

COLUMBIA UNIVERSITY

UNIVERSITY SENATE ROTC TASK FORCE

To: University Senators, Administrators, and Trustees

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Date: May 6, 2005

Final Report of the ROTC Task Force

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I. ABBREVIATIONS

CU	Columbia University
DADT	Don't Ask Don't Tell Don't Harass Don't Pursue ¹
DOD	Department of Defense
LGBT	Lesbian, Gay, Bisexual, and Transgender
ROTC	Reserve Officer Training Corps
TF	ROTC Task Force

¹ DODD 1332.14, *supra* note 4, para. E3.A4.1.3.2.2; DODI 1332.40, *supra* note 4, para. E8.3.2.2. To learn more about this policy visit the following links:

<http://www.dtic.mil/whs/directives/corres/html2/d133214x.htm>
http://www.sldn.org/binary-data/SLDN_SECTIONS/pdf_file/19.pdf

II. EXECUTIVE SUMMARY

Recommendations

- a. The ROTC Task force was split (5-5-0)² on whether or not ROTC should return to Columbia University in the 2006/7 academic year.
 - i. The Task Force unanimously agrees that the military's discrimination against homosexuals, as seen in the federal law DADT, is inconsistent with the values of the community as expressed in the University's non-discrimination policy. However, the Task Force is evenly split on whether or not DADT should prevent the immediate return of ROTC to campus.
 - ii. The Task Force was split on whether or not the return of ROTC would have a negative or positive impact on the campus climate.
- b. Almost unanimously (9-0-1) the Task Force favored returning ROTC if there is no longer discrimination against LGBT service-members in the military.
 - i. A majority of the Task Force agrees that there are significant benefits in returning ROTC, such as financing students' education and Columbia's participation in training military leaders.
- c. No one agreed (0-6-4) with the following statement: Under no circumstance should ROTC return to Columbia University.
- d. A majority (7-1-2) voted in favor of strengthening the relationship with the current ROTC programs at Fordham and Manhattan College by securing more positions to accommodate more CU students.
- e. Almost unanimously (9-0-1) the Task Force recommended that the University Trustees establish a financial contingency plan to protect LGBT students who may be victims of Don't Ask, Don't Tell.
- f. It was unanimous (10-0-0) that if ROTC returns then Columbia University should maintain full and independent control over questions such as academic credit for ROTC courses, titles for ROTC instructors, and the use of Columbia's classroom, office, and training space for ROTC functions.
 - i. A majority of the committee believed that the use of University resources such as classroom, office, and training space could be a reason why ROTC should not return.

Some rationales

- g. Five members voted in favor of the return of ROTC in the 2006/7 academic year, or as soon as is practicable. They all oppose DADT, but believe the best way to reform it is through engagement with the military. They believe the main benefits of an on-campus ROTC program—above all Columbia's ability and responsibility to educate military leaders—outweigh the harmful effects of DADT.

² The first number indicates agreement, the second disagreement, and the third abstention.

Additionally, an on-campus ROTC presence would enrich the diversity of ideas, viewpoints, and values within the Columbia community.

- h. The five members who oppose returning ROTC in 2006/7 believe that such a decision would not only violate Columbia's nondiscrimination policy but also amount to an explicit institutional endorsement of DADT, legitimizing a culture of homophobia on campus. They believe such an outcome would directly violate the human rights of LGBT Columbians, threaten other protected groups, and challenge the right of every member of our community to live and learn in an environment free of institutionalized discrimination, a principle that an institution of Columbia's stature must support.

III. REPORT TO THE UNIVERSITY SENATE

SOME HISTORICAL BACKGROUND

Columbia first hosted military training programs in the 19th century. The University was the site for naval officer training programs during World War I, and began its relationship with the Naval ROTC in the 1940s. Serious challenges to ROTC's standing at Columbia began in the mid-1960s. In May 1965 students opposed to growing U.S. involvement in Vietnam protested an ROTC annual awards ceremony on Low Plaza, and several were arrested. Over the next few years student agitation escalated against the Vietnam War (and visible manifestations like ROTC), culminating in the rebellion of April 1968. At the same time, faculty members' academic doubts about ROTC led to a lengthy review of the program's instruction and curriculum, with strongly negative results. In March 1969 a faculty-student committee chaired by government professor Harvey Mansfield recommended stripping ROTC courses of academic credit and ROTC instructors of Columbia faculty titles, essentially demoting ROTC to a kind of extracurricular status. After the Department of Defense made clear that current legislation would not allow ROTC programs under such conditions, the Trustees decided to phase out ROTC at Columbia, allowing cadets already in the program to complete their ROTC training along with their degrees.

The trustees announced the termination of ROTC in May 1969, along with the launching of a new institution—a university senate, designed as a reform for structural weaknesses in university governance that were believed to have contributed to the cataclysm of 1968. This new institution addressed ROTC more than once in its early years, but its definitive statement came in January 23, 1976, in a resolution and report of a special committee to study ROTC chaired by engineering professor John K. Tien. The resolution (Appendix 3) reaffirmed the basic recommendations of the Mansfield Committee, in setting conditions for any future return of ROTC—that academic credit for ROTC courses and titles will be determined only by Columbia faculty, that “no degree may be withheld for reasons beyond the control of the university, and that “there shall be adequate safeguards for the academic freedom of the participants.” The resolution also allows students to withdraw from their contracts with the armed services if they make provision for repayment “without the punitive service liabilities now contingently applicable; nor may the contract require the student to forego the exercise of ordinary civil rights.” The accompanying report doubted that ROTC could meet such requirements: “As currently constituted, ROTC programs exert a degree of control over student and institution alike which remains unacceptable to Columbia University.” The report concludes that while Columbia customarily entrusts decisions about new programs and appointments to its schools and departments, “any negotiations for an ROTC program are subject to the approval of the University Senate....”

A number of issues in the 1976 report reverberate today. One prompt for the committee's work was the threat of sanctions—such as the 1972 Hebert Amendment—against institutions that refused to cooperate with the DOD over ROTC programs. Universities actively opposed the amendment, which never became law. But the DOD exacted other sanctions, enrolling fewer DOD personnel in academic programs at Columbia and other institutions. These restrictions were lifted in September 1975.

The report also notes current efforts by universities to persuade the DOD to establish regional ROTC programs that could accommodate students from several schools. It also indicates that several Columbia students were participating in ROTC programs at other New York universities, a practice that the DOD was not encouraging at the time, but allowing.

OUR DELIBERATIONS:

The 1976 resolution was the Senate's last pronouncement on ROTC, until now. On March 26, 2004, the University Senate established the Task Force on ROTC to study a proposal to restore an on-campus ROTC program (Appendix 4) whose principal author was Sean Wilkes, a Columbia College student and cadet in the Fordham Army ROTC program who was later appointed to our Task Force.

Task Force Composition

Our Task Force was to have six students, five faculty, and one alumnus. The founding resolution assigned responsibility for appointing the members to the Senate Executive Committee, but the Student Affairs Committee successfully amended this procedure on the floor, providing for the Education Committee to appoint two of the faculty members and two of the students; for Faculty Affairs to appoint the other three faculty members, and for Student Affairs to appoint the other four students. Alumni Relations was asked to appoint the alumni member.

One student appointee, Derek Wilder (nonsen., GS), had to withdraw from the Task Force before the first meeting in the fall. He was replaced by Sen. James Schmid (Bus.). Two other original members, Sens. Robert Pollack (Ten., A&S/NS) and Sean Kelly (Stu., SEAS), were unable to attend most meetings last fall, and stepped down in February. They were not replaced, and the Task Force finished its work with 10 members.

Task Force Meetings

The Task Force met for the first time last October, and has met more than a dozen times. Guests at its regular meetings have included the following:

- Steven Brozak, a 1982 GS graduate with two decades of military service, and an advocate for restoring ROTC to institutions like Columbia as a step toward reform of the military.
- Prof. Michael Rosenthal, who served as Associate Dean of Columbia College for nearly two decades, and helped arrange off-campus ROTC opportunities for undergraduates in the early 1980s.
- Jeff Williams, a third-year Columbia law student, a 2002 graduate of Columbia College, and an opponent of ROTC.
- Beryl Abrams, an associate general counsel at Columbia University.

Outreach

The Task Force sought the views of the Columbia community in several ways, which are all listed on the Task Force page of the University Senate Web site (www.columbia.edu/cu/senate/, and Appendix 5) with links to the documents that resulted.

Emails

The Task Force solicited e-mails from the Columbia community in early February on the question of returning ROTC to Columbia, and has since received more than 120 messages and documents, representing a range of views. To encourage free expression, the Task Force offered anonymity to e-mail contributors.

