



SURVIVING MARTIAL LAW



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1. What Is Martial Law?

Martial law is simply defined as the imposition of military rule. That means military authorities are supposed to take over the government temporarily over a specific region. This shall be declared during emergency situations or when there is an impending threat to peace and order. When is Martial Law declared? The rule of the military or Martial law is declared in instances when the civilian government may fail to maintain peace and order or security. It may also be declared when civilian authorities fail to provide essential services that citizens require under certain circumstances. In essence, martial law is meant to protect and serve the people in times when the government ran by civilian authorities fail to function in an effective manner. This rule can be imposed in case one or more of the following situations are present.

- Natural disasters which can become too overwhelming for civil authorities to manage
- Extensive and uncontrollable riots and protests
- Widespread disregard and disobedience of the law
- Insurrection or rebellion
- State of war

In times of natural disasters, national rulings vary. Some can put the area in a state of emergency. However, when the situation becomes uncontrollable and it is deemed the civil government is unable to control the situation, Martial law may be considered as a resort. What happens then is that the military can take over in order to provide security and temporary governance until such time that the situation is pacified or when matters have stabilized. Martial law may also be invoked when there is a threat of war. Such may start with widespread uprisings. Some nations have successfully utilized military rule in an effort to restore government control. In some cases though, such plans have totally backfired. It happens when the military forces decides to take full control and makes a move to replace the government.

Why do people fear Martial law?

To a nation that values liberty and freedom, martial law is unthinkable. Under the rule of martial law, certain civil rights may become temporarily suspended. The absence of these rights and the inability to defend oneself is what people fear the most. There is a fear that the absolute power given to the military may be abused.

The truth is martial law is intended as a protection against anarchy. It is defined as a temporary takeover of the government by the military in a specific location. The military force is invoked with the ultimate aim to protect and maintain order and public safety. On the other hand, Martial law may also be used as an excuse to maintain power or

enforce rule over the people. Such has been witnessed in other nations. While the intentions of Martial law may be intrinsically good and serve the purpose of the people, its imposition is also often criticized. The possibility of suppression and control over political activities that the civilian population may wish to conduct are in question. It is for these reasons that the declaration of Martial law is quite controversial.

What happens during Martial law?

Under a Martial law regime, the military force acts as the police, the courts and the legislature all at the same time. Under such circumstances, certain civil rights may become suspended for the time being. The people are expected to obey the military code of justice and follow the military law. Military soldiers are tasked to subdue the crowds and guard peace and order. They are brought in to secure government buildings, properties and other crucial and sensitive locations. In the case of full Martial law however, the highest ranking military official is supposed to act as the head of the government. This means the military takes full control of the government including the three key branches of the government: the executive, legislative and judicial bodies. This is not always the case, however. There are instances when the military only takes over some functions of the government. They leave other matters to be decided by the civil authorities. For instance, the civilian legislative body continues its function and the military handles the police functions.

Along with all these conditions, the following may be expected under military rule.

- Imposition of curfews
- Replacement of the civil law with military law
- Suspension of civil rights
- Suspension of the writ of habeas corpus
- Enforcement of the military tribunal or commonly known as the court martial

Who can declare Martial law?

The head of state and the legislative body may declare Martial law. In some cases as witnessed in history, the people may also invoke the government to declare it. A state governor may also proclaim martial law but only within his area of authority. Before Martial law shall be imposed, the term itself must be defined clearly. There must be a time limit to military rule. Indefinite declarations are rather controversial and fearsome. There are instances when a state of emergency is declared first. This is to provide justification to bring the military in.

It is important to note that Martial law, because of its controversial nature, is rarely declared and used. While its use has been successful under certain circumstances, there are times when it may also lead to further violence and chaos. In this case, it is often treated as a last

resort when there is a genuine risk to security that needs immediate attention and action.

To keep matters in check and to put legitimate fears at rest, specifically the fear about the possible abuse of power, civilian authorities assess the situation first. Control over key areas of the government is also often maintained. This forces civilian leaders to work with military officials but in essence, the civilian authorities are still in control. Moreover, civilian monitors may also be put in place. This is to ultimately keep the military in check and that boundaries are not crossed.

Many nations have resorted to Martial law in the past. These nations include Canada, Egypt, Iran, Israel, Ireland, Korea, Pakistan, Mauritius, Philippines, Poland, Taiwan, Switzerland, Thailand and Turkey among others. Martial law has turned out differently in each of these countries. The United States has a history with Martial law as well.

