

HARRY SUMMERS

The Third Amendment

Much has been made lately of the Second Amendment to the Constitution, especially its emphasis that since "a well-regulated Militia [is] necessary to the security of a free state, the right to the people to keep and bear Arms, shall not be infringed." But as we approach the 220th anniversary of the Declaration of Independence this week, it is well that we also take a fresh look at the Third Amendment.

"No soldier," it reads in its entirety, "shall, in time of peace, be quartered in any house, without the consent of its Owner, nor in time of war, but in a manner prescribed by law."

At first glance it would seem like an antiquated provision with no relevance today. But one need only look to the Declaration of Independence to see why it occupies such a prominent place in the Bill of Rights. "The History of the present King of Great Britain is a History of repeated Injuries and Usurpations," it reads, "all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World. . . ."

"He has kept among us, in Times of Peace, Standing Armies, without the consent of our Legislature. He has affected to render the military independent of, and superior to, the Civil Power. He has . . . [given] his Assent to . . . acts of pretended Legislation for quartering large Bodies of Armed Troops among us [and] For protecting them, by a mock Trial, for Punishment for any Murders which they should commit on the inhabitants of these States."

In other words, the Third Amendment's prohibition of quartering soldiers in private homes was an affirmation that the American military, unlike the British Red-

coats, would be kept firmly under civilian control, beginning with such relatively minor matters as quartering soldiers in private homes. That principle of civilian control has become so deeply ingrained that most Americans are not even aware that the Third Amendment exists.

But while there is no danger that troops will be quartered in private homes without the owners' consent, the danger to the greater principle that the amendment represents — civilian control of the military — is becoming more and more evident.

Three years ago, Air Force Col. Charles J. Dunlap's cautionary tale, "The Origins of the Coming Military Coup of 2012," in the Winter 1992/93 edition of *Parameters*, the quarterly journal of the Army War College, brought that danger into the open. Its conclusion was that "the massive diversion of military forces to civilian uses" had led to the erosion of civilian control and to an eventual military takeover of the government.

"People in the military no longer considered themselves warriors. Instead they perceived themselves as policemen, relief workers, educators, builders, health care providers, politicians — everything but warfighters. . . . It is little wonder [the military's] traditional apolitical professionalism faded away."

The article was disturbing, said the University of North Carolina's Richard Kohn, the former chief of Air Force history, for a military coup is "something officers never mention in public and barely even whisper in private." But if he found Col. Dunlap's conclusions disquieting, he should read Army Maj. Ralph Peters' article in the Summer 1995 issue of *Parameters*.

Maj. Peters urges precisely the

kind of military involvement in civilian affairs that Col. Dunlap warned against. He calls for increased military involvement in the war on drugs, since "drugs and drug-related violence have killed more Americans, wrecked more lives and cost us more . . . than the Vietnam War."

And he praises the fact that "the United States armed forces already are involved in struggles against organized crime and illegal immigration." And he notes approvingly that "we deploy on missions of disease control, resource protection, security assistance and the protection of U.S. citizens abroad."

Acknowledging unhappiness with this turn of affairs, Maj. Peters says it's "no wonder we . . . long for 'military missions' and struggle to keep the holy brotherhood pure. But, as we maneuver to avoid roles in 'non-military' problems, we betray the trust placed in us by the citizens we are pledged to protect. A military's reason for being is to do its nation's dirty work."

Well, no. The Third Amendment exists to keep the military not only out of our homes, but out of our domestic affairs and private lives as well. As then chairman of the Joint Chiefs of Staff Gen. Colin Powell said in his "little bit of a tutorial" in 1993, "Notwithstanding all of the changes that have taken place in the world . . . we have a value system and a culture system within the Armed Forces of the United States. We have this mission: to fight and win this nation's wars."

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