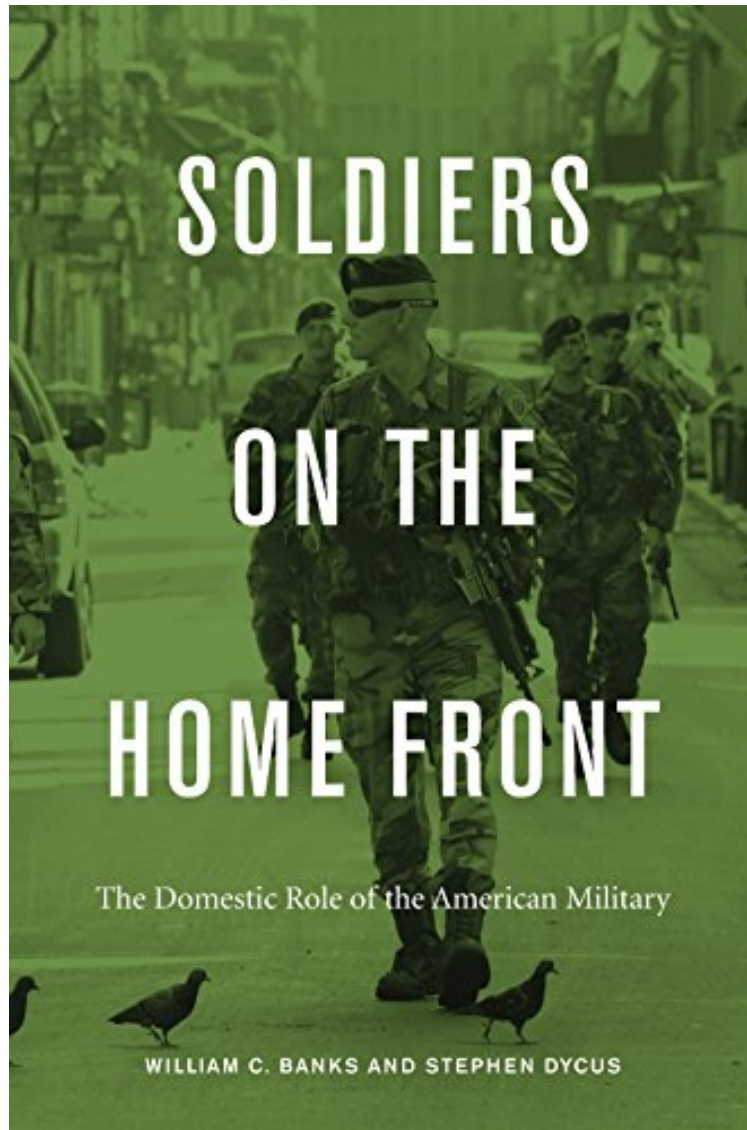


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Soldiers on the Home Front: The Domestic Role of the American Military

William C. Banks

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William C. Banks : Soldiers on the Home Front: The Domestic Role of the American Military before purchasing it in order to gage whether or not it would be worth my time, and all praised Soldiers on the Home Front: The Domestic Role of the American Military:

0 of 0 people found the following review helpful. Great book!By Huck FinnThis is a great law and should be required reading for law students and lawyers with an interest in national security law.7 of 11 people found the following review helpful. A Homeland Is a Country That Allows Domestic Use of MilitaryBy David SwansonHave you seen

Dahr Jamail's report on U.S. military plans for war games in Washington state? I'm sure some observers imagine that the military is simply looking for a place to engage in safe and responsible and needed practice in hand-to-hand combat against incoming North Korean nuclear missiles, or perhaps to rehearse a humanitarian invasion of Russia to uphold the fundamental international law against Vladimir Putin's existence. But if you look over the history of domestic use of the U.S. military -- such as by reading the new book *Soldiers on the Home Front: The Domestic Role of the American Military* -- it's hard not to wonder whether, from the U.S. military's point of view, at least a side benefit of the coming war game isn't rehearsing for the next time citizens in kayaks interfere with a corporation intent on poisoning the earth's climate with fossil fuels. *Soldiers on the Home Front* is almost rah-rah enthusiastic in its support for the U.S. military: "Our task here is to celebrate the U.S. military's profound historical and continuing contribution to domestic tranquility, while at the same time" Yet it tells a story of two centuries of the U.S. military and state militias and the National Guard being used to suppress dissent, eliminate labor rights, deny civil liberties, attack Native Americans, and abuse African Americans. Even the well-known restrictions on military use put into law and often ignored -- such as the Posse Comitatus Act -- were aimed at allowing, not preventing, the abuse of African Americans. The story is one of gradually expanding presidential power, both in written law and in practice, with the latter far outpacing the former. Some of us are grateful to see restraint in the approach to the men occupying a federal facility in Oregon. But we are horrified by the lack of similar restraint in using the military or militarized police against peaceful protesters in U.S. cities. Police departments as we know them simply did not exist when the U.S. Constitution -- virtually unaltered since -- was cobbled together in an age of muskets, slavery, and genocide. Among the developments that concern me far more than the authors of *Soldiers on the Home Front*: Numerous drills and practices, and the locking down of Boston, desensitizing people to the presence of the U.S. military on our streets. Congress members threatened with martial law if they vote against their oligarchs. The legalization of lawless military imprisonment without charge or trial for U.S. citizens or anyone else. The legalization of murder by drone or any other technology of U.S. citizens or anyone else, with arguments that apply within the Homeland just as anywhere else, though we've been told all the murders have been abroad. Nuclear weapons illegally flown across the country and left unguarded. Mercenaries on the streets of New Orleans after a hurricane. Northcom given legal power to illegally act within the United States against the people of the United States. Fusion centers blurring all lines between military and domestic government violence. Secret and not-so-secret continuity of government plans that could put martial law in place at the decision of a president or in the absence of a president. The militarization of the Mexican border. The gruesome history and future of the attack on the Bonus Army, the bombing of West Virginia, Operation Northwoods, tin soldiers and Nixon coming, and Franklin Roosevelt's actual and Donald Trump's possible internment camps. The authors of *Soldiers on the Home Front* claim that we must balance all such dangers with the supposed need for a military to address "storms, earthquakes, cyber attacks ..., bioterrorism." Why must we? None of these threats can be best addressed by people trained and armed to kill and destroy. When only such people have funding and numbers and equipment, they can look preferable to nothing. But what if we had an unarmed, nonviolent green energy brigade taking on the protection of the climate, and non-military police ready to enforce laws in crises, a major new Civilian Conservation Corps trained and equipped and funded to provide emergency services, a computer whiz team dedicated to fending off cyber attacks and preventing their ongoing provocation by U.S. government cyber attackers, a publicly funded healthcare system prepared for health emergencies, and a State Department redirected away from weapons marketing and into a new project of building respectful and cooperative relations with the world? If the United States were to move from militarism to all of the above, the main problem would be what to do with all of the remaining money.