Letters

Apart from the e-mail collection, the Task Force has received a dozen letters, mostly from pro-ROTC alumni.

Student government resolutions

The student governments of General Studies, Law, and Union Theological Seminary sent formal resolutions opposing the return of ROTC (Appendix 6).

Petitions

A petition opposing the return of ROTC, written by Prof. Ilan Meyer of the School of Public Health and signed by more than 600 faculty, students, administrators, alumni, and staff of Columbia University, was presented to the Senate on April 15. The text of the petition is available here as Appendix 7; the full document, with signatures, is available in the Senate Office, 406 low.

Town hall meeting

On February 15, 2005, the Task Force held an open town hall meeting in the Davis Auditorium of the Schapiro Engineering Building on the question, Should Columbia Restore ROTC? All but one member of the Task Force were there, and a total of about 100 people attended the meeting, which ran nearly an hour past its two-hour allotment. Most of the roughly 55 people who lined up to speak were students, but there were also a few faculty, alumni, and others. The comments ran about 3 to 2 against restoring ROTC now. A full transcript of the meeting is available on the Senate Web site.

Special Senate session of April 15, 2005

A preliminary report of the conclusions of the Task Force was on the agenda of the Senate's April 1 plenary, but it had to be postponed when another group claimed the meeting room at 3 pm—nearly two hours into the meeting—before the Task Force could report. So President Bollinger authorized a special Senate meeting devoted exclusively to ROTC two weeks later, on April 15. About 35 senators attended, along with about 15

spectators. A full transcript of the meeting, which ran over two hours, is available on the Senate Web site.

Regular Senate meetings

- i. Today's plenary meeting is the sixth in the past year with ROTC on the agenda. The others are:

March 26, 2004

April 30, 2004

January 28, 2005

February 25, 2005

April 15, 2005

Proceedings of these meetings are on the Senate Web site.

SOME FINDINGS

ROTC and Some Peer Institutions

Six of the eight Ivy schools dismissed ROTC during the Vietnam War—Columbia, Harvard, Brown, Yale, Dartmouth, and Princeton. Princeton and Dartmouth reinstated their programs during the 1970s. All four schools that are now without programs of their own send students to ROTC programs at other colleges. Some send only a few, like Columbia (9, see below), Brown (2 to an Army ROTC program at nearby Providence College), and Yale (3 to the Air Force program at U Conn/Storrs, 75 miles away).

Harvard now has a contingent of 40 students in the Army ROTC program at nearby MIT. The Harvard faculty voted to end its connection with ROTC in 1969, and the ROTC building was burned to the ground a year later. But before long students were participating in a program at MIT, with some payments to MIT from the Harvard administration. The faculty voted to end this financial arrangement in the early 1990s in protest against discrimination against homosexuals in the military, and to bar ROTC commissioning exercises from the Harvard campus. But some alumni donors assumed the costs of participation in the MIT program, and the administration has held ROTC ceremonies on campus, with President Summers in attendance, despite the faculty ban. ROTC supporters are pursuing an active campaign to establish a small, formal ROTC presence at Harvard.

Cornell and Penn have active, longstanding on-campus ROTC programs. The Penn NROTC program, founded in 1940, hosts a Philadelphia consortium of schools, including Drexel and Temple universities. Thirty-two Penn students are involved. This consortium is also part of a larger unit with Villanova. Penn's College of Liberal Arts does not credit NROTC courses toward the bachelor's degree, but other Penn divisions do, including the Wharton School.

Cornell has Army, Navy and Air Force programs, and a total of ~~XX~~ students involved

The Dartmouth ROTC program, restored during the 1970s, survived a concerted attempt to terminate it again in 1994 when the Trustees rejected a faculty resolution calling for its ouster on account of DADT. Now about a dozen Dartmouth students take ROTC on campus, trained by an officer from Norwich University, which is about an hour way. The only credit toward the bachelor's degree for ROTC offerings is physical education course credit.

PRINCETON: If Columbia were to decide to establish an on-campus ROTC detachment, it would most likely follow the Princeton model. Princeton retrenched its ROTC program in 1970, but brought it back two years later in a different form. Since 1972 it has had the status of an extracurricular activity, without academic credit for its courses or professorial titles for its instructors. Thirty-two Princeton students are now enrolled in the program.

Princeton's "elite" Army program grants "full-tuition-and-fees, plus an annual book allowance of \$600 and monthly spending allowances... which adds up to \$31,000 for freshmen and \$32,500 for seniors" (Princeton Army ROTC website, April 14, 2005). Hypothetically, if 40 Columbia students were to enroll in an on-campus Army ROTC program, the DOD would provide \$1.2 million in tuition benefits for these students. Any need-based financial aid that these students would have received from Columbia could then be directed to other Columbia students.

MIT provides on-campus Army, Navy and Air Force ROTC programs for a total of 144 students (68 of their own), including contingents from Harvard, Tufts, Wellesley, and other local schools. In 1997, in response to a faculty resolution, MIT promised to guarantee to any MIT students who

might be expelled from ROTC because of their sexual orientation a financial package (e.g., "contingency plan") equal to what they would have received from the Institute. Since 1997 MIT has not yet had to act on that promise.

Columbia Students and Nearby ROTC Programs

AIR FORCE PROGRAM AT MANHATTAN COLLEGE: Columbia is one of 40 schools that send students to train at the regional Air Force ROTC program based at Manhattan College, seven miles from Morningside Heights. According to Col. Bob Ciala, five Columbia students are currently enrolled, and all five receive funds that apply to their Columbia tuition. He writes, "4 receive 4-yr, full scholarships; the other one is a 3-yr scholarship.... [those on] type 1 scholarships receive the full \$30,000 [to cover Columbia tuition]." Asked whether their program could accommodate more Columbia students, the Colonel replied, "YES...as many QUALITY STUDENT/LEADERS as you can send us!"

The Colonel brought to our attention *Title 10 United States Code, Section 2102*, which outlines the requirements Columbia University would have to meet should it reinstate ROTC. In summary, it states: (1) the university must make the request to establish an Air Force ROTC detachment; (2) the senior officer assigned to that institution will be given the academic rank of professor; (3) the institution adopts, as a part of its curriculum, a course of military instruction, which the secretary of the military prescribes and conducts; and (4) [in order to establish a detachment] there will be no less than 40 students enrolled (Ciala, email correspondence April 12, 2005). The Colonel also states, "the opening of a detachment [at Columbia University] may necessitate the closure of another and would not allow the optimal use of our limited resources.... The [Air Force] ROTC is not planning to open any new detachments except in areas where a large minority population is not currently being served."

NEW YORK CITY ARMY PROGRAM AT FORDHAM: Columbia University is one of 50 schools in the area that sends students to participate in the New York City Army ROTC program housed at Fordham University, seven miles from here. According to Major Riley 4 Columbia students who participate, two of whom are on scholarship. He says, "One will be on scholarship in the Fall and the other is deciding if Army ROTC is the right choice for her." When asked about a potential increase of seats for Columbia students, the Major replied, "With the number of cadets currently enrolled, we could accommodate triple the number of Columbia students we currently have." He goes on to say, "Virtually all students that qualify... will receive at least a two-year scholarship [of \$17,000 each year]." The amount is the same for any of the 113 cadets who currently enroll in the New York City Army ROTC program.

Funding v. Scholarships:

It is worth noting that ROTC funds are not fundamentally "scholarships," but rather advanced contracts. In order to receive the funds, one must become a "contracted" cadet or midshipman, signing an agreement to complete the ROTC program and to serve for a number of years after graduation (4 on active duty, or 8 in the Reserves). Students continue to receive funding for the remainder of their involvement.

DON'T ASK, DON'T TELL:

Not all citizens of the United States are eligible for ROTC funds because of a longstanding military policy and practice of excluding homosexuals from the military. In 1993 Congress codified the policy of Don't Ask, Don't Tell, a "compromise" struck earlier that year, at the outset of the Clinton administration, that was intended to ease the previous outright ban by allowing gays to serve as long as they were silent about their sexuality. But under DADT an undergraduate student enrolled in ROTC could be tried publicly for engaging in a "homosexual act," which the DOD defines as "any bodily contact, actively undertaken or passively permitted, between members of the same sex for the purpose of satisfying sexual desires and any bodily contact (for example, hand-holding or kissing) that a reasonable person would understand to demonstrate a propensity or intent to engage in such an act" (DODD 1332.14 E3.A4.1.2.4.1). If found guilty the student would be discharged and required by law to reimburse any funds previously received.

Since the establishment of DADT in 1993, some 10,000 GLBT servicemembers have been discharged from the military because of their sexual orientation.

THE SOLOMON AMENDMENT

Most law schools determined that the Don't Ask, Don't Tell policy, like the military's earlier bans on homosexuality, violated their own nondiscrimination policies, and they accordingly barred military recruiters from their campuses.

