

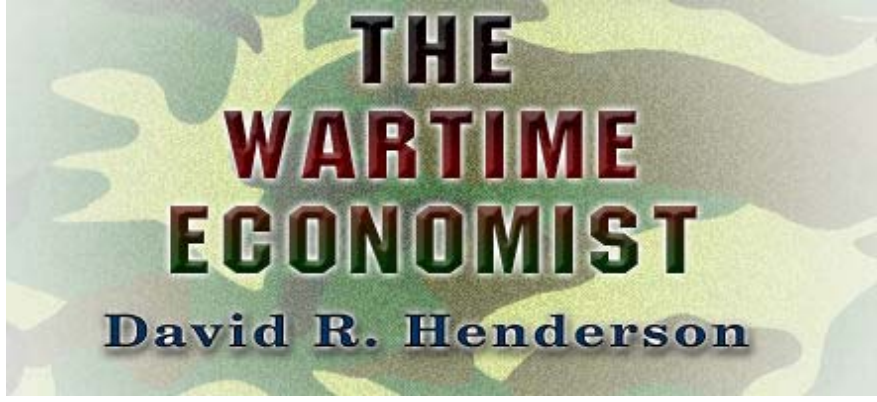
- [Back to the Future: Justin Raimondo](#)
- [Cheney Misstates Military Oath: David Henderson](#)
- [Has Libby Learned Nothing?: Elizabeth de la Vega](#)
- [How the 1967 War Doomed Israel: Tony Karon](#)
- [US Missile Defense Splits Europe: Zoltán Dujisin](#)

This president failed so miserably in diplomacy that we are now forced to war.

– Tom Daschle

[Original](#)   [Letters](#)   [Blog](#)   [US Casualties](#)   [Contact](#)   [Donate](#)

- Home
- Antiwar Radio
- Who We Are
- LAST 7 DAYS
- MON      THU
- TUE      FRI
- WED      SAT
- SUN
- Search
- Regional News
- Select a country
- Free Newsletter
- Shop Antiwar.com
- Reprint Policy
- Submission Guidelines
- RSS



June 4, 2007

## Cheney Misstates Military Oath

**A**m I the only one who noticed? I hope not. But just in case, let me note that Vice President Dick Cheney made a huge misstatement to his West Point audience on May 26. I hope that, at a minimum, the West Point history majors noticed it. Near the end of his [speech at the United States Military Academy commencement](#), Mr. Cheney stated:

*"On your first day of Army life, each one of you raised your right hand and took an oath. And you will swear again today to defend the United States against all enemies, foreign and domestic. That is your vow, that is the business you're in."*

Well, not quite. Here is the **actual oath** that newly minted officers in the U.S. Army take:

*"I (insert name), having been appointed a (insert rank) in the U.S. Army under the conditions indicated in this document, do accept such appointment and do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic, that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God."*

Notice the difference? Mr. Cheney claims that U.S. Army

## Military History

Discover Your  
Ancestors Journey,  
Aus & UK Records  
Available Here!  
Ancestry.com.au

## Asia's Largest Repair

and Overhaul hub.  
Visit Singapore.  
visitsingapore.com/busine

## Indust. Relations Degrees

Wide range of  
recognised  
degrees Offered by  
leading Australian  
uni's  
www.seeklearning.com.au

## Debate Election 2008 Now

Share Your Point  
of View & Earn.  
Interesting & Free.  
Try Helium Now.  
www.Helium.com

comments?



officers vow to defend the United States, but as the oath quoted above shows, they don't. Instead, they vow to defend the U.S. Constitution. As a former student of mine, an officer in the U.S. military, said, "Professor, isn't it interesting that our highest obligation is not to protect the United States but, instead, is to protect the U.S. Constitution?" Yes, it is interesting.

Actually, more than just the history majors should have noticed it. All of the graduating cadets should have noticed because, after all, what good is an oath if you don't remember it?