2. The History of Martial Law in the United States

There have been several instances in United States history when it was determined that the imposition of the military force may help the situation. A clear distinction must be made however, on what constitutes Martial law and what is merely an enforcement of military justice which is basically deployment of the military troops.

Such deployment does not necessarily constitute a Martial law. However, at the instance the civil courts cease to function, the Supreme Court recognizes such as one of the key features of Martial law.

The American Revolution

During this event in American history, the parliament created and passed the Massachusetts Government Act that was aimed at suppressing assemblies and town meetings. It also provided authorization for the appointment of a government. During those times, this is equivalent to declaring Martial law.

The War of 1812

The US General at the time was Andrew Jackson who had declared Martial law covering New Orleans, Louisiana. He imposed this before fighting off the British forces. The imposition of Martial law was extended to cover the vicinity within a four mile radius. When the war was over, Jackson did not lift Martial law with a reason that no official word has reached him yet that peace has been achieved. In the meantime, there was a man who was arrested for sedition and a certain judge called for habeas corpus. However, instead of complying with the judge's demand, Andrew Jackson ordered for the arrest of the judge.

Ex Parte Milligan

President Abraham Lincoln had invoked martial law and authorized the union military forces to make arrests and conduct trials. Because the Congress was quite hesitant to ratify the suspension of the right of habeas corpus, it soon resulted to conflict between the body and the president himself.

There were several challenges to Lincoln's declaration of Martial law including the case of Lamdin Milligan who was an Indiana resident

arrested by the union military. He was charged of inciting insurrection, violation of the laws of war, conspiracy against the country, helping rebels in the form of sending aid and comfort among others. Milligan was tried in the military court and declared guilty. But a petition was made to the Supreme Court. It is the case of Lamdin Milligan that has helped establish the fact that the United States Supreme Court has the right to review martial law declarations and its proprieties.

The Great Chicago Fire of 1871

Roswell B. Mason, who was the Chicago mayor at the time, imposed a state of Martial law after the Great Chicago Fire in 1871. Furthermore, Mason appointed General Philip Sheridan in charge in an effort to put the city in control. But a few days after the fire was extinguished and widespread disturbances were pacified, the Martial law was soon lifted.

Coeur d'Alene, Idaho, 1892

A group of mine workers organized a strike in Coeur d'Alene, Idaho in 1892. Matters got out of hand and these workers blew up a mill. There was also a report of shooting at strike breaking workers. The explosion nearly damaged an entire building and caused one life.

At this point, the governor imposed Martial law. Moreover, federal troops were called in to act as back up for the guardsmen. As a result, more than 600 individuals were arrested which was soon narrowed down to 12 ring leaders. These identified ring leaders were placed under court martial.

Colorado Coalfield War

Conflict in Ludlow Colorado prompted the government to send the Colorado National Guard for the purpose of keeping the strikers in control. Peace was maintained. However, word starts to spread about the supposed impartial troops taking the side of the loyal mine guards.

This brought the conflict to a heightened level and the governor resorted to imposing Martial law. But such may have only made matters worse as such event resulted to the Ludlow massacre. It was then that President Wilson interfered and brought the federal troops in. Eventually, the violence ended.

West Virginia Coal Wars of 1920-1921

In response to the West Virginia Coal Wars of 1920-1921, martial law was imposed covering the West Virginia state. Governor Cromwell ordered the federal troops to control the striking miners. At this time,

the constitution was disregarded. The troops arrested miners without trial. Later on, this event was rather named a military dictatorship. And the arrested miners were soon released from prison.

San Francisco, California in 1934

Governor Frank Merriam placed the San Francisco docks under Martial law. There were strikes conducted by dock workers and the governor cited such riots as a cause for the imposition of Martial law. The governor stood behind his decision firmly and even threatened to put the whole city under Martial law. By this order, the troops were given the go signal to make arrests. But soon, martial law was lifted as the National Guard started to open the docks and the goods began to come flowing in.

The Territory of Hawaii in 1941-1944

Following the bombing of Pearl Harbor, Governor Poindexter imposed Martial law. The main reason for such imposition is that the loyalty of Hawaiians who are mostly of Asian descent was put into question. However, it was later on determined that the Army overstepped their boundaries and set up a military dictatorship instead.

