



By Benjamin Ordiway

On January 12th, the Joint Chiefs of Staff urged all service-members to “remain fully committed to protecting and defending the Constitution [...]” The [memorandum](#) also commands service-members to “keep your eyes on the horizon.” Unfortunately, if you are looking toward the Capitol, non-scalable fencing and concertina wire currently mar that horizon.

Civil servants, military service-members, those holding political office, and the rest of the “We” in “[We the People](#)” must unite in stewardship to the Constitution if we are to have a functioning democracy. We owe it to our country to see the horizon as a vision of aspiration instead of desolation.

For those also in public service, now is a time to reflect on the oath we took. Often, when measuring our performance against our respective oath, our performance needs amendment. And while I have often personally found that to be true, when reflecting on the two oaths, perhaps this time it's the oath that needs amending rather than the behavior.

Oath of Enlistment

*I, _____, 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; and that I will obey **the orders of the President of the United States** and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God.*

Oath of Commissioned Officers

*I, _____, 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.*

I have taken both oaths. I took the former upon enlisting in the United States Army in 2004. After serving in Iraq, I entered the United States Military Academy and took the latter oath upon graduation.

I have often wondered why the Oath of Enlistment references the President, while the Oath of Commissioned Officers only references the Constitution.

Practically, the President does not and would not command enlisted service-members directly. Moreover, the President's title of "[Commander in Chief](#)" is enshrined in Article II, Section 2 Clause 1 of the Constitution; specifying obedience to the President is superfluous when an enlisted servicemember professes allegiance to the Constitution.

Most importantly (and timely given the not insignificant number of military service-members—retired or otherwise—who participated in the insurrection at the Capitol),

changing the Oath of Enlistment by *removing the phrase* “the orders of the President of the United States” would reflect more decisively the *what* rather than the *who* that is being served.

Though “tradition” is an unsatisfying answer, it is often the first obstacle hindering change and must be addressed. In 1789, [officers and enlisted took the same oath](#). Then, sometime between 1830 and 1862, the Oath of Commissioned Officers dropped all reference to the President. As for the Oath of Enlistment, it too is a living document with at least [four previous versions](#). It is time for the Oath of Enlistment to change once again.

To that end, I offer the following amended Oath of Enlistment:

“I, _____, 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; and that I will obey the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God.”

Amending the Oath of Enlistment need not be a politicized initiative, though some will likely see it as a partisan snipe. This is a necessary, symbolic signal to those who might otherwise be confused as to the *only* [North Star](#) guiding our military institutions and service-members of all ranks: the United States Constitution.

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