

# **Intellectual honesty in the ranks sets America's military apart from others**

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We are compelled to respond to The Sun Herald's thought-provoking editorial titled: "In the end, discipline had to win," concerning the conviction and sentencing of Dr. John Buck for his refusal to comply with what he believes is an illegal anthrax vaccine immunization program. The argument you raise about an officer's oath of office is an important one.

In your opening comments you acknowledge that, "The court-martial of Air Force Capt. John Buck was troublesome from the start."

**Throughout the armed forces there is widespread agreement that the anthrax vaccine program was similarly troublesome from the start. Why? Because the vaccine comes from a manufacturer that to this day is "not validated" by the FDA due to significant deviations from current good manufacturing practices.**

## **Vaccine still lacks FDA approval**

The anthrax vaccine manufacturing plant was closed prior to the start of the mandatory vaccination program, and has continually failed to garner FDA approval. According to some of the military's own documents, the anthrax vaccine is "unlicensed" and "experimental" when used to protect against biological warfare. As a result, the Defense Department assisted the manufacturer in preparing an application to obtain a specific FDA-approved labeling for the anthrax vaccine, but approval was never granted.

There is a law that specifically states that service members cannot be inoculated with experimental vaccines without their prior "informed" consent, Title 10, Section 1107, of the U.S. Code. The U.S. military has disregarded this law and these "old" documents since the announcement of the anthrax vaccine program.

By offering these documents as evidence, Dr. Buck was merely reminding the Defense Department of its own previous official position, and was asking the judge to allow the jury to evaluate the legality of the immunization program.

## **Jury never heard this evidence**

**The U.S. Air Force judge would not allow the documentary evidence to be presented in Dr. Buck's court-martial to corroborate his contention that the anthrax vaccine is experimental, making the mandatory program illegal.** The relevance of this evidence, scribed on military letterhead, goes to the core of the debate you raise in your editorial - the oath of office. It is an inherent requirement of Dr. Buck's oath of office to ensure that the orders he follows and those he issues are legal.

Your editors contend that the "Air Force did what any branch of the American armed forces has to do to survive as an effective military organization; it enforced its rules. How could the military court have done otherwise?"

**The simple answer is that Dr. Buck did what the military trained him to do - to challenge illegal orders. Clearly, intellectual honesty in our ranks, encouraged by respected commanders who do not have to resort to blind obedience, is one of the defining characteristics of our military, setting us apart from the militaries we've fought over the past century.**

So we are very encouraged that your editorial poses an essential ethical question about whether Dr. Buck's "oath as a physician compelled him to break his vow to faithfully and dutifully serve his nation as an officer of the United States Air Force."

## **Not disobeying, but upholding his oath**

Dr. Buck believes he was upholding his oath as an officer, as well as his physician's oath, and in doing so was dutifully serving both his nation and the United States Air Force.

**Dr. Buck, and the entire officer corps of the U.S. military, swore an oath to support and defend the Constitution of the United States, which is all about laws. Dr. Buck's dedication to his oath of office is only compounded by the Hippocratic oath and his medical profession. These oaths are not in conflict, but instead are complementary.**

In your editorial you caution, "Woe to the branch of the armed forces that does not hold its officers and enlisted personnel every bit as accountable for their actions." And the members of our military agree wholeheartedly, for if it is the Defense Department that is breaking the law, the responsible leaders should be held accountable for their actions and their abuse of power and discretion, not Dr. Buck.

As our president and commander in chief recently said at the U.S. Naval Academy commencement on May 25, "Changing the direction of our military is like changing the course of a mighty ship ... all the more reason for more research and development and all the more reason to get started right away."

On May 30, Vice President Dick Cheney echoed similar thoughts about risk-taking and courage at the U.S. Air Force Academy graduation.

Military members worldwide know this is the road less-traveled, but one courageously taken by Dr. John Buck of Keesler Air Force Base in Mississippi.

**The issues you raise are important ones and are all about the oaths and codes that military members pledge to our nation. Simplistic imperatives of good order and discipline do not do justice to this complex debate, historical precedents, nor to the oaths our military members swear to uphold.**