In 1995 Congress responded with the first of the so-called Solomon Amendments, which denied DOD funds to any law school that barred military recruiters. In subsequent years Congress expanded the reach of the Solomon Amendment to deny funds from three other federal agencies to uncooperative law schools, and later to deny all of these types of funds to their parent universities.

Faced with the loss of many millions of dollars in financial aid and other federal funding, many universities, including Columbia, made the difficult decision to exempt the DOD from its nondiscrimination policies and to allow military recruiters on campus.

On October 29, 2004, President George W. Bush signed an addition to the law—written by Rep. Christopher Cox (R-CA)—providing that institutions that bar ROTC programs from their campuses or prohibit their students from attending ROTC programs off campus will also face the loss of federal funding.

A month later, on November 29, 2004, a panel of the U.S. Court of Appeals for the Third Circuit ruled the Solomon Amendment unconstitutional, as an abridgment of the First Amendment rights of law schools to express their opposition to DOD policies. The DOD appealed, and on May 2, 2005, the Supreme Court agreed to hear the case and plans to rule by June of 2006.

There has not yet been an attempt to enforce the added ROTC-related provisions of the Solomon Amendment.

LEGISLATIVE HISTORY OF TASK FORCE RECOMMENDATIONS:

The Task Force distributed a preliminary report to the Senate for the April 1 meeting, and then, when discussion of ROTC was postponed, presented a revised preliminary report at the special April 15 Senate meeting (Appendix 8).

At that meeting the members of the Task Force each made presentations (Appendix 9), which revealed some of the dilemmas the group faced. On the first question, an up-or-down vote on returning ROTC as soon as practical despite DADT, the group was evenly split, 5-5. They also acknowledged that the near-unanimous vote to support returning ROTC to Columbia if there is no discrimination against GLBT servicemembers was based on a misunderstanding, derived from the ambiguity of the word 'if.' The clause "if there is no discrimination" could be understood as a hypothetical, counterfactual statement or as a necessary condition (as in, *if and only if* there is no discrimination. The five members who voted against returning ROTC despite DADT understood themselves to be voting for the second, stronger version of the "if" clause, but the five supporters of ROTC in the up-or-down vote could not support the second version precisely because they had already voted to restore ROTC despite DADT on the first question.

The Task Force sought a compromise again at a meeting a week later, on April 22, and subsequently 6 of the 10 members approved the following resolution:

RESOLUTION TO ESTABLISH A RESERVE OFFICER TRAINING CORPS PROGRAM AT COLUMBIA UNIVERSITY IN THE EVENT THAT GAY, LESBIAN, AND BISEXUAL SERVICE-MEMBERS ARE PERMITTED TO SERVE OPENLY IN THE U.S. MILITARY.

Whereas five of the ten members of the Senate Task Force on ROTC voted to support the establishment of an ROTC program at Columbia University in the 2006-07 academic year, and

Whereas five of the ten members of the ROTC Task Force voted to support the establishment of an ROTC program at Columbia only if gay, lesbian, and bisexual service members are permitted to serve openly in the military, and

Whereas all students at Columbia University should have an equal opportunity to train as military leaders, and

Whereas the military's current policies and practices with respect to gay, lesbian, and bisexual persons are inconsistent with the values of the Columbia community, as expressed in the University's official non-discrimination policy;

Therefore be it resolved that in the event that gay, lesbian, and bisexual service-members are permitted to serve openly in the military, Columbia should establish an on-campus ROTC program, and

Therefore be it resolved that in the event that an on-campus ROTC program is established at Columbia, the University should maintain full and independent control over

decisions regarding such matters as the award of academic credit, titles of ROTC instructors, and the program's use of classroom, office, and training space, and

Therefore be it resolved that Columbia will continue to support those students who participate in area ROTC programs and will notify students of their eligibility for the tuition stipends offered through the ROTC programs offered at Manhattan College and Fordham University, and

Be it finally resolved that Columbia adopt a contingency plan to offset the financial consequences to lesbian, gay, and bisexual students who are separated from ROTC programs because of their sexual orientation.

Proponent: Task Force on ROTC

The Executive Committee did not accept the compromise resolution at their meeting a few days later, on April 25, for two main reasons: the resolution seemed to commit the university to a conditional policy at an uncertain future date, and the explicit linkage between ROTC and the end of DADT entailed political and legal risks, particularly given the recent ROTC-related additions to the Solomon Amendment. The Executive Committee voted 7-2-1 to replace the Task Force resolution with a straight-up-or-down resolution to restore ROTC as soon as is practical, despite DADT. According to Executive Committee chairman Paul Duby, the idea behind the substitute was to offer a clear, unambiguous choice—without taking a position on the merits of the main question—to be made by the whole Senate. The result, before you for action today, was the following resolution which was composed by ROTC Task Force co-chair Jim Applegate:

University Senate

Proposed: May 6, 2005

Adopted:

RESOLUTION TO ESTABLISH
A RESERVE OFFICER TRAINING CORPS (ROTC)
PROGRAM AT COLUMBIA UNIVERSITY

WHEREAS the Armed Forces are an essential, permanent, and unique part of American society, and

WHEREAS the ROTC programs based in our nation's colleges and universities produce a significant fraction of our military officers and future military leaders, and

WHEREAS the maintenance of our Armed Forces is the collective responsibility of all Americans, and

WHEREAS Columbia University educates leaders in many fields of human endeavor,
and

WHEREAS the better educated America's military leaders are, the better off America
and the world will be,

THEREFORE, BE IT RESOLVED that Columbia University should seek to establish
an ROTC program as soon as is practicable, subject to the following conditions:

Columbia University must retain the right to award or deny credit towards a Columbia
degree for ROTC courses, and

The titles at Columbia University of ROTC instructors must be appropriate for their level of
education and professional accomplishment as judged by Columbia's criteria, and

Columbia must retain control of the use of its physical space and other resources by the
ROTC program.

Proponent: Executive Committee

REPRESENTATIVE STATEMENTS BY TASK FORCE MEMBERS OF PRO AND CON POSITIONS ON RESOLUTION TO RESTORE ROTC

Of the many statements that Task Force members have made over the last several months, we offer here two representative ones on the resolution before you today, the first for the pro position, the second for the con position.

April 29, 2005

THE CASE FOR ROTC AT COLUMBIA

James H. Applegate
Professor of Astronomy
Co-Chair, Task Force on ROTC

The armed forces of the United States of America are an essential, permanent, and unique part of American society. From its creation, the U.S. military has been subject to civilian control. It is founded on the idea that military service is a reasonable demand for a democratic society to impose on its citizens, and that the nation is best off if defended by citizen-soldiers. The ideal of the citizen-soldier had eroded deeply since the Vietnam war, and the idea that the maintenance of our Armed Forces is the collective responsibility of all Americans has been all but forgotten. The civilian-military gap is now so deep and wide at a university like Columbia that the two sides hardly recognize each other.

It is in this context that a group of students and alumni have proposed the return of ROTC to Columbia. I have studied their proposal carefully and support it. I urge you to consider the proposal with care. In my view the arguments against ROTC come quickly and arise from our looking inward and seeing Columbia in isolation. The arguments in favor of ROTC come more slowly and arise from our looking outward and seeing Columbia in its proper role in our country and the world.

The world in which we live is a more complex place than it was during the cold war, and the role of our military is correspondingly more complex and subtle. From peacekeeping missions to relief operations to local wars, America's military leaders need to be well educated in the history, culture, politics, and sensibilities of the world's diverse population in order to do their jobs and to represent our nation abroad. The better educated America's military leaders are, the better off America and the world will be. Columbia educates leaders in many fields of human endeavor. Columbia can and should play its part in educating America's military leaders. The establishment of an ROTC program at Columbia is an important step in Columbia playing its role, and in helping those Columbia students who wish to serve our country in the armed forces in being able to do so.

The University must insist on certain conditions if ROTC is to return. Columbia must retain the right to award or deny academic credit for ROTC courses. These decisions should be made by the appropriate Committees on Instruction. Columbia must retain control of all titles at Columbia. The officers who teach ROTC courses here should receive titles that are appropriate for their level of education and professional accomplishment as judged by Columbia's criteria. In addition, the University must retain control of its physical space and other resources.

The opponents of returning ROTC to Columbia base their arguments on the University's nondiscrimination policy. This policy must be understood in the proper context.

The purpose of the University is the education of its students, and the creation of new knowledge through scholarship and research. The values which sustain us in this endeavor are the freedom of speech and of inquiry, the right to express one's views in a forceful but respectful manner and the obligation to respect the right of others to do the same, openness and honesty in our inquiry and teaching. Collectively, this is what we call academic freedom. This is what we are about.

