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Thanks for Dick Cheney

By Joel S. Hirschhorn

When someone in high elected office shows the nation how vulnerable our Constitution is, we should be thankful for the wakeup call. Like many ruthless dictators, evil kings, and monster generals, Dick Cheney is the leading practitioner of the ends-justify-the-means mentality, where only his vision of the desired ends counts. And if this means disregarding and disobeying the Constitution, torturing prisoners, killing thousands of American soldiers, disrespecting Congress, destroying our environment, embracing the invasion of illegal immigrants, increasing our national debt, and disregarding the will of the vast majority of Americans, so be it. Serving corporate interests rather than serving the people is Cheney's brand of patriotism.

Cheney's self-righteous ego is bigger than George W. Bush's, and what makes Cheney more striking is that he is enormously smarter and more competent than Bush, his token boss. He is so dangerous and frightening that no impeachment of Bush effort ever stood a chance. Not as long as "President Cheney" enters your consciousness. Cheney became Bush's shield.

When reality hits the fan we use the-lessons-learned approach to stay sane. With his finger-in-the-eye disdain for what anybody else (or history) thinks of him, Cheney offers a far better lesson learned benefit than the stumbles and fumbles of Bush-the-smirker. Bush is a joke. Cheney is a monster.

Take Cheney's current view that he is a part of the legislative branch, not the executive, so he does not have to comply with an Executive Order on reporting use of secret materials. It is wildly inconsistent with his prior claims of executive privilege. But Cheney has no use for logical consistency. Only what Cheney wants matters. (The only law that Cheney regularly obeys is gravity.)

When we witness the brazen acts of Cheney and Bush we should envision these types of constitutional amendments.

An amendment could explicitly state that the Vice President is a member of the Executive Branch, and the Office of the Vice President must comply with Executive Orders. And perhaps we should consider a statement of the criteria that the President can invoke for firing the Vice President with the consent of Congress.

And why not consider a different method of breaking ties in the Senate. If someone from the Executive Branch can do it, then why not someone from the Judicial Branch? Why not the Chief Justice of the Supreme Court? Or, better yet, why not make the constitutional solution what the House uses. A tie vote means that the question fails. We could eliminate the position of President of the Senate.

As another example, consider the frequent assertion of executive privilege by Cheney and Bush to withhold information that Congress believes it needs. The Constitution does not provide for executive privilege. Considering how strong the presidency has become and the predilection to invoke executive privilege, we need an amendment that explicitly says there is no such thing as automatic executive privilege. Any assertion of it should be presented to the Supreme Court and only it should rule that it is appropriate in a particular case to protect the national interest.

As the final example, consider the clear need for an amendment that prohibits the President from using any kind of signing statement to announce and justify not obeying part of a newly signed law.

We can give thanks for Dick Cheney just like we give thanks eventually that a catastrophe or disaster makes us stronger in the future. He has exposed constitutional weaknesses. The principles that define the best of our nation must be protected through amendments that learn from history. In particular, how the ingenuity and boldness of people has allowed them to disobey and dishonor those principles. Dick Cheney sought and achieved power sufficient to make a mockery of our nation's finest principles and he was enabled by George W. Bush who apparently sought more guidance from his God than from our Constitution.

One thing is clear. History provides little confidence that Congress will propose constitutional amendments that deserve full public discussion. Now is the time to use what our Constitution offers us: an Article V convention for proposing amendments. If we are to make our federal government work for the good of we the people, then we require the nation's first Article V convention – the goal of Friends of the Article V Convention at www.foavc.org. Why is it now so appropriate? Because Americans now have so little confidence in Congress, the President, and the Vice President, and because the corruption of politicians by money has reached unprecedented heights.

As much as politicians deserve our mistrust, we the people deserve to have an Article V convention. Politicians fear it because they know the public will support amendments that make the government subservient to us – the sovereign American citizens. Politicians are not supposed to rule us. They are so supposed to justly represent us. But they do not. They represent the moneyed interests that control them. As Thomas Jefferson said, “An elected tyranny is not what we fought for.”

Our Constitution should not allow the government to make us victims and our nation hated by so much of the world. That's what Cheney should teach us. Now, it's up to us.

Pray that a petulant Bush does not learn from Cheney, exploit the Constitution by resigning, and create President Cheney.

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