Hurricane Katrina in 2005

The widespread flooding following the Hurricane Katrina became too overwhelming for the civilian authorities to manage. Since the state of Louisiana lacks a legal construct for martial law, a state of emergency was called forth. This allowed the governor to make certain orders including the suspension of laws, putting limitations of sale of items including firearms and alcohol as well as ordering evacuations. The governor stated the state of emergency to end on September 25, 2005 or terminated sooner.

In some areas, looting has become widespread. In response to the chaos, Mayor Ray Nagin made a nominal declaration of Martial law. He then ordered officers to disregard the Miranda rights and civil rights in an effort to put the looters at bay. Federal troops was a common sight around the city accompanied by the National Guardsmen and even with the armed contractors of Blackwater USA to watch over the city.

Quite recently, the bombing of Boston on April 15 that resulted to 3 deaths and more than 170 injuries, forced the city to be placed under a total lockdown; Humvees, heavily armed National Guard troops with armored vehicles powered with machine guns and Black Hawk helicopters hovered around the city. Troops ordered residents to stay indoors and follow orders.

Warrantless house searches were conducted. Business and school facilities were closed. All in an effort to hunt down a 19 year old boy who is believed to be responsible for the bombing. The same incident also sent shivers based on fear of Martial law not just in the city but in the entire country.

3. H.R. 645 and the FEMA Concentration Camps

For years, there have been widespread notion about certain measures taken in preparation of the imposition of Martial law. Along with this preparation is the construction of what is believed to be concentration camps around the country. And such beliefs have been further strengthened by House Resolution 645.

What is House Resolution 645?

HR 645 is a government bill that is directly related to the National Emergency Centers. A lot of people believe that these centers are

constructed in various locations of the country. They are also commonly referred to as FEMA camps. It is believed that the construction of hundreds of these camps is underway. HR 645 however recommends that these national emergency centers should be built of a number no less than six.

The Purposes of National Emergency Centers

There are four main purposes that these centers are supposed to serve. These are the following as quoted from the bill itself.

"(1) to provide temporary housing, medical, and humanitarian assistance to individuals and families dislocated due to an emergency or major disaster;

(2) to provide centralized locations for the purposes of training and ensuring the coordination of local, state, and federal first responders;

(3) to provide centralized locations for the improvement and coordination of preparedness, response, and recovery efforts of government, private, and not-for-profit not-for-profit entities and faith-based organizations; and

(4) to meet other appropriate needs, as determined by the Secretary of Homeland Security."

In addition, the bill also tackles the minimum requirements that these national emergency centers should fulfill. For instance, section 3 of the bill states that such centers should be able to meet the needs of the individuals should a major disaster occur or in the case of a national emergency. These needs shall cover the essentials of health, housing, education, transportation, humanitarian, public works and all essentials that are required for a smooth transition.

The bill also clearly states that each center should be built in a manner that is environmentally safe. This is to avoid any health risks to individuals who may temporarily reside in these centers. Another condition set by the bill is for these centers to be capable of handling and managing operations and procedures in relation to survival from major disasters. This shall include the response drills and other activities for effective preparation.

At the same time, these centers are also expected to serve the function of an operations command center. It shall house a state of the art command and control center available for a round the clock operations watch. The bill also states that such centers should be easily accessible and should be able to provide assistance to the handicapped for an easier evacuation when a major disaster or an emergency situation shall occur.

The bill further details the locations of these national emergency centers. Furthermore, details on who is to take charge and handle the operations to reporting details and timeframes are clearly stated in different sections of the bill. In terms of expense, HR 645 sets a budget of \$ 180,000,000 per year to cover the construction and setup of the facilities.

The Federal Emergency Management Agency is placed under control of any type of national emergency. The bill appoints the Secretary of Homeland Security to determine the use of these facilities according to what may be deemed necessary. But this declaration alone raises a lot of questions.

Why House Resolution 645 is in big question?

Although the bill has seemingly good intentions, this does not stop a lot of people from questioning it. For instance, some people believe that the HR 645 is aimed at legalizing the ongoing construction of FEMA camps in closed and open military installations.