The University has developed policies which sustain us in what we do. These are important policies, but secondary to the core values expressed in academic freedom. Our policies on admission and financial aid are very important because they determine who the students are, but they do not define us. Need-blind admissions is very important to Columbia College, but it does not define the College. The University's nondiscrimination policy should be understood as one of these supporting policies, not as a defining one.

We should not read Columbia's nondiscrimination policy as literally as the opponents of ROTC would have us read it. For example, our policy states that we do not discriminate on the basis of race in admissions. We certainly do use race as one factor among many in admissions, and President Bollinger successfully argued for our right to continue to do so before the Supreme Court two summers ago. The literal reading of the nondiscrimination policy the opponents of ROTC would impose on us would justify the position of those who oppose using race as a factor in admissions and forbid us from doing so.

Bringing ROTC to Columbia would expand and make more visible on campus a program and career path that, for practical purposes, is open to some Columbia students but not others for reasons the community finds to be discrimination. The opponents of ROTC argue the armed forces are "just another discriminating employer," and should be excluded from campus for this reason. I cannot think of more powerful evidence of the erosion of the idea that the maintenance of our Armed Forces is the collective responsibility of all Americans, or demonstration of the depth and breadth of the civilian-military gap at Columbia than the fact that this statement is made so frequently and has gone unchallenged for so long.

Columbia's nondiscrimination policy is important, but the burden of proof is very much on those who would use it to justify Columbia's avoiding a collective responsibility. The standard of proof is very high, and I do not believe that their arguments rise to it.

The ten members of the Task Force are united in their opposition to DADT, which we believe to be bad policy and fundamentally wrong. We do not disagree on issues of principle. We do disagree on strategy and tactics. The five of us who voted for the immediate return of ROTC argue that our most effective way of abolishing DADT is to engage the issue and do what a university does best—teaching. We argue that, by far, the most powerful agent of change we can provide is Columbia-educated leaders for the military. Our opponents argue that the University should withdraw from the issue and boycott the military until DADT is abolished. They argue that this is a moral high ground. We argue that they are avoiding the issue. You cannot affect change without engaging an issue. Universities are vital when they educate and irrelevant when they boycott.

The opponents of ROTC argue that the establishment of an ROTC program at Columbia is equivalent to an institutional endorsement of DADT by Columbia. This is false. The University does not and should not support or oppose political statements or causes with its affiliations. A Columbia ROTC program is no more a Columbia endorsement of DADT than is Columbia's welcoming of students and scholars from a foreign nation a Columbia endorsement of the form of government, foreign policy, or human rights record of that nation.

One of the key lessons Americans collectively learned from the Vietnam experience is that it is a tragic mistake to confuse the military with the uses to which it is put by our civilian

leaders. Those who argue that support for ROTC is support for the Iraq war have failed to learn this important lesson. In addition, some argue that bringing ROTC to Columbia would politicize the campus. This is probably true, but it a development we should not fear, but embrace. A continuing debate about the relationship between the individual and the state, and about the proper role of the military in a democratic society is something that a university should welcome.

Shunning the military is a choice that a private university is free to make. It is not a choice that Americans collectively are free to make. It is a choice that Columbia should not make. It is time to welcome ROTC back to Columbia.

May 4, 2005

THE CASE ARGUING AGAINST THE IMMEDIATE RETURN OF ROTC

Nathan C. Walker
Co-Chair, Task Force on ROTC
Ed.D. student, Teachers College Columbia University ('08)
M.Div. student, Union Theological Seminary ('05)

Summary: Columbia University should not return ROTC to campus because (1) there is no demonstrated need; (2) adequate funding is currently available; (3) there is no demonstrated hardship; (4) the return of ROTC is a potential financial threat to the regional ROTC programs; (5) the University's commitment to train military leaders is not contingent upon an "elite" Columbia ROTC program; (6) the military's discriminatory practices are in direct violation of the University's non-discrimination policy; and (7) the return of ROTC to campus will not reform the military's discriminatory practices.

- 1) **There is No Demonstrated Need:** Only 4 Columbia students participate in the New York City Army ROTC program housed at Fordham; only 5 Columbia students currently participate in the regional Air Force ROTC program at Manhattan College. As a result, the proponents of ROTC failed to demonstrate that over 60 students would participate in an "elite" Columbia ROTC program.
- 2) **Adequate Funding is Currently Available:** Columbia students who participate in the regional ROTC programs are eligible for \$17,000 a year through the New York City Army ROTC program and over \$30,000 through the Air Force ROTC program. These funds are directly applied to cadets' tuition at Columbia. Put simply, the proponents failed to demonstrate how the current funding opportunities are lacking.
- 3) **There is No Demonstrated Hardship:** There is no compelling reason why a ROTC program should be housed at Columbia when over 50 neighboring schools enroll students in regional ROTC programs (Manhattan College and Fordham). The proponents failed to demonstrate how 9 students traveling 7 miles constitute a hardship. Thousands of Columbia students currently participate in extracurricular athletics, internships, and professional development opportunities throughout the city.

- 4) **The creation of a ROTC program at Columbia would be a financial threat to regional ROTC programs.** According to Col. Bob Ciala of the Air Force ROTC, housed at Manhattan College, "the opening of a detachment [at Columbia University] may necessitate the closure of another and would not allow the optimal use of our limited resources... The AFROTC is not planning to open any new detachments except in areas where a large minority population is not currently being served." Therefore, the proponents fail to demonstrate how an "elite" ROTC program at Columbia University would benefit military leadership when its return to campus could threaten the funding for 50 area schools who attend NYC regional ROTC programs.
- 5) **Military leadership is not contingent upon a Columbia ROTC program:** Hundreds of Columbia graduates have held leadership positions in the U.S. Military. Therefore, Columbia University does not need its own "elite" ROTC program to secure military leadership. Moreover, Columbia adequately advertises its participation in regional ROTC programs, which allows for professional development opportunities.
- 6) **Don't Ask, Don't Tell violates Columbia's non-discrimination policy:** The military's discriminatory practices (i.e., Don't Ask Don't Tell Don't Harass Don't Pursue) violates Columbia University's non-discrimination policy and New York City Human Rights Law, Title 8, §8-107, which makes it unlawful to discriminate against people because of their sexual orientation. The proponents continue to equate the DADT with the "discriminatory practices of Barnard's admissions and the University's fraternities and sororities." This demonstrates the proponents' inability to understand the U.S. Supreme court's definition of "invidious" v. "benign" discrimination. An institution, such as the military, that engages in invidious discrimination is not compatible with a private institution that explicitly upholds the principles of non-discrimination.
- 7) **A Columbia ROTC Program Cannot Reform the Military's Discriminatory Practices:** The return of ROTC to Columbia University will not reform the discriminatory policies of the military. There are only three ways DADT will be overturned: (a) an executive order by the U.S. President; (b) a Congressional act; (c) a U.S. Supreme Court ruling. Therefore, the proponents fail to demonstrate how the return of ROTC to campus will reform the military's discriminatory practices.

In closing, there is no evidence to suggest there is a problem with the current relationship with the regional ROTC programs and no demonstrated urgency for the immediate return of ROTC to campus.

OTHER RECENT STATEMENTS BY TASK FORCE MEMBERS

April 29, 2005

Scott Olster
Nonsen., Stu., General Studies ('05)

As a member of the University Senate's ROTC Task Force, I have had the privilege to witness and engage in most discussions concerning the military program's potential return to our community. In the latest weeks of this sensitive debate, I have noticed that emotions on both sides, even among the task force, are heightening and the quality of reflection of opposing viewpoints is weakening. In the wake of this deterioration, I would like to express a few (hopefully reflective) thoughts on the debate as I currently see it.

The ROTC Task Force was asked to deliberate whether the program's return to our community was in the best interest of the university. The task force met on a series of occasions to acquire more knowledge of the ROTC program itself, the level of interest among the Columbia community for the program's return, and the action that other universities have taken in the recent past, among other issues.

The vehement convictions of many of the task force members frequently precluded the possibility of seeking creative compromises. Instead, much of our debate focused on the same ideological disagreements. The Department of Defense's "Don't Ask, Don't Tell" (DADT) policy was deemed inconsistent with our university's policies and ideals, but the task force was split as to how to effectively respond to the discriminatory policy.

At present, DADT stands in direct contradiction to our university's non-discrimination policy. The ideals of constructive engagement, while impressively idealistic, do not solve the contradiction entirely. Constructive engagement proposes a hope in the future that Columbia ROTC cadets will serve an influential role in the revocation of DADT. If we accepted constructive engagement as the sole reason to bring ROTC back to Columbia, we would need to inform the entire LGBT community and their allies that their rights are being denied on our campus because we have a hunch. A university responsible for a diverse community with a wide array of needs cannot act in this manner.