Did Mr. Cheney simply make a casual mistake? It's possible. But in the rest of his speech, he described life at West Point in punctilious detail. He mentioned Thayer Gate, R-Day, and Lake Frederick, all things that are known to West Pointers and all evidence of a well-staffed speech. I can say confidently, based on my time in the White House as a senior economist under Ronald Reagan, that speeches by the president and the vice president are carefully checked for the tiniest of details. That makes it hard to believe that someone didn't point out what the oath actually says. And, if someone *did*, then it would appear that Mr. Cheney preferred to have it his way and state his ersatz oath.

Why would he do that? I don't know, but here's my best guess. The Bush administration has landed a few body blows on the U.S. Constitution. Let me give two significant examples. First, by signing the McCain-Feingold campaign finance law in 2002, President Bush violated the First Amendment, which says that "Congress shall make no law ... abridging the freedom of speech." In his **signing statement**, President Bush even admitted, in Washington-speak, that the law violated the Constitution. Which means, by the way, that President Bush knowingly violated the oath he took "to preserve, protect, and defend the Constitution of the United States."

The Bush administration's second major violation of the Constitution was its restriction of habeas corpus, which, according to Article I, Section 9 of the Constitution, "shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it." By signing the Military Commissions Act of 2006, President Bush took away this protection that has existed in some form in many countries since the Magna Carta of 1215. Robert Levy, a legal scholar whose work I generally respect highly, **has argued** that the law does not end habeas corpus for U.S. citizens; I'm not informed enough to know. But I do know that it ends habeas corpus for non-citizens, and nowhere in the U.S. Constitution does it state that the protections from government are extended only to U.S. citizens.

I do not claim the above two examples to be the Bush administration's only violations of the U.S. Constitution. But they are two very important ones. Although the Supreme Court, the president, and the Congress thumbed their collective noses decades ago at the Constitution's protection of economic freedom, the First Amendment's protection of freedom of speech has been much more respected. McCain-Feingold, therefore, is a huge negative step. So also with the suspension

of habeas corpus, even if this suspension applies only to non-citizens.

Vice President Cheney might have had another motive for substituting "United States" for "Constitution of the United States" in his version of the oath. **Michael Roston** has highlighted Mr. Cheney's pointing out that although U.S. military officers must follow the U.S. Constitution and the Geneva Conventions, their enemies don't have those same "delicate sensibilities" when they "wage attacks or take captives." Mr. Roston argues that Cheney was attacking the Geneva Conventions. I'm not so sure, although I think a good case can be made for Mr. Roston's conclusion. But whatever Mr. Cheney's view on the Geneva Conventions, he did implicitly attack or, at a minimum, slight the U.S. Constitution. Should one of the graduating cadets, upon taking the oath, have taken it seriously by pointing out Mr. Cheney's mistake?

*Copyright © 2007 by David R. Henderson. Requests for permission to reprint should be directed to the author or Antiwar.com.*

**Digg this!**  
[what's this?]

 [SAVE THIS](#)  [EMAIL THIS](#)  [PRINT THIS](#)  [MOST POPULAR](#)

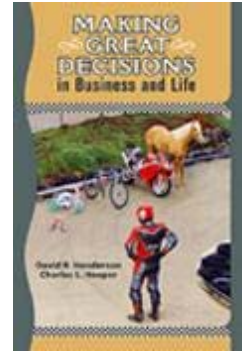


comments on this article?

**send them to backtalk!**  
**[visit backtalk!]**

**Back to the Antiwar.com Home Page**

co-authored with Charles L. Hooper, is *Making Great Decisions in Business and Life* (Chicago Park Press.)



He has appeared on *The O'Reilly Factor*, the *Jim Lehrer Newshour*, CNN, and C-SPAN. He has had over 100 articles published in *Fortune*, the *Wall Street Journal*, *Red Herring*, *Barron's*, *National Review*, *Reason*, the *Los Angeles Times*, *USA Today*, and the *Christian Science Monitor*. He has also testified before the House Ways and Means Committee, the Senate Armed Services Committee, and the Senate Committee on Labor and Human Resources. [Visit his website.](#)

Reproduction of material from any original Antiwar.com pages  
without written permission is strictly prohibited.  
Copyright 2007 [Antiwar.com](#)