



Bush Considered Violating Posse Comitatus Law

President Bush considered ignoring the long-standing and explicit prohibition against using military forces within U.S. territory, the *New York Times* reported on July 25. The deployment of military forces against U.S. civilians was banned by the Posse Comitatus law, which was enacted shortly after Civil War reconstruction ended. President Bush reportedly considered using military forces to arrest five suspected terrorists near Buffalo, N.Y., in September 2002, despite the law.



The *New York Times* noted that “A decision to dispatch troops into the streets to make arrests has few precedents in American history, as both the Constitution and subsequent laws restrict the military from being used to conduct domestic raids and seize property.”

{modulepos inner_text_ad}

Though President Bush eventually decided not to use U.S. troops in that case, the U.S. Justice Department had concluded Bush had the power to engage the military on U.S. soil. The Justice Department memorandum, written by “torture lawyer” John Yoo and Robert J. Delahunty, [concluded](#) that despite Posse Comitatus “the president has ample constitutional and statutory authority to deploy the military against international or foreign terrorists operating within the United States.” John Yoo had been the U.S. attorney who authored the “torture memo,” a 2002 Justice Department memorandum that all but defined torture out of legal existence for detainees.

According to the *New York Times*, Vice President Dick Cheney pushed for President Bush to authorize the use of troops in that case, but was overruled by the President.



Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



[Subscribe](#)

What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.