paper entitled, "The Origins of the American Military Coup of 2012." (94) Authored by Colonel Charles J. Dunlap, Jr., the brief, well documented work is a fictional, "darkly imagined excursion into the future." It is written from the perspective of an imprisoned senior military officer about to be executed for opposing the military takeover of America. Accomplished through "legal" means, the coup is portrayed as the "the outgrowth of trends visible as far back as 1992", including "the massive diversion of military forces to civilian uses", especially law enforcement.

Author Colonel Charles J. Dunlap, Jr., USAF, is the Deputy Staff Judge Advocate, US Central Command, MacDill Air Force Base, Florida. According to Dunlap's fictional protagonist, "Prisoner 222305759", the passage of the Military Cooperation with Civilian Law Enforcement Agencies Act of 1981, which actually took place, was "specifically intended to force reluctant military commanders to actively collaborate in police work." For Dunlap's hero, the Act "was a historic change of policy", in which "Congress initiated the use of national defense as a rationale to boost military participation in an activity historically the exclusive domain of civilian government: law enforcement." This deepening involvement in police work led, according to Dunlap, to the "devastation of the military's martial spirit", making them unable to "prepare for war", which emphasizes "firepower", not "studied restraint" and "legitimate authority". The end result: "a military that controls government", but "ironically, can't fight." A somewhat dubious proposition, nevertheless, according to Dunlap's scenario, militarization of domestic police forces around the country did mean that, "the military was ideally positioned in thousands of communities to support the coup."

As the tale is told, the "politicization of the military", resulting from its' forays "into the political process to an unprecedented degree" as the most well endowed and "trusted arm of government", lead inevitably to an "erosion of civilian control of the military". According to the "fictional" scenario, heightening and seemingly unsolvable social

and economic woes fostered in the American people a dependency on the spit-n-shine of military know-how. "Exasperated with democracy", Dunlap laments, the American peoples' "assumptions about the role of the military in society began also to change." Whereas in the past, "Americans had a traditional and strong resistance to any military intrusion in civilian affairs", they "were now rethinking the desirability and necessity of that resistance." They were giving in to the "all too seductive", "cost effective solution", namely, the military solution.

At that point, in 2012, "the military's alienation from its civilian leadership" asserts itself, when an unscrupulous military dictator ("General Brutus") is able to get himself, via the "Referendum Act", appointed "Military Plenipotentiary". Our hero, we are lead to believe, is never again to see the light of day. Sad story. And there you have it. Now, the real story is that while Dunlap's "essay" is creating quite a buzz in military circles, you hear next to nothing in the national media. I wonder why that is. Imagine, an Air Force legal officer writes a thesis at the prestigious National War College hypothesizing the conditions that would lead to a coup ' something officers never mention in public and barely even whisper in private ' and wins the top writing prize and publication in the Army's leading professional journal. Imagine that.

An article by Thomas E. Ricks in the January 1993 issue of The Atlantic Monthly, entitled, "Colonel Dunlap's Coup", refers to the "fictionalized essay" as a "conservative document", and one that "is likely to be widely discussed within the U.S. military." He believes this is so because it represents "the kind of unfettered thinking" that the military is encouraging. In fact, the kind of thinking "that it wants for a professional magazine it is now developing." It should be noted that in the article, Ricks also takes note of "last year's military deployment to Los Angeles, dubbed Operation Garden Plot by the Marines."

Germane to the subject of a military coup, Richard H. Kohn, former chief of Air Force History, 1981-1991, recently launched his own "scathing attack on what he saw as the military's alienation from its civilian leadership." (95) Kohn is currently a professor of history at the University of North Carolina and heads up the Triangle Institute for Security Studies, a non-profit foundation based in North Carolina. Recently, the Institute released a study in which it noted "a sharp divergence found in views of military and civilians" (96). According to a New York Times report (9/9/99), the recently completed "\$500,000 study that will ultimately produce at least 20 academic papers", revealed that "a deep gap over politics and values has opened over the last two decades between the nations' increasingly conservative military elite and prominent civilians without military service." A "credibility gap" of a new type. Not to worry though, Defense Secretary Cohen is committed "to somehow prevent a chasm from developing between the military and civilian worlds." Interest in the study's findings, of "a widespread unhappiness in the military with current trends in civilian society" has created quite a buzz. "In meeting rooms and corridors, the first findings were the hot topic" at the September 1999 annual meeting of the American Political Association in Atlanta. A Triangle Institute conference held in October 1999 in Caughny, Illinois, focused exclusively on "civilian-military issues" and the consequences of the growing "gap".

