



Texas Counties Declare State of Disaster Ahead of Solar Eclipse

Two counties in Central Texas, Bell County and Kerr County, have posted on their official websites local disaster declarations for the solar eclipse that will occur on April 8. Other counties are also considering disaster declarations.

The stated reason for the disaster declarations is the expectation of large crowds of people coming to witness the rare astronomical event, and the possible consequences of such large crowds. The anticipated consequences include traffic jams, the possibility of empty shelves at grocery stores, gas stations possibly running out of gasoline, possible shortages of fresh water coupled with the possible overload at the government-regulated waste water treatment facilities, and the possibility of overloading the cellular telephone system.



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Bell County's disaster declaration says it will go into effect on Thursday, April 4 and last through Monday, April 8. However, the [Private Property Eclipse Gathering Form](#), an online form that is required to be completed by the people affected by the directive, includes an additional day, April 9.

In addition to that, the mandatory compliance directives, because they demand documentation from private-property owners ahead of the event, will require compliance well before the April 4 start date listed on the online form. Among the compliance directives for property owners with the possibility of groups of 50 or more are:

- Prove adequate bathroom sites
- Prove adequate waste disposal systems
- Prove adequate waste water solutions to those with RV/Travel trailer black tanks
- Prove adequate bathroom facilities to primitive/tent campers

Equally troubling is the following statement in the local emergency declaration:

That this declaration authorizes Bell County to take any actions necessary to promote life safety and critical infrastructure protection, including but not limited to, requiring private property landowners in the unincorporated areas of Bell County, Texas to register with Bell County if that landowner plans to host watch parties, dry camping or any other large event that exceeds a population of 50 or more people.

Kerr County's [disaster declaration](#) is similar to that of Bell County's in that its declaration also says, "This declaration authorizes Kerr County to take any actions necessary to promote life safety and critical infrastructure protection." But it goes beyond this. Instead of applying only to the



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unincorporated areas, the disaster declaration in Kerr County applies to the whole county.

The phrase “take any actions necessary” has not raised many eyebrows, but it should have. This is an example of how people in government can use fear to justify controlling law-abiding citizens. Hopefully, the emergency responders will not abuse power and allow the emotions of the moment to supersede their oaths to obey the U.S. and Texas Constitutions.

Something else that should be raising eyebrows is the focus of the reporting requirements on private property owners. What is this doing to private property rights?

Are the American people being groomed in a manner similar to that of the people of Germany in the early 1930s? That was a period in Germany’s history, just prior to the Nazi takeover in 1933, that saw the population frequently governed by emergency decrees. Of course, the emergency decrees were justified as being in the best interest of the German people. As noted in the article *Third Reich Redux* in the June 22, 2020 issue of *The New American*:

Then a subtle seed of dictatorship was sown in Germany on March 30, 1930 when Heinrich Brüning was named Chancellor, a position he held for a little over two years. Chancellor Brüning’s time in office was a constitutional disaster for Germany. Brüning took advantage of Article 48 of the German constitution which granted temporary emergency powers, of course to be used only if public safety was seriously threatened.

Brüning issued no fewer than five emergency decrees in 1930 and at least 40 such decrees in 1931. The next two chancellors, Franz von Papen and Kurt von Schleicher, also abused the emergency decree power. The abuse of such power by the next German chancellor, Adolf Hitler, needs no explanation.

The emergency declarations being implemented based merely on fear of what *might happen* also show how futile are some of the justifications for an Article V Convention. For example, one avenue of that pursuit is to call a con-con for a Balanced Budget Amendment (BBA). But some of the proposals for a BBA include escape clauses to nullify the need to balance the budget in times of emergency. If such an amendment could be so easily nullified, it would hardly function as the law of the land.

If politicians are so eager to use emergency authorizations to handle the possibility of any large group of people, the vast majority of whom are law-abiding citizens, why aren’t they making similar emergency declarations authorizing law-enforcement personnel to “take any actions necessary” to deal with a known influx of people nearby at the border who are violating U.S. laws by entering this country illegally?

Safeguarding the constitutional rights of the people should always be a major concern. In the words of Daniel Webster,

Good intentions will always be pleaded for every assumption of authority. It is hardly too strong to say that the Constitution was made to guard the people against the dangers of good intentions. There are men in all ages who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be masters.

Another way of saying this is to beware of politicians who respond to crises by rushing to protect the people by infringing on their rights. Be especially wary of politicians who believe in the axiom, “Don’t ever let a crisis go to waste.”



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