



Written by [Michael Tennant](#) on February 9, 2011

Rumsfeld's "Defender of the Constitution" Award Has Few Defenders

Woods, author of [Nullification: How to Resist Federal Tyranny in the 21st Century](#), was referring to Rumsfeld's impending receipt of the Defender of the Constitution Award at this year's Conservative Political Action Conference. Columnist Brad O'Leary and American Conservative Union Chairman David A. Keene will be presenting Rumsfeld with the award at 4:00 p.m. on February 10. Woods himself will be appearing at CPAC under the auspices of Ron Paul's Campaign for Liberty, speaking and signing copies of his new book, [Rollback: Repealing Big Government Before the Collapse](#).



The response from others who have a far better grasp of our founding document than O'Leary and Keene has been swift and scathing.

John F. McManus, president of The John Birch Society, which will have a double booth at CPAC, said:

CPAC giving a "Defender of the Constitution" award to Donald Rumsfeld shows how far the conservative movement has strayed from its previous principled stands. Rumsfeld is no defender of the Constitution. If he were truly a Constitution defender, he would have sought a congressional declaration of war — as required by the Constitution — before sending U.S. forces into Iraq where they were deployed in order to enforce a UN Security Council resolution.

Reporting on the award for *The New American*, [Thomas R. Eddlem wrote](#):

Giving Rumsfeld an award for defending the Constitution is a bit like giving Kendra Wilkinson an award for sexual modesty or Charlie Sheen an award for sobriety. Rumsfeld personally authorized the imprisonment of American citizens without trial and torture of detainees. He oversaw a "military commissions" system he invented that had no authority in law and violated a variety of rights protected under the Constitution. Even a cursory look at Rumsfeld's record as Secretary of Defense during the Bush administration would demonstrate that Rumsfeld openly and directly attacked Articles I, II, and VI of the Constitution as well as the Fifth, Sixth, and Eighth Amendments.

Daniel McCarthy of *The American Conservative*, who will also be appearing at CPAC, [noted acidly](#) that those bestowing the Defender of the Constitution award on Rumsfeld "must mean the Soviet constitution." His colleague and fellow CPAC attendee [Jack Hunter argued](#) that the award "reminds us of [the] lingering, almost childlike blind faith" that many self-proclaimed conservatives have in George W. Bush and members of his administration. "Such conservatives still consider Rumsfeld to be on 'their side' and he therefore becomes a 'Defender of the Constitution,'" Hunter elaborated. "Logic and reason have virtually nothing to do with such thinking." This would also explain why the Claremont Institute, which claims its mission is "to restore the principles of the American Founding to their rightful,



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preeminent authority in our national life” also saw fit to honor the former Defense Secretary with its 2007 Statesmanship Award.

Examiner.com’s [Robert Herriman stated](#) that presenting this award to Rumsfeld “ranks right up there with giving a Nobel Peace Prize to a drone-happy, non-combat troops in Iraq, out-Bush Bush policy in Afghanistan current president.”

Ivan Eland of the Independent Institute, who will be speaking at a Liberty PAC event at CPAC, said in an email to TNA that his first response to being informed of Rumsfeld’s award “was one of incredulity.” “Rumsfeld’s direct role in the unconstitutional excesses of the George W. Bush administration ... should have probably landed him in jail rather than on the dais receiving an award that is designed to aid his rehabilitation politically and help promote his new book,” he added.

Eland called “equally unbelievable” Keene’s characterization of Rumsfeld as “still as honest, forthright, conservative, and down-to-earth as ever,” explaining:

After Rumsfeld’s role in attempting to grossly exaggerate intelligence on Iraq’s alleged weapons of mass destruction programs and in the administration’s false link between Saddam Hussein and al Qaeda and 9/11, Keene’s assertion that Rumsfeld is “honest” and “forthright” seems an Orwellian attempt to turn black into white. However, Rumsfeld may indeed be “down-to-earth,” if one fully appreciates his crashing of the high-flying American reputation for defending human rights.

Even the *Huffington Post*, no bastion of constitutionalism, ran [an outstanding piece by novelist Barry Eisler](#) declaiming against Rumsfeld’s award on constitutional grounds. Eisler writes:

I thought about how different things might be today if, instead of Rumsfeld, America had been blessed with a defense secretary who really was a defender of the Constitution, and who therefore would have refused to partake in its violation....

I thought about people like Alberto Mora, who fought Rumsfeld’s torture memos as the Navy’s General Counsel, and Major General Antonio Taguba, who was forced to retire for his critical report on torture at Abu Ghraib, and Air Force interrogators like Major Matthew Alexander and Col. Steve Kleinman, who have fought heroically against torture.... I thought again of the Constitution, and of the condition it might be in today if these men had won and Rumsfeld had lost.

And then I thought about what kind of person, in the face of all this, would choose to honor a key architect and enabler of America’s torture regime as a “Defender of the Constitution.” You’d have to be an unfortunate combination: partisan, cynical, intellectually empty. You’d have to perceive of the Constitution primarily as a cheap prop in a public relations campaign, and be willing to exploit it that way. You’d have to be ignorant of irony and oblivious to Orwell.

This award may very well become the standard for dividing constitutionalists from those who, in Hunter’s words, “allow their ideological faith to dictate their own facts.” Those who applaud the award do indeed treat the Constitution as a prop — good for whipping up a partisan frenzy, especially around election day, but something to be tossed aside once one gets down to the business of governing. Those who decry it see the words on that yellowed parchment as something to honor even when it is inconvenient or restrictive — in fact, precisely *because* it is inconvenient and restrictive to the powers that be.

The good news in all this is that while CPAC is still dominated by Bush- and Rumsfeld-loving



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neoconservatives, constitutionalists and libertarians are beginning to make some serious inroads into the event. In particular, Ron Paul's organizations are sponsoring a variety of events featuring some of the aforementioned speakers as well as Joseph Salerno of the Ludwig von Mises Institute, James Bovard (whose two-word response when asked what he thought of Rumsfeld's award cannot be reproduced here), and Jacob Hornberger of the Future of Freedom Foundation. Two speakers, William S. Lind and Bruce Fein, will actually be broaching the subject of cutting military spending and scaling back foreign interventions — not a discussion topic one normally associates with CPAC. Perhaps most significantly, newly minted Sen. Rand Paul will be a featured speaker.

With any luck, the influence of these individuals and organizations will move CPAC in the direction of principle rather than partisanship and prevent conference organizers from presenting a similarly outrageous award in the future.

Photo of Donald Rumsfeld: AP Images

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