ROTC proponents claim that denying the program's return is an act of hypocrisy because of Columbia's receipt of federal funding for research affiliated with national defense initiatives and because Columbia students are going off campus to participate in the ROTC anyway.

First, Columbia cannot, by law, restrict its students from participating in off-campus ROTC programs. And, more importantly, the role of the university, as I see it, is to take positions on issues with careful consideration and with the acknowledgement that not all matters concerning the university-government relationship are the same. It is irresponsible and naïve to conflate the university's acceptance of federal grants with the return of the ROTC. They are separate issues. The return of the ROTC would directly deny students the right of participation based on their sexual orientation whereas participation in federal grant-based research is not based on such invidiously discriminatory qualifications.

On the other hand, proponents of the ROTC aptly point out that Columbia's decision to keep the program off campus does not directly aid the cause of reversing DADT.

What is needed, however, is a compromise, not an outright contradiction of our university's policies and, more importantly, our community's ideals. A compelling compromise, I believe, is one in which Columbia better advertises the existence of ROTC programs in the New York area with the caveat on every publication or website that the university does not endorse the discriminatory practices of the Department of Defense, embodied most specifically in the DADT policy.

There are, at present, nine Columbia-affiliated ROTC cadets. This number makes up less than 1% of Columbia's total undergraduate population. At a time when our university needs to focus on strengthening our own community to ensure an environment in which equality, respect, and diversity are valued, it would be irresponsible to welcome a discriminatory agency to campus for the benefit of less than 1% of our community. We need to think of the greater effects ROTC would pose on our community, and the result of such thought clearly points to the fact that the costs would outweigh the benefits.

As the University Senate prepares to determine their course of action, I call to President Bollinger, the Executive Committee, and our entire community to support compromise, deny ROTC's return as an act of support for the greater health of our community, and extend a continuously public hope that DADT will be reversed in the near future. Columbia students will still be able to participate in ROTC, receive scholarship money, and the greater university community will not have to sacrifice the sanctity of its policies and ideals.

May 4, 2005

Sean Wilkes
Nonsen., Stu., Columbia College '06

Over Low Library, inscribed in stone, is the founding mandate that Columbia advance the public good.

Within that light, we ask the university not to make a subtraction that divests any member of the Columbia community, but to add to the university a program that enhances opportunities for students, educates leaders of unique responsibility, and is profoundly imbued with service to the public good and belief in the tenets of our democratic society. We approach Columbia as the same university that has nurtured a greater exception with Barnard, an all-women's college, for the sake of advancing the public good.

Columbia's position on ROTC is indeed counterintuitive, and therefore somewhat perplexing. It refuses to allow ROTC, and therefore a direct influence on new military officers, because in some form the laws and policies by which the military must abide are not acceptable to the University, but it cannot suppose to be able to affect any change without exerting some influence on the culture and people that make up that institution. As one of the world's premier universities, Columbia should be engaging the issues directly through its own involvement, not ignoring them by denying ROTC a place.

Columbia, as a prime source of national and international leaders, must include in its charge the education of those who are directly involved in the formulation and implementation of foreign policy.

Why is it so critical now? The U.S. military, one of the primary means by which the US enacts its foreign policy, is in a great state of flux. 9-11 was the "vertical shock" that got the ball rolling. It is transforming in a way that it has not since WWII. Warfare has changed, indeed the US's role in the world has changed, and the military is changing in response.

Columbia has a chance now to be directly involved with this process. The greatest imaginable stakes now fall upon the shoulders of American military leaders, many of whom are educated through ROTC. Not so different a circumstance than Columbia faced 60 years ago, when Columbia sent thousands of military graduates into a dynamically changing world, blessed with her values and the mandate to advance the public good. We live again in historic times and, today like yesterday, Columbia is offered this singular historic opportunity. It must take it.

Much of the opposition to granting ROTC a place on campus has centered around the Don't Ask Don't Tell Don't Pursue law (DADT). Over the course of the campaign for ROTC on campus, many accusations have been thrown at the military, and members of the military, that it is an organization of bigots and homophobes, and that such people have no place on campus. These astounding statements were not only examples irresponsible stereotyping, but were hurtful to many veterans and military family members in the Columbia University community. What must be made clear is that the DADT law is not grounded in bigotry or homophobia, but in practical concerns of privacy. It is the opinion of many on this campus, including advocates of ROTC, that as an answer to these concerns, DADT was not an appropriate course of action because its inherent discrimination violates rights. However, in accepting ROTC Columbia does not have to send a message to the world that it is accepting discrimination. It certainly has the option of returning ROTC "under protest." That is, voicing under legal contract its disagreement with and opposition to current law. It can also, as other schools have done, establish contingency plans and financial protection for students who may be affected by current law, something it cannot currently do for students who must attend the program at other institutions.

It is not the military's purpose or mission to discriminate. Neither is that the purpose of ROTC. Their purpose is to help ensure the viability of our Armed Forces by providing them with well educated leaders and citizen-soldiers. Accepting ROTC would not send a message that "we accept discrimination," but that "we strive develop leaders in all areas of society, including the military."

Both the military as a whole, and ROTC as a part of that whole, are required to follow laws established by congress and executive orders signed by the President. This is not a matter of an employer discriminating on its own accord, but of a public service being required to follow laws put in place by elected leaders. It is certainly appropriate for Columbia to challenge those laws with which it disagrees, but to do so by blatantly rejecting those who are required to follow them is simply irresponsible.

Granting this program a place on campus will benefit students who wish to gain the leadership training that ROTC provides and serve as officers—leaders—in this nation's military. Just as Columbia provides pre-professional opportunities for students interested in medicine and law, it behooves the university to provide similar opportunities for those interested in the military profession as well. And the most direct viable way to do this is through ROTC—the nation's premier leadership training program.

APPENDICES

Appendix I. Final Voting Results of Task Force			
Agree	Disagree	Abstain	Question
Jim, Joe, Sean, James, Peter (5)	Nate, Scott, Aaron, Coco, Kendall (5)		1. ROTC should return to Columbia University in the 2006/7 academic year
Nate, Jim, Joe, Scott, Sean, Coco, Peter, Kendall (9)		James (1)	2. ROTC should return to Columbia University if there is no longer discrimination against homosexuals in the military
	Nate, Jim, Joe, Sean, James Peter (6)	Aaron, Scott, Coco, Kendall (4)	3. Under no circumstances should ROTC return to Columbia University
Nate, Jim, Joe, Scott, Sean, James, Peter (7)	Aaron (1)	Coco, Kendall (2)	4. If ROTC does not return to campus, CU should strengthen its relationship with the Fordham ROTC program
Joe, James, Peter (3)	Nate, Aaron Sean, Peter (3)	Scott, Jim, Coco, Kendall (4)	4a. Should there be a shuttle service for CU students to attend the Fordham ROTC program?
Nate, Joe, Scott, Sean, James, Peter (6)	Aaron (1)	Jim, Coco, Kendall (3)	4b. Should there be more funding for CU students who participate in Fordham's ROTC program?
Nate, Joe, Sean, James, Peter (5)	(0)	Jim, Scott, Aaron, Coco, Kendall (5)	4d. Should CU students receive academic credit on a transcript for their Fordham ROTC classes (because Fordham students already receive academic credit)?

Jim, Nate, Joe, Scott, Sean, James, Peter (7)	Aaron (1)	Coco, Kendall (2)	4c. Should CU bargain with DOD to add more spots to the Fordham program to accommodate more CU students?
X	X	X	5. CU should sever its relationship with Fordham's ROTC program
Jim, Nate, Joe, Scott, Aaron, Sean, James, Peter, Kendall (9)		Coco (1)	6. Regardless of whether or not ROTC returns, a financial contingency plan should be created to protect LGBT students who may be victims of DADT
Jim, Nate, Joe, Scott, Aaron, Sean, James, Peter, Coco, Kendall (10)			7. If ROTC returns, CU should maintain control over whether or not ROTC courses receive academic credit
Jim, Nate, Joe, Scott, Aaron, Sean, James, Peter, Coco, Kendall (10)			8. If ROTC returns, CU should maintain control over what titles are given to ROTC faculty