## **CONCLUSION**

Finally, a word on those who truly are "exasperated with democracy." Back in 1959, Samuel P. Huntington, cited above in Dunlap, Summers and Ricks, authored *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge University Press). By 1975, Huntington was putting his talents to good use by authoring the final report of David Rockefeller's Trilateral Commission. Titled, *The Crisis of Democracy* (New York University Press, 1975), the report is a blue-print for counter-revolution. It supplies the ultimate logic for the existence of Garden Plot. It explains a military and police in training to pre-empt democracy and defend the rule of the rich.

Its' infamous text is quite instructive regarding the latest phase of corporatist fascism within the American military-industrial complex. Characterizing popular resistance and "civil disturbance" as a kind of "distemper" among the clamoring masses, the report recommends obliterating democracy in America. According to the report, the remedy to the ongoing corporate "crisis in authority", (suffered most recently in Seattle), is to enforce, according to Huntington, "a greater degree of moderation in democracy". Believing that popular resistance to military and police enforced corporate rule "stem from an excess of democracy", the report goes on to enumerate ways and means of shrinking democracy in America.

The democratic space which is under the corporate gun is the space within which popular movements fighting for change, for freedom and justice exist. The establishment attack is multi-level and multi-dimensional, directly

effecting all people, but its earliest and most bloody stage is its' attack on the poor, particularly people of color. This is where fascist ideology is in full effect, assisting in the open violence against the people. In this regard, Huntingtons' report declares that "in the past, every democratic society has had a marginal population, of greater or lesser size, which has not actively participated in politics. In itself, this marginality on the part of some groups is inherently undemocratic, but it has also been one of the factors which has enabled democracy to function effectively."

This "effectiveness" is real, not only for the "violent underclass" which is facing marginalization, militarized police and the daily machinations of genocide, but for anyone who confronts the rule of racist corporate capital and its militarized new world order. The mass of likely suspects is growing. Accordingly, refuting a basic tenet of American social identity, Huntington coldly states that there are "desirable limits to the indefinite extension of political democracy", and that "a value (like democracy) which is normally good in itself is not necessarily optimized when it is maximized." And as for those who resist the attack on their freedoms: the military/police solution. For after all, according to the corporate military chiefs and their legions of industrialist soldiers, "democracy is only one way of constituting authority, and it is not necessarily a universally applicable one." In other words, as militarism and a culture of violence grow, American democracy becomes obsolete. Bring in the troops. Code-name it "Garden Plot. And oh yes, card carrying charter members of the 1975 Trilateral Commission included "riot experts" Warren Christopher and Cyrus Vance.

In sum, the convergence of the military and the police, in the interests of corporate sponsored social control, both here and abroad, follows quite logically from popular American obeisance to their needs. With one half of all federal resources devoted to the generals and their assorted industries of death, it was only a matter of time (timing), given the needs and sick desires of the corporate rich, that the cop on the street would one day become a special-ops soldier, trained to discourage dissent and to suppress protest, if necessary, violently.

This convergence is taking place amidst or because of an unprecedented level of corporate greed, wherein the majority of Americans are no more than slaves to enforced (managed) scarcities and indignities imposed on them by global American capitalist rule, a rule maintained through force. While resistance is growing within the remnant of democracy, US militarism, with its' fraudulent legalisms and terminologies of deception, its' brainwashing "doctrine" and hellish weaponry, is gearing up to meet that threat, refining its' technologies of social control. (97)

Operation Garden Plot is a metaphor for US militarism entering the new millenium. Its' anti-democratic essence, which is to silence, to suppress, and to stifle freedom has become generalized, like a spreading mushroom cloud. New military and police missions at home, along with global "peacekeeping" and "other than war" interventions abroad, are about more than rationalized budgets or the instincts of a profit hungry industry. Militarist "total force" ideology is naked counter-revolution mandated by corporate America. It aims, in its insane drive for power and profits, to suffocate all life. Its' pathology spares no one. That's the meaning of globalization. Consequently, the expanding dialectic of US corporate-militarism is creating new polarities, along with new avenues of resistance to the "war machine".

"No one will fully comprehend the historical implications and strategy of fascist corporativism except the true fascist manipulator or the researcher who is able to slash through the smoke screens and disguises the fascists set up."

***George Jackson, June 21, 1971***

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\* I lived in Los Angeles at the time, and it was common knowledge that timing of all the fires indicated a single team running from place to place to set them.

**See also: *The 9/11 Reichstag Fire - What Really Happened***