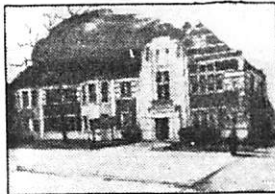


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Edited and Managed
by Students at the
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*Unsigned editorials represent a majority of the Daily's Editorial Board.
All other cartoons, signed articles, and letters do not necessarily represent the opinion of the Daily.*

Insight

ROTC adheres to written law

by Col. William Gregor

On Nov. 26, the Daily once again exhorted the University to eliminate ROTC, and, thereby, restore equal protection for all. Although students may hold whatever opinions they wish concerning ROTC, the operation of ROTC on campus and the appointment of federal officers is governed by law, not opinion.

By contract, the military officer education program is an academic unit of the University. All students, regardless of their eligibility for military service, are permitted to enroll in ROTC classes for academic credit. However, eligibility for participation in military training and commissioning lies within the exclusive jurisdiction of the federal government.

Despite popular opinion most students are excluded from ROTC training for reasons other than physical incapacity. Among the general rules for eligibility, two rules apply directly to homosexuals. First, AR 40-501 precludes the induction of anyone with a psychosexual condition: homosexuality, exhibitionism, transvestism, or other paraphilias. Second, persons who have

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committed or are prone to commit offenses are also ineligible.

Homosexual conduct is a crime under federal law (10 U.S.C. §925), military law

University has no more control over commissioning standards than it does over standards for admission to practice law or medicine. It, therefore, seems that

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(UCMJ Art. 125), and the laws of Michigan. Despite the attention paid to homosexuals, the most frequent reason for excluding a student under this rule is a student's admission he has used marijuana. My cadets have also been warned that they may be disenrolled for underage drinking. We make no distinction between criminal offenses and there is no legal reason to do so. In this regard the rules are uniform and equally applied.

As the Daily editorial noted, the Supreme Court has upheld military regulations barring homosexuals. The Supreme Court has also upheld criminal statutes against sodomy (*Bowers v. Hardwick*, 1986).

Additionally, states and municipalities may not enforce against the military local ordinances regarding sexual orientation (*United States v. City of Philadelphia*, 3d Cir. 1986). The

objection raised against the operations of ROTC and the actions of the University is that they adhere to the law.

Citizens are free to hold diverse opinions concerning governmental policy; governmental units are not. It would be a curious thing for the University of Michigan, a public institution, to expel this academic unit for its scrupulous application of the law.

The United States is in the midst of a great military draw-down. Officer commissions will fall from 8,000 in 1988 to 3,700 by 1995. Military entrance standards have already become more selective and many of the cadets commissioned just two years ago would not be permitted to join today. All the university or ROTC can guarantee is that a student will be permitted to take the classes. Eligibility for a commission will be a matter of military law.