This House resolution although detailed, also fails to define a lot of conditions. For instance, the appointment of the Secretary of Homeland Security to determine the use of these facilities as may be deemed appropriate raises a lot of eyebrows. It seems as if the Secretary is allowed too much power to decide on these matters. And the fate of the people who may find themselves when the time comes or the need arises, in these camps shall be based on the judgment of the Secretary. Putting one person in charge and trusting his judgment does not sit very well with a lot of people.

Another big question comes from the definition of major disaster or national emergency. What constitutes a major disaster or what situations and events warrant a national emergency are not clearly defined in the bill.

Provided that the construction of FEMA camps and the further building of national emergency centers are in preparation of an emergency or major disaster, provided that House Resolution 645 really has the people's best interest in mind, people cannot help but worry about the grand plan behind all these preparation efforts. Again, the theories

about the president pondering upon the imposition of martial law come into mind. The debates will continue to flow.

*The Pros and Cons of the National Emergency Centers Act or House Resolution
645*

This is not a bill that is absolutely good or absolutely wrong. It does have its share of good points and some downsides.

On one hand, the construction of these national emergency centers is good because it helps the government prepare to handle certain situations that call for desperate measures such as relocating the people from their homes to these camps. If a major disaster is to happen, control and full security need to be enforced. And these are the main aims of the infrastructure. Moreover, based on the conditions set by the resolution, strict guidelines offer the best possible environment where the people may find temporary residence covering all basic needs and supplies such as food, medical aid, etc.

On the other hand, such a full preparation causes worries too. Matters such as this when a few people are given absolute power, it is open for abuse. And that's what is feared the most. There are loopholes that still need further clarification when it comes to this matter.

4. The Rules of Martial Law

There are basically 6 things that can be expected when a nation is placed under martial law. Such includes the following.

- Observance of curfew hours
- Employment and businesses cease
- Rations of food and supplies are handled by the military
- Arrested individuals are subject to military tribunals
- Security is top priority
- Detention camps are a possibility

Curfew hours shall be observed.

In a state of grave threat, it is quite risky to stay outdoors after dark. Such will put individuals in question. Therefore, one of the rules under Martial law is the imposition of curfews and everyone is expected to follow such rulings. Otherwise, there will be consequences.

With the military forces spread around the area, their least concern is to question people who violate the curfew. Instead of lawful

questioning, violation of this simple ruling may subject one to an arrest instead of lawful questioning. With the civil rights suspended, this is a near possibility.

Businesses and employment shall be ceased until further notice.

Trouble can burst with people lurking around. Since it is the military's job to restore peace and order, ensure safety and security, they will have a much easier time fulfilling such duties with everyone within the confines of their homes. Economic activities will cease but under Martial law, that is not the main concern. The top priority instead is survival. And such can only be achieved if everyone is safe and secured. Businesses are expected to return to normal as soon as the martial ruling is lifted.

Rations of food and supplies are handled by the military.

With people driven out of work and into their homes, the military is expected to take care of what the people need in order to survive. This means food and supplies shall be rationed and people shall rely on military assistance for the most basic of needs and essentials. But people should not expect everything to be provided. This is why

everyone is urged to make necessary preparations in the event martial rule may take over.

Arrested individuals are subject to military tribunals.

Individuals who are arrested by the military because of certain violations or suspicion shall be subject to military tribunal. During martial law, the civil court, a civil trial and a jury are not to be expected or anything that may warrant a case under normal circumstances. Instead, a trial with a military commission takes place.

These members of the military shall determine a suspected individual's fate. The fate of lawbreakers shall also be determined as soon as possible. Moreover, penalties are much heavier and more severe. This especially applies to cases linked to violence and terrorism. The iron fist is in full effect during times of Martial law.

Security is top priority.

Strict rules shall be imposed. Mobilization and travels shall be limited and may also be restricted unless a permit is secured. But even that can prove to be quite a challenge to obtain. These actions have to be taken to keep the perimeter in check and to control activities as much as possible.

Detention camps are to be expected.

With civil rights suspended and the military authorized to arrest people. An influx in the number of detainees is to be expected. To control such a problem, detention camps may serve a purpose.

In fact, in 2001, following the terrorist attacks of 9/ 11, the President issued an order addressed to the military discussing in detail the detention, trial and treatment of non citizens in the name of the war against terrorism. This means individuals under suspicion including non-citizens provided they are reasonably suspected may be placed in detention centers. A trial may be conducted with the military commission presiding.