Jim, Nate, Joe, Scott, Aaron, Sean, James, Peter, Coco, Kendall (10)			9. If ROTC returns, CU should determine space availability for ROTC classes, offices and training space
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Appendix 2. Summary of Deliberations by Rationale	
Pro Majority	<ul style="list-style-type: none"> • <u>Financing</u>: a majority believed that financing is a reason why ROTC should return. • <u>Service to Country</u>: a majority believed that service to country is a reason why ROTC should return
Con Majority	<ul style="list-style-type: none"> • <u>Don't Ask Don't Tell</u>: nine out of ten members of the Task Force agreed DADT is a reason why ROTC should not return • <u>Physical Space</u>: a majority believed that physical space – classroom, offices, and training space – is a reason why ROTC should not return
Split Issues	<ul style="list-style-type: none"> • <u>Military Reform</u>: the Task Force unanimously agreed that reform needs to take place in the military. The Task Force was evenly split on how that should occur. The pro position believed that Columbia should “constructively engage” the military by training more leaders and therefore “reforming within.” The con position believed the only way to reform the military is to engage in “institutional dissent.” • <u>Campus Climate</u>: the Task Force was evenly split on whether or not the return of ROTC would have a negative or positive impact on the campus climate. • <u>Strengthen University and Military Relationship</u>: the Task Force was evenly split on whether or not Columbia should strengthen its relationship between the military.
Unanimous Recommendations	<ul style="list-style-type: none"> • Financial contingency plan for victims of DADT: Unanimously, the Task Force agreed that the creation of fund to protect potential victims of • Academic Credit • Titles for Instructors

APPENDIX 3

THE UNIVERSITY SENATE

Proposed: December 5, 1975

Adopted: January 23, 1976
(as amended)

RESOLUTION CONCERNING ROTC AT COLUMBIA UNIVERSITY

BE IT RESOLVED, that the University Senate approve the report of the Special Committee to Study ROTC, and

BE IT FURTHER RESOLVED, that the policy of Columbia University in regard to on-campus ROTC programs shall be:

1. Any arrangement between the Armed Services and the University is subject to the approval of the University Senate and shall meet the following conditions:
 - a) Academic credit may be awarded to a program only after the program and contents meet the criteria and standards of the faculty which recognized such credit.
 - b) Service nominees may be charged with instruction and accorded faculty rank only in accordance with the usual appointment procedures.
 - c) No degree may be withheld for reasons not within the control of the University.
 - d) There shall be adequate safeguards for the academic freedom of the participants.
2. The contract between the Armed Services and a student enrolled in an ROTC program shall permit him or her to withdraw upon repayment, or provision for repayment within a reasonable period, of sums which the service has expended for his or her education without the punitive service liabilities now contingently applicable; nor may the contract require the student to forego the exercise of ordinary civil rights.

PROPOSER: Special Committee to Study
ROTC

Dec 5, 1975
p. 3

The University Senate

21 November 1975

THE REPORT OF THE SPECIAL COMMITTEE TO STUDY ROTC

- CONTENTS: I. Charge to the Committee and Committee Membership
- II. Review of Past Policy
- III. ROTC Programs and DOD Policies
- IV. Conclusions and Recommendations

I. CHARGE TO THE COMMITTEE AND COMMITTEE MEMBERSHIP

The mandate of the Committee was contained in the following resolution of the University Senate, December 6, 1974:

BE IT RESOLVED, That a special committee be appointed by the Executive Committee to study 1) the current status of any arrangements for ROTC programs in American private universities and especially our sister institutions of the Ivy League; 2) the current policies of the Department of Defense in regard to the conduct and support of ROTC programs; 3) any Federal or Department of Defense policies toward universities which relate to maintenance or nonmaintenance of ROTC programs; and 4) the recommendations or policies of previous official University bodies in regard to the acceptability of ROTC programs on this campus or in association with this University.

The sixteen members of the Special Committee include seven faculty members, two administrators, six students and one alumnus and they are: Stuart W. Bruchey (Faculty/GSAS), Wm. Theodore deBary (Provost/Central Administration), Dall W. Forsythe (Faculty/GS), Robert J. Foschi (Student/Engineering), William W. Golub (Alumnus), Lowell M. Greenbaum (Faculty/Health Sciences), Douglas A. Kellner (Student/Law), Frank Lancellotti (Student/College), John Medina (Student/GS), Stuart W. Miller (Student/College), Charles D. Parsons (Faculty/College), William H. Reinmuth (Faculty/GS), Michael Rosenthal (Associate Dean/College), John K. Tien, Committee Chairman (Faculty/Engineering), Steven C. Vaughn (Student/Law; resigned September 1975) and William F. Young (Faculty/Law).

II. REVIEW OF PAST POLICY

Existing policy toward ROTC programs derives from actions taken by the University in March 1969 in regard to the former NROTC program. These actions included the study and recommendations of the Mansfield Committee, and successive resolutions of the Columbia College Faculty, University Council and Board of Trustees. On May 13, 1969, the Trustees approved a resolution adopted by the University Council to the following effect:

The University administration should take prompt steps, in concert with other like-minded institutions if practicable, and with due regard for the interests of students presently enrolled, to terminate the present arrangements with the Navy Department for the NROTC program and seek instead a relationship in which;

1. After this academic year, any course offered as part of the naval training program shall carry credit toward the satisfaction of degree requirements only if it is also listed in the offerings of a regular academic department.
2. Personnel assigned to the training program as instructors shall not be ex officio members of any faculty of the University, and shall not hold academic rank unless appointed according to regular procedures.
3. The University may furnish office space and related facilities to the Navy for the administration of a counseling service to students in connection with an NROTC program, but shall not allocate free space on campus to the Navy for drill or for instructional purposes, whether or not for academic credit.
4. The contract between the Navy and a student enrolled in an NROTC program should, like an NDEA loan, permit him to withdraw upon repayment (or provision for repayment within a reasonable period) of sums the Navy has laid out for his education, without the punitive service liabilities now contingently applicable; nor should the contract require the student to forgo the exercise of ordinary civil rights, like marriage.

The resolutions of the College Faculty and University Council called on the President to engage in negotiations with the Navy to secure modification of the existing NROTC program and affirmed their support for programs which would enable students to engage in such training on advantageous and acceptable terms. President Cordier reported on July 7, 1969,

on his efforts to implement these policies:

The Navy was invited to continue its NROTC program exactly as at present with the exception that the Department of Naval Science would be transferred to an extracurricular status. We were informed by the Navy that it would be impossible for them to do so within the framework of the presently applicable laws.

I hope that some mutually acceptable form of naval officer training can be developed in the future at Columbia for the benefit of those students who will wish to qualify for commission in preparation for careers in the Navy.

After a careful review of current policies in the Department of Defense and at other educational institutions, this Committee unanimously reaffirms the principles set by the University Council in 1969. The Committee has not been able to find any reason why these policies should be modified at this time, or at any time in the near future. The Committee believes that these principles reflect valuable academic objectives regardless of the political atmosphere that may have been the catalyst toward their initial adoption.

The Committee does not oppose a University role in military education, provided that such a role does not conflict with the standards and values and the overall academic and social objectives of the University. The Committee, however, believes that current legal restraints of the Reserved Officer Training Corps would require substantial modification before ROTC programs could be accommodated within the University curriculum.

III. ROTC PROGRAMS AND DOD POLICIES

A. Basic Requirements for ROTC Programs

The Reserve Officers' Training Corps Vitalization Act of 1964 establishes the parameters for the operation of ROTC programs at the baccalaureate level. The Act provides:

No unit may be established or maintained unless:

- (1) the senior commissioned officer of the armed force concerned who is assigned to the program at that institution is given the academic rank of professor;
- (2) the institution fulfills the terms of its agreement with the Secretary of the military department concerned; and
- (3) the institution adopts, as part of its curriculum, a four-year course of military instruction or a two-year course for advanced training of military instruction, or both, which the Secretary of the military department concerned prescribes and conducts ...

The law provides that enrolled students fall within three possible contractual categories:

- (1) Scholarship students. In return for a full tuition scholarship and subsistence allowance, the enrollee agrees to four years participation in the ROTC course, four years of active duty and two years of reserve duty.
- (2) First Two Years Without Scholarship. The student receives a subsistence allowance with no commitment more than to attend freshman and sophomore ROTC classes and the summer training programs.
- (3) Last Two Years Without Scholarship. The Student receives a subsistence allowance in return for an obligation to complete the ROTC program, two years of active duty and four years in the reserves.

The Secretary of the military department concerned has broad authority to waive service requirements, and often does so when there are more ROTC graduates than the military requires. The law also gives the Secretaries power to draft students who fail

to fulfill their obligations under the contract.

The Army, Navy and Air Force have each indicated interest in establishing units at Columbia. The services would expect that space be provided for classrooms, offices and the storage of equipment. They would also require adequate area for parade grounds and a shooting range. The Navy has indicated that it would require a minimum annual enrollment of 25; the Army would require at least 15.