0 of 6 people found the following review helpful. Military/Civil Interface Issues and Policy post 9/11! By The Vacation Lane Group

It is with some distress that I report an initial take and initial skim of the book entitled *SOLDIERS ON THE HOME FRONT- The Domestic Role of the American military* [2016] by Professors William C. Banks and Stephen Dycus. There are many disclaimers in the book as to what this book does and is. I am not sure but believe it does have some utility as a text for debating some current features of the military/civil interface historically and today in the USA. But since it is almost the sole occupier of a complicated field should be read and studied and discussed. Once again a simple reference and review of documents posted on the FAS/FEMA page at: <http://www.fas.org/irp/agency/dhs/fema/index.html> might well have corrected some errors. Useful discussion, some in error of POSSE COMMITATUS history and doctrine, and some discussion of post-9/11 legal history

When crisis requires U.S. troops to deploy on American soil, the nation depends on a rich body of law to establish lines of authority, guard civil liberties, and protect democratic institutions. William Banks and Stephen Dycus analyze the military's domestic role as it is shaped by law, and ask what we must learn and do before the next crisis.

Professors Banks and Dycus have written the definitive account of the military's role within the United States. They show that from the time of George Washington's presidency through today's war on terror, the military has served in domestic capacities as peacekeepers, jailors, judges, and investigators. Nuanced and beautifully written, this book will frame all future discussions about military actions on the home front. (Erwin Chemerinsky,

Dean of the School of Law at the University of California, Irvine)It is likely that America will soon experience yet another disaster precipitated by terrorists, or a cyber-attack on decaying infrastructure, or an act of nature that will require rapid action to save lives and maintain order. To react in time, senior political authority will likely reach for the military. The decision to use the military to perform what are civil functions in normal times brings into sharp relief the tension between public safety and the need to protect the integrity of our democratic institutions. In *Soldiers on the Home Front*, William C. Banks and Stephen Dycus examine this tension, giving readers a great deal to think about. (General Montgomery C. Meigs, U.S. Army (ret.), University of Texas at Austin)In this time of increasing concern about terrorism and other borderless threats, Banks and Dycus have contributed a valuable and timely review of the evolving role of the military in domestic security. It is required reading for serious students of national security and responsible citizens alike. (Elizabeth Rindskopf Parker, former General Counsel of the National Security Agency and the Central Intelligence Agency)A rich and thoughtful account of how the U.S. military has protected, supported, clashed with and occasionally undermined constitutional government in this country. More fundamentally, *Soldiers on the Home Front* reminds us that constitutional values are not self-enforcing, and are liable to be eroded in times of political stress or national emergency. Defending those values is the task of an alert, informed citizenry. This fine book should help. (Steven Aftergood Federation of American Scientists blog 2016-01-06)Offers an engaging refresher for anyone who happens to have forgotten the various guarantees of the Calling Forth Act and the statutory additions and exceptions thereunto. *Soldiers on the Home Front* also exhumes minority opinions from dissenting Supreme Court justices' texts that are staples in law school but that any layperson too can appreciate, with due reward. Implicit throughout this methodical yet lively volume is the running element of paradox in American governance; the paradox of freedom-versus-security is not unique to the American republic, but at the very least it elicits unique tension on these shores. As we continue our War on Terror, as we brace for major climatic events that might require domestic military intervention, as we suffer through the unchanging truth of the Kerner Commission's "two societies," Banks and Dycus offer a lucid interpretive history of our peculiar Constitution, our statutory law, the righteous eloquence of minority court opinions, and the many reasons—both good and bad—devised by our attorneys general to justify military policing at home. (Ted Scheinman Pacific Standard 2016-01-26)*Soldiers on the Home Front* is a highly recommended, thought-provoking and enjoyable read. A beginner to national security law can use it to build a comprehensive and solid foundation in understanding the various roles and legal issues associated with domestic military use. (Kevin Cieply Lawfare 2016-07-19)This book is a useful survey of the role played by the American armed forces on U.S. soil. *Soldiers on the Home Front* is well-written and the authors raise some interesting questions about the future of the U.S. armed forces in American life. (Fred L. Borch III Army Lawyer 2016-09-01)About the AuthorWilliam C. Banks is Board of Advisers Distinguished Professor at Syracuse University College of Law and Professor of Public Administration and International Affairs at the Maxwell School of Citizenship and Public Affairs. Stephen Dycus is Professor at Vermont Law School.