Such measures have been pondered upon. It is no secret that the government has made arrangements with the Department of Homeland Security regarding the construction of detention facilities in preparation for national emergencies. The use of these facilities in the event of martial law is a near possibility.

The bottom line is everyone is expected to follow the rules with no questions asked.

Everyone is expected to follow the lead of the military force. Violators and lawbreakers shall face severe consequences. Under Martial law, the good of the individual is rarely a concern. Common good or the survival of the nation is the priority. And in order to ensure that such an

objective of security and survival is achieved, compromises on individual rights are to be implemented.

So, the number one rule under martial law is to follow orders. The military is not answerable to the people. They are the law instead.

Executive Orders Pertaining to Martial Law

In addition to the six basic rules above, this is what Martial law shall look like upon its imposition as directed by the following Executive Orders.

- Under Executive Order 10995, all communications media shall be seized by the Federal Government. This means everything from the radio to newspaper and TV, and all modes of communication including telephones, CB, Ham and the internet shall be placed under the full control of the federal government. In other words, the First Amendment shall be suspended.
- Executive Order 10997 states that fuels, minerals and electrical power shall be under federal control.
- Executive Order 10998 proclaims farms and farm equipments including all food sources shall be placed under the custody of the government. Hoarding of food shall be strictly prohibited as everything shall be heavily regulated.

- Executive Order 10999 declares that all methods of transportation shall be controlled by the government control. Moreover, the government reserves the right to seize any vehicle.
- Executive Order 11000 dictates that all civilians, when the need arises, may be called for work. And they shall be under federal supervision.
- Under Executive Order 11490, presidential control shall cover all US citizens, churches and businesses during a time of emergency.
- Executive Order 12919 appoints various Cabinet officials to prepare to take charge of virtually all aspects of the US economy.
- Executive Order 13010 orders FEMA to take charge and preside over all government agencies during a time of emergency while FEMA is remains under the control of the executive body.
- Executive Order 12656 is all about the assignment of emergency preparedness responsibilities. This order covers takeover of the federal government of the law enforcement functions. Wages and prices shall also be under federal control. It is strictly prohibited to move assets whether in or out of the country. Travels are also restricted.

5. Your Rights During Martial Law

Several limitations are set against Martial law as determined by the courts. Most of these prohibitions are derived from the American Civil War and World War II. In fact, the Congress passed the Posse Comitatus Act in 1878. This Act prohibits the military from getting involved in the domestic law enforcement unless approved by the Congress.

However, the National Defense Authorization Act for Fiscal Year 2012 completely contradicts the Posse Comitatus Act of 1878. The former gives authorization to the US military not only to interfere but completely perform the functions of law enforcement.

The Link between the Right of Habeas Corpus and Martial Law

The writ of habeas corpus and martial law are closely linked in the United States. An individual right to a lawful hearing before imprisonment or the supervision of the judiciary or the law enforcement is what the right of habeas corpus is about. That makes it closely related to Martial law. The suspension of this right paves the way for Martial rule.

The Constitution of the United States clearly proclaims that the right of habeas corpus must be upheld unless the situation may call for it. But a suspension of such right may be warranted in the case of rebellion, invasion or genuine threat to public safety. In these situations, cancellation of the writ of habeas corpus may even become a requirement.

In addition to the right of habeas corpus, other civil rights are suspended along with it.

When these rights are supposed to protect the people from a tyrannical rule, people have the right to be concerned about their own safety and security against abuse. Although Martial law may have been founded under purely good intentions to serve the purpose of the people, there is a huge doubt about how such power will be utilized, whether it is for common good or for the perpetrator's own gain.

What individual rights are compromised under martial law?

- Right of Habeas Corpus
- Right to Information
- Freedom of Expression
- Right to Privacy
- Right to Make Choices

Suspension of the Writ of Habeas Corpus

Under normal circumstances, an individual is reserved the right to an attorney. Miranda rights are read upon arrest. Arrests are made with warrant. And the case shall be decided before a jury within a set timeframe or until the case and corresponding evidences have been exhausted.

On the other hand, under martial law, this right is terminated. Arrests are to be made by the military upon a hint of suspicion without the need to present a warrant. Instead of a jury, the case of the accused shall be presented and decided upon by the members of the military under court martial. And cases are to be decided as swiftly as possible.

In other words, there is no due process. Also, penalties are much more severe.

In this case the fears of people against martial law are not unfounded. The absence of writ of habeas corpus puts the people in danger. And such has already been witnessed in history.

