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Crisis and the creeping militarization of American society

By Christopher J. Coyne & Abigail R. Hall
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Earlier this month, Congress passed House Resolution 658, the “Federal Aviation Administration Air Transportation Modernization and Safety Improvement Act,” which President Obama is expected to sign. One of the over 1,000 sections of H.R. 658 authorizes domestic use of aerial spy drones by the U.S. government.

This is but the latest case of the increased militarization of U.S. police forces. Other examples abound. Under Program 1033, the U.S. military provided police with over \$500 million in military equipment in 2011, more than double the amount allocated by the government a year before. Small town police forces have been equipped with SWAT gear and automatic weapons. State and local law enforcement are receiving training akin to that expected in the armed forces.

Such activities fuel an ongoing debate regarding their implication for civil liberties. But H.R. 658 and these other examples also draw attention to a broader point. They lead us to wonder about government constraints, particularly during and after times of crisis.

The Founding Fathers understood the “paradox of power” — the need to simultaneously empower government *and* constrain its ability to use that power to violate the rights of citizens. They addressed this paradox by creating checks and balances that would, in principle, constrain the activities of government. One of the most important checks, noted the Founders, were vigilant citizens who monitored the activities of their government.

But sometimes, citizens are not so careful to check their government. There are instances which work to loosen the restraints on government. One of the greatest threats is the onset of crises. A crisis event induces citizens to call for government to do something and do it quickly. The demand to act swiftly results in an aggressive government response absent public debate and scrutiny. This leads to increases in both the scale and scope of government activities, many of which persist well after the crisis has ended.

This logic helps to explain the increased militarization of U.S. domestic police forces, which began with the onset of the War on Drugs in the 1980s. This militarization accelerated in the wake of September 11th, as federal dollars flowed through the Department of Homeland Security to local police forces in the name of fighting terrorism. Under this broad umbrella, domestic police have justified the acquisition of military technologies and equipment, ranging from assault rifles and armored cars to tactical training, and soon drones.

There is reason to expect such expansions in the reach of government power to continue. As the threat of terrorism remains a focal point of elected officials, government is able to justify a myriad of expenditures and policies that may reduce the rights of its citizens, like the new stipulations in H.R. 658.

American citizens have reason to be concerned about their civil liberties. It is immensely important, however, that citizens recognize the broader process through which the government expands its powers. Only then may these powers be checked. American citizens would be wise to heed the words of Patrick Henry: “The Constitution is not an instrument for the government to restrain the people, it is an instrument for the people to restrain the government.”