All units are subject to the military discipline of the armed services, and enrolled students may be disciplined in accordance with procedures set by the individual service. Grounds for possible dismissal and sanctions are broad and sometimes vague and include subject matter which the University would disregard under its own regulations for dismissal. ROTC hearing procedures are also at variance with University standards. The Committee was particularly concerned with the Army requirement that the University agree that fulfillment of the terms of a ROTC contract must be prerequisite to institutional graduation.

All of the services have restrictions on admission to ROTC programs that are incongruous with University admissions policies. These include limitations based on loyalty and moral beliefs. The Navy also requires that its ROTC candidates agree to remain unmarried until graduation from the program. ROTC regulations provide that course content, disciplinary regulations and procedures and ranking systems be prescribed by the respective armed service, with virtually no role for the sponsoring academic institution.

B. Alternatives to the On-Campus ROTC Programs

The Committee has noted that several universities have called upon the Department of Defense to establish regional ROTC centers that would not be affiliated with any particular institution. In large cities where there are several baccalaureate institutions, the Armed Services could save considerable amounts of money by consolidating all of its individual units under a single roof. This would eliminate needless duplication of facilities and services. In addition, consolidation would solve the problem of insufficient enrollment in units by bringing together all of those in the region who are interested in that particular service. While educational institutions might still be called upon to provide some services such as recruitment and counselling, there would no longer exist

the problem of integrating the ROTC program into the curriculum of the institution itself.

In spite of numerous calls for this off-campus consolidation of ROTC in urban areas, the Department of Defense has shown little interest.

Students who wish to serve in the military after graduation do have other options besides attending ROTC at their own college. At the current time there are several Columbia students who are members of ROTC at other universities in the New York area even though they are registered at Columbia. The Armed Services do not encourage such programs, but do allow them for those Columbia students who are particularly interested in the ROTC program.

Finally, another avenue open to students is the Post Graduate Officers' Training Program offered by all three services for those who volunteer for three years of service.

C. Current Policies and Programs at Other Universities

The Committee surveyed a wide variety of programs at other universities, but reports here only the substance of the arrangements prevailing at institutions most comparable to ourselves. Among the major universities which have ROTC programs are Cornell, Michigan, Princeton and the University of Pennsylvania.

Cornell has an active ROTC program with the three major branches of the services represented. The Educational Policy Committee of each of their seven undergraduate colleges decides upon whether credit for courses taught by military personnel is to be granted. Generally, no unit gives credit for the first two years. Credit in the upperclass years varies from college to college. Any new course developed by the military, to be taught by the military, must pass through a Faculty Council of Representatives Committee on University-ROTC Relations. Military instructors are not granted academic rank, but the chief commandant of each unit is given the courtesy rank of professor.

The University of Michigan has three ROTC programs which have recently been evaluated. Staff members are recognized by their military titles; academic titles are granted only to those qualified by discipline authorized by a specific school. The military departments of the University have been replaced by programs without departmental status. Married students are eligible for the program and the Assistant to the Vice-President for Academic

Affairs reports that "the contract has less stringent requirements, particularly in regard to withdrawal and penalty thereto". While the three services are reported to be "not particularly satisfied with" the agreement at Michigan, this is probably attributable to the low rate of student participation.

Only the Army ROTC is now represented at Princeton, but there the divorce from academic standing is almost complete. Instructors do not hold faculty rank, but the commandant holds the courtesy title of professor. No course credit is given. Indeed, ROTC is treated like any other extracurricular activity, e.g., the registrar is unaware of which students are in ROTC. This arrangement at Princeton is commonly referred to as the Princeton Plan.

Active ROTC programs also exist at the University of Pennsylvania. The enrollments in the programs appear to be increasing, including the enrollment of women cadets.

Under circumstances similar to those experienced by Columbia, the ROTC programs at Yale, Harvard, Brown and Dartmouth were discontinued during 1969-1970. For reasons very much like Columbia's, it appears highly unlikely that Yale, Harvard or Brown will initiate steps towards the re-establishment of ROTC programs on their campuses. The current situation at Dartmouth is uncertain. There appears to be a strong likelihood that Dartmouth will commence negotiations with the armed services for the re-establishment of ROTC programs on its campus.

D. Past Sanctions Against Columbia University

The threat of sanctions against Columbia and other institutions* that were deemed noncooperative by the Department of Defense with regard to ROTC programs was manifested in the form of the so-called Hebert Amendment (1972), which would have denied universities defense contracts and grants if they had discontinued ROTC programs. This bill was actively opposed by many institutions including the Association of American Universities and never

*Boston University, Boston College, Brown University, Colgate University, Columbia University, Dartmouth College, Harvard University, Hobart College, New York University, Pratt Institute, Stanford University, State University of New York at Buffalo, Tufts University and Yale University.

became law. This Committee found no evidence that DOD grants or contracts were denied Columbia because of the ROTC issue. However, sanctions did take the form of specific Defense Department policy and practice that prevented the enrollment of Defense Department personnel in programs at Columbia and the other noncooperating institutions. These restrictions were lifted by the Department of Defense on 30 September, 1975. The discriminatory policy of DOD, while it existed (1969-1975), did significantly affect short course and degree enrollment in various units at Columbia University including the School of Engineering and Applied Science, the Graduate School of Arts and Sciences and especially the College of Physicians and Surgeons.

The Defense Department's current policy is that equal consideration will be given to all colleges and universities in providing advanced schooling to military personnel regardless of whether any of the schools "unilaterally" withdrew from ROTC programs. This action will now permit each service or component of a service to determine which schools or programs best satisfy the needs of the respective military student.

IV. CONCLUSIONS AND RECOMMENDATIONS

In light of the information gathered and reported in substance above, the Committee offers the following conclusions and recommendations:

General Conclusions

1. In general the conditions attached to the new ROTC contracts reported above and the policies of the Department of Defense appear to be substantially similar to the conditions prevailing in 1969 when the current University policies were adopted. In several particulars, the ROTC contract terms that we understand to be mandated to the schools at present are inconsistent with Columbia's policies.
2. Interest in or opposition to ROTC at Columbia varies from school to school, but in any case there is no evidence of strong demand on the part of students at present.
3. Several major institutions find the presence of ROTC units acceptable. Even in these schools, however, there are some indications of friction or at least concern about some aspects of the relationship, especially with respect to the rights of the service to discipline students.
4. We have not been able to identify any major adverse effect on federal grants and contracts at Columbia which can be attributed to the discontinuance of ROTC. If any pressure was meant to be exerted on Columbia, it was clearly resisted and manifestly unsuccessful in inducing a change in policies.
5. Possibilities exist for Columbia students to enroll in training programs off-campus. The facilitation of such individual arrangements with neighboring institutions on terms compatible with the student's degree candidacy at Columbia, is a more feasible and less problematical way to assist those interested in ROTC programs than a contractual arrangement entered into by the University itself. The development of regional centers for officer training also seems to be an acceptable alternative to an on-campus training program.

General Recommendations for Policy on Armed Services Training Programs

The Committee finds that the basic principles governing ROTC programs as adopted by the University on the basis of the Mansfield report are still valid. As currently constituted, ROTC programs exert a degree of control over student and institution alike which remains unacceptable to Columbia University. The University, however, recognizes the potential value of cooperation with the educational and training programs maintained by the armed services, and is prepared to participate in, or share its own educational resources with, such programs when the arrangements are consistent with the statutes, policies and procedures of the University and when mutually advantageous arrangements can be made between the University and these services.

It is recognized that the University customarily entrusts to its several schools and departments the initiative with respect to new degree programs and faculty appointments. However, any negotiations for an ROTC program are subject to the approval of the University Senate and shall meet the conditions below.

Recommendation 1.

Any arrangement between the Armed Services and the University shall meet the following conditions:

- A) Academic credit may be awarded to a program only after the program and contents meet the criteria and standards of the faculty which recognizes such credit.
- B) Service nominees may be charged with instruction and accorded faculty rank only in accordance with the usual appointment procedures.
- C) No degree may be withheld for reasons not within the control of the University.
- D) There shall be adequate safeguards for the academic freedom of the participants.

The Committee is particularly concerned that a student may be required to serve in the Armed Forces as a consequence of his behavior while in the University. The strictures in Recommendation 1 (C) and (D) apply to cases where this Service is compelled as a sanction for the student's conduct while in College. However, if it is exacted only as an exchange for a financial subvention, the ground for University concern is less obvious. Certainly the stance of the University should be generally protective of the ordinary civil privileges of its members. However, those privileges do not include exceptional immunity either to conscription or to commitments based on exchange. The difficulty is that, by sponsoring an ROTC program, the University would become in some sense a party to the relation of exchange between a student participant and the contracting service.

Recommendation 2.