Suspension of the Right to Information

Executive Order 10995 states that all communications media shall be placed under the control of the Federal Government. All modes of

communication such as telephones, CB, Ham and the internet shall also be controlled. Another risk of martial law is the full suspension of the First Amendment.

Information is power. And one cannot fully gain control unless the flow of information is seized. This is how things work under Martial law.

The Freedom of Expression is Set Aside

The right and freedom of expression is seized. Assemblies are also prohibited. When the military force is in control, the people are expected to follow the rules without question. People who decide to question the power are silenced. They are arrested and are made to face the consequences of their actions.

The people are not to express any grievance or that may be taken the wrong way. This kind of absolute power is fearsome as any wrongdoing or abuse of the military is left to slide. Nobody questions the authority.

Suspension of Right to Privacy

The right to privacy is virtually non-existent during martial law. ID checkpoints, warrantless searches, surveillances and other methods to establish control are to be enforced. The reasoning is unless you have

something to hide, there is no reason to refuse a search. This certainly does not bode well for people who take pride in, and value their right to privacy.

Suspension of the Right to Make Choices

With everything placed under the full control of the government, people are left without a choice but to follow orders. Opinions are not welcome. Questions are not entertained. Grievances are not heard. These are only among the reasons why a lot of people are disgusted by the idea of Martial law.

Since most of these things have happened before in this country and other nations where martial law has been used to supposedly ensure public safety and security, there is a legitimate fear that such things are unavoidable when you warrant absolute power and leave the people defenseless.

Why is there a need to suspend these rights?

On one hand, people may feel oppressed under Martial law. And this is quite understandable just thinking of what may happen if basic rights are to be suspended. On the other hand, when the people have become a threat to themselves such as in the case of natural disasters

that prompt people to resort to violent and unlawful acts, it may become necessary.

Martial law is based on the premise that common good must be upheld. And in the process of promoting security and safety, certain sacrifices may be necessary. When the people take actions and abuse their own rights, suspension of such for the time being may be crucial to restore everything back in order. As mentioned previously, safety, security and survival are the priorities of martial law.

However, people cannot be helped when they worry about abuse. The lack of checks and balances under military ruling makes such a huge possibility. So, how exactly can the people survive what may seem like oppression from a tyrannical ruler?

6. Martial Law Survival Strategies

Martial law may be justified and it may even be declared lawfully. However, it can also put you and your family at great risk. But if you are prepared, think and react calmly and rationally, you should be able to get through the challenge without a single scratch.

Prepare to become self reliant.

During martial law, the federal government takes full control of everything including food sources and supplies. Instead of depending on rations from the military, you should try to be as self dependent as possible. Having a generator and fuel to power it and of course, food and some cash to spare are essential for survival.

You should have supplies to last you for at least 30 days at the minimum. Ideally you will have supplies that can last you and your family for 12 months. Bartering goods and services is also crucial to your survival. And for that to work, you need to maintain a circle of allies.

Always be safe.

The imposition of Martial law is often a response to attacks, social revolts and danger. Your way of survival involves staying out of trouble as much as possible. Ensure the protection of your home with an alarm system. Keep your house locked and your properties secured. Make sure you have company at all times and do not stray away from the safe areas.

Know about the rules, and follow them as much as possible to keep a low profile. By following the rules, I don't mean following the sheep to the slaughter house. You will have to decide on an individual case by case basis when it's time to rebel against the rules... and when/ if you do, make sure you are fully prepared to protect yourself as you make further progress.

Martial law prioritizes public protection which is why there may be a need to put civil liberties behind. Learn about the rules and follow them strictly. This is the key to avoid attention which is essential in martial law survival. Make sure you obey the curfew among others.

Prepare a survival kit.

There will be signs and hints when the imposition of martial law is imminent. And in times like this, preparation is crucial. If you can, stay

in an area that is safer, and certainly out of highly populated areas like urban areas and inner cities. In this case, the countryside will help you become less exposed while the city can attract more attention. Here is a list of the things you will need to prepare for martial law survival.

- a sturdy backpack
- a first aid kit: alcohol, painkillers, gauze, bandage, iodine, etc.
- melee type weapons such as a bearded axe, bowie knife and pocket knives
- pieces of clothing
- a sturdy pair of boots
- rain gear
- flashlight
- medicine
- navigational equipment
- watch
- batteries
- cooking equipment
- radio
- protection: handgun, ammo, knives, pepper spray, stun gun, etc.

Tune in to official broadcasts, but listen to HAM radio as well.

Since communications media become controlled by the federal government, freedom of the press is curtailed in times of martial law. Instead of relying on mass media, stay tuned to official broadcasts instead. This way, you will be kept updated about the rules which are in effect. This is how you can survive. The rules may constantly change and you need to be armed with information to stay safe and out of trouble.

It's also a good idea to tap into HAM radio to communicate with individuals and groups that are off the grid. This is important because any official broadcast can be loaded with lies and propaganda that can mislead you and cause a breach in your safety.

Stay out of the city.

Your survival rate is higher if you stay in the rural areas versus urban locations or populated areas in general. There may be specific areas of martial law too, especially in cases of natural disasters. Having a place of retreat during these times is essential.

The bottom line is to avoid areas where chaos rules. Stay out of civil unrest. If you get caught in the middle, consequences are severe.

A mass arrest is an event that should never be underestimated. This is why you must avoid riots at all costs or meddling in these kinds of affairs and activities. Keep in mind that your civil rights and liberties are suspended under martial law including the right to due process. Make sure everyone in your family is accounted for.

Build your alliance.

During desperate times, teamwork is essential. Having a support system by building an alliance with your friends and neighbors can help increase your chances of survival without getting into any kind of problem. You can help each other out. You have to make sure however, that you ally with people who share the same views as you do and who have the same objective. That will help you to survive such trying times.

Keep your mouth shut.

Over-sharing of information can get you in a lot of trouble. When people become desperate, they will do anything to survive and get their hands on food and supplies. It is then in your best interest to keep it to yourself and your family. Do not tell all your neighbors about the prepping you are doing.

In these times, hoarding of food is restricted. Moreover, you may become the center of attention and be attacked for the food you have stocked up. On the other hand, this does not necessarily mean you have to be selfish. Share if you can.

Plan your food storage.

The military will implement house to house searches without warrant. This is in an effort to locate guns. Along with their search for guns however, they may find your food supplies stocked up.

It is then important that you plan your storage too. Keep it in an area of the house where it will not be easily found or located. The last thing you want is to put all your efforts in preparation to waste.

Always think first.

At a time when emotions are running high, it gets much easier to be reactive. But in these times, you always have to think first before you react. Rationality can help your survive martial law.

Be calm.

Panic can do harm. So the best thing to do in such trying times is to remain composed and calm. It may prove to be quite a challenge but if it means your survival, you should exert your best effort.

Take a stand.

When the situation is at its climax, your stance on matters is put into question. There is nothing wrong with taking sides. When you do pick one, make sure it suits your personal beliefs and principles. Moreover, this does not necessarily mean you should join the resistance. Keep in mind there is always an alternative way of fighting for what you believe in other than taking it to the streets.

7. Comprehension Questions

1. What specific situations warrant the declaration of Martial law?
2. What is usually done to justify the imposition of military rule?
3. What can be expected under martial law?
4. Who has authority to declare Martial law?
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8. Comprehension Questions With Answers

What specific situations warrant the declaration of Martial law?

- Martial law may be declared during natural disasters which can become too overwhelming for civil authorities to manage, extensive and uncontrollable riots and protests, widespread disregard and disobedience of the law, insurrection or rebellion and a state of war.

What is usually done to justify the imposition of military rule?

- A state of emergency is usually declared first before bringing the military into the picture.

What can be expected under martial law?

- The following may be expected under military rule: imposition of curfews, replacement of the civil law for military law, suspension of civil rights, suspension of habeas corpus and the enforcement of the military tribunal or commonly known as the court martial.

Who has authority to declare Martial law?

- Either the head of the state or the legislative body may declare Martial law. A state governor may also declare Martial law under his jurisdiction.

What is the main objective of Martial law?

- Martial law is always deemed as a last resort mainly because of its controversial nature. But its main aim is to restore peace and order and maintain public security.

Why do people fear Martial law?

- Martial law may be declared lawfully without violating the Constitution. However, the United States history is witness to certain abuses of power that have occurred in the past which put a lot of individuals helpless and defenseless. With the suspension of certain civil rights, some people feel less protected and more at the mercy of the military.

What is the Posse Comitatus Act of 1878 all about?

- Prohibitions against martial law are derived from the American Civil War and World War II. The Congress passed the Posse Comitatus Act in 1878 which prohibits the military from getting involved in the domestic law enforcement unless approved by Congress.

What does the National Defense Authorization Act for Fiscal Year 2012 entail?

- The National Defense Authorization Act for Fiscal Year 2012 completely contradicts the Posse Comitatus Act of 1878. The former gives authorization to the US military not only to interfere but completely perform the functions of law enforcement.

What are the six basic rules of Martial law?

- Curfew hours shall be observed.
- Businesses and employment shall be ceased until further notice.
- Rations of food and supplies are handled by the military.
- Arrested individuals are subject to military tribunals.
- Security is top priority.
- Detention camps are to be expected.

What does a military tribunal mean?

- A military tribunal consists of members of the military and is also called military commission. The military commission shall preside over trials of lawbreakers during martial law. They are responsible for coming up with decisions regarding punishments.

What is the Ex Parte Milligan all about?

- This is one of the biggest challenges to President Lincoln's declaration of martial law. Lamdin Milligan was an Indiana resident who was arrested by the union military. He was charged of inciting insurrection, violation of the laws of war, conspiracy against the country, helping rebels in the form of sending aid and comfort, among others. Milligan was tried in the military court and declared guilty. But a petition was made to the Supreme Court. The court later on recognized Milligan's right to habeas corpus.

What is the key learning from Ex Parte Milligan?

- The case of Ex Parte Milligan helped establish the fact that the United States Supreme Court has the right to review martial law declarations and its proprieties.

Which individual rights are suspended under the Martial law?

- Right of Habeas Corpus
- Right to Information
- Freedom of Expression
- Right to Privacy
- Right to Make Choices

In case of natural disasters or internal conflict, what is commonly used in place of martial law?

- Some state and nations lack the political construct for martial law. In this case, a state of emergency is commonly used which may grant the authority to suspend certain civil rights until peace and order is restored.

Is there a difference between enforcement of military justice and Martial law?

- There is a big difference between the two. On one hand, enforcement of military justice is merely the deployment of the military troops. On the other hand, the imposition of martial law deems civil

courts non functional. It is a takeover along with the corresponding consequences such as suspension of the right of habeas corpus, etc.

Is the suspension of civil rights justifiable under Martial law?

- Martial law is an extreme measure to handle any kind of conflict that threatens peace and order. But it may be deemed necessary to impose such a rule. Safety, security and survival are the priorities of martial law. And in the process of promoting security and safety, certain sacrifices may be necessary. When the people take action and abuse their own rights, suspension of such for the time being may be crucial to restore everything back in order.

What are the pros and cons of martial law?

- On one hand, Martial law can possibly restore peace and order. On the other hand, it can possibly result to more violence and further abuse of power where the people are likely to suffer.

Why is it important to plan your food storage?

- The military will be conducting warrantless searches. They may confiscate guns and in the process of their search, they may find your food and supplies. When they do, you can get arrested since hoarding of food and supplies is restricted.

What is the best way to deal with the Martial law situation?

- To become well prepared, keep a low profile and to think and react calmly and rationally

What is HR 645 all about?

- House Resolution 645 is a government bill that refers to National Emergency Centers.

What is the main objective of HR 645?

- The supposed main objective of this bill is to prepare the nation in the face of national emergencies including natural disasters that may affect the population.

What are the purposes of these so called national emergency centers?

- to provide temporary housing, medical, and humanitarian assistance to individuals and families dislocated due to an emergency or major disaster;

- to provide centralized locations for the purposes of training and ensuring the coordination of Federal, State, and local first responders;

- to provide the centralized locations for the improvement of the coordination of response, preparedness, and recovery efforts of private, government, as well as faith-based organizations, and not-for-profit entities; and

- to address other appropriate and pressing needs, as deemed by the Secretary of Homeland Security.

Who takes charge in case of a national emergency?

- The Federal Emergency Management Agency

What does HR 645 mean for the people?

- On one hand, it can mean full preparedness and security in times of a major disaster or emergency. On the other hand, it is open for abuse of power which may put the people in a rather compromising situation.

Why is the city not the safest place to be during martial law?

- In most cases, the city or populated areas are the center of attention when civil unrest is rampant. It is your best interest to stay away as much as possible from the center of chaos in these times.