We therefore recommend that the contract between the Armed Services and a student enrolled in an ROTC program shall permit him or her to withdraw upon repayment, or provision for repayment within a reasonable period, of sums which the Service has expended for his or her education without the punitive service liabilities now contingently applicable; nor may the contract require the student to forgo the exercise of ordinary civil rights.

Appendix 4. Proposal to Return ROTC to Columbia's Campus, prepared by Sean L. Wilkes CC'06, Chairman, Advocates for Columbia ROTC

OBJECTIVE:

Return the Reserve Officers Training Corps (ROTC) to Columbia University's Campus with the intent of allowing students greater accessibility to careers in the uniformed services and of further diversifying the matriculation pool of the University's undergraduate schools.

"One should view ROTC not as an example of the military in the university, but of the university in the military. ROTC allows for an acceptable level of civilian control of the military through the influence of civilian colleges and universities"
-Michael S. Neiberg, Assoc. Prof. of History, USAFA.

BACKGROUND:

The Reserve Officers Training Corps produces over 60% of all Armed Forces Officers. It is designed as a college elective that can be tried for up to two years with no obligation. The program provides a wide range of experiences for Cadets combining military science classes with hands-on leadership experience.

Students' studies focus on leadership development, problem solving techniques, management, strategic planning and organization, and professional ethics and responsibilities.

Columbia University housed a Naval Training Program on campus since 1916, and NROTC since the 1940s, and graduated thousands of midshipmen to the U.S. Navy. Students in the program took part in Naval Science classes, studied on ships and submarines in New York's harbour, and provided community service in Manhattan and the Morningside Heights area. The Navy in turn provided students with scholarships, allowing many to afford a Columbia education when they normally would not have been able to, and gave them the opportunity to be commissioned as Naval Officers. NROTC was expelled in 1969, during the war in Vietnam. The expulsion occurred at a time of great civil unrest on Columbia's campus, with the riots and student takeover of the campus in April of '68. Quoting Robert McCaughey in his book *Stand Columbia*: "On May 15, 1969, the trustees accepted the recommendations of a faculty-student committee...that the NROTC program be discontinued on the Columbia campus. What had been hailed at the program's inception in 1946 as an instance of university-government cooperation and had subsequently allowed some six hundred young men to attend Columbia College on full scholarships and another one thousand Columbians to take up commissions in the Naval Reserve had become, on the far side of the American Century, politically expendable."

According to University documents, ROTC was removed for two basic reasons:

- 1) Opponents of the program maintained that the presence of any military organization on campus violated the goals of an academic community.
- 2) Many opponents disagreed with the appointment of military officers to the academic position of Professor within the Department of Naval Science, when most if not all had not obtained a degree above a Masters and were employed not by the university but by the DOD.

CURRENT SENTIMENT TOWARDS ROTC:

In April of 2003 the Columbia College Student Council, with prompting from student groups, presented a referendum alongside the CCSC elections to gauge student opinion on the issue of returning ROTC to Columbia' Campus. In one of the highest voter turnouts in the history of student council elections, 973 students voted in support of ROTC while 530 voted against it. 65% to 35%. Polling questions were reviewed by an impartial Columbia administrator, David Cheng, Assistant Dean for Research and Planning in the Student Affairs office. Once the changes he suggested were made, the questions were handed over to CCSC. The referendum question was then selected by the student council, and run through the CCSC elections to further ensure impartiality.

REASONS TO RETURN ROTC TO COLUMBIA

Benefits to Students:

1. **Scholarships:** ROTC Cadets can obtain full scholarships worth between \$17,000 and \$29,000 providing many underprivileged students the opportunity to attend high-cost schools like Columbia.
2. **Leadership Training:** ROTC is one of the premier leadership training programs in the world. Classroom instruction combined with hands-on training in management, information analysis, and health and physical fitness gives students an edge over their peers in any job market.
3. **Job Security and Opportunities:** Active Duty Commissioned ROTC Cadets are guaranteed employment after graduation with extensive medical, dental, housing, and retirement benefits. In addition, extensive summer courses and internships are available for additional training and leadership experiences.
4. **Service to Country:** ROTC serves as the primary conduit for the commissioning of Military Officers. Many students have a strong desire to serve their country as commissioned officers. A ROTC program at Columbia would permit these students to combine the high quality education that Columbia provides with preparation for a military career.
5. **Careers and Skills:** The military is not made up of just infantrymen and pilots. It takes a whole range of professionals to support and run the military – from Doctors, Lawyers, Psychologists and Scientists to Supply Officers, Logisticians, Foreign Area Officers, and Veterinarians, as well as the requisite combat officers. Many advances in science and business have come out of the military, from the very successful burn treatments developed at the Army Institute of Surgical Research, to the product tracking and shipping systems used at such companies as FedEx, Barnes & Noble, and Wal-Mart, developed originally by military Quartermaster Corps.

Benefits to the University and Nation

1. **End "Ivory Tower" separation of Columbia and the mainstream.**
Reinstating ROTC would make a strong statement of Columbia's dedication to its responsibility to produce wholly engaged national and

world leaders. It would encourage students to serve the nation and the people alongside their fellow citizens.

2. **Societal benefit.** Guide and improve the military community with higher quality, better-educated, diverse leaders: Officers with a Columbia-taught perspective of tolerance and respect directly benefit the diverse members of the military.
3. **Citizen Soldiers.** Civilian educated officers bring to the military a wider and more rounded background. Columbia has a duty to produce leaders in all areas of society, including the military. ROTC graduates follow in the citizen-soldier tradition that has been favored by American society since the days of the minuteman: a non-aristocratic officer who sees himself or herself as an integral part of the society that he/she is duty-bound to protect.
4. **Educate the armed forces.** ROTC on campus allows Columbia to work directly with the military to educate the military's future leaders. To reject ROTC only serves to place the military out of reach of academic and civilian influence. ROTC is vital for continuing the flow of new ideas into the military by officers with a liberal education.
5. **Positive addition.** A native cadet population increases diversity on campus and enriches the community. Cadets state that ROTC provides focus, discipline and pragmatic skills in their college education. Military service via ROTC embodies selfless service, duty, respect, integrity, responsibility, courage and leadership as core values.
6. **Enrich Columbia educational and career opportunities.** Provides students with an on-campus military resource, increased academic options and career choices. Adds military virtues and perspectives to Columbia's intellectual pool.
7. **Increase interest for Columbia.** A well-advertised ROTC program at Columbia combining uniquely Columbia and ROTC benefits will attract more students to Columbia.
8. **Professional benefit.** The 21st century military requires smarter, better-educated, ethical leaders. The military is becoming a faster-reacting force with an emphasis on professional acumen and the adaptation of technology. The situations and missions faced by the military are more varied and complex, whether they are humanitarian, defensive, or nation-building.
9. **Fair treatment for ROTC cadets.** Cadets deserve the benefits of a Columbia-based ROTC program. Ending separate and unequal status for ROTC training at Columbia would improve the lives of cadets who must travel elsewhere. By not forcing Columbia students to pursue career and educational goals at other schools, you encourage a sense of community and loyalty to Columbia as a school, which may benefit the school when those ROTC students become alumni.
10. **Practice inclusion, not exclusion.** Fight ignorance and misunderstanding about the military at Columbia. ROTC fosters understanding and respect for the military and its members and helps close the civil-military gap.

11. **ROTC scholarships.** ROTC provides scholarships and financial assistance to many of its participants and can help qualified, underprivileged students attend Columbia.

Changes in ROTC since the Vietnam Era

1. **Reduction of the importance of drill:** In the 1960s many, including some in the military, criticized drill as outdated, irrelevant, mindless, and embarrassing to the student. As such, with prompting from various universities on the issue, drill requirements were significantly reduced and in some cases eliminated completely. In the modern ROTC program, drill is relatively infrequent and is taught simply to give students familiarity with the commands and training processes of enlisted soldiers, who they will soon be commanding as 2nd Lieutenants or Ensigns when commissioned. "To succeed in the new American military system, ROTC had to focus less on drill and more on assuring its place on the campus through congruity with the goals of higher education" (Michael Neiberg, *Making Citizen Soldiers*; Harvard University Press: 2000, Pg 138)
2. **Substitute Coursework:** Professors of Military Science were authorized to substitute the time formerly spent on drill with academic coursework. "MIT, for example, replaced it with cadet research on aspects of engineering and physics relevant to the military." Others had students take courses in such areas as "American military history, world military history, diplomatic history of the United States, political geography, American government, international relations, geopolitics, international trade and finance, psychology, biology, physics, chemistry" and so on and so forth (Neiberg, 140).
3. **Professional Recognition:** While the academic qualifications of ROTC officers improved since the 1960s, many university administrators and faculty still disagreed with the academic titles of Professor and Assistant Professor given to ROTC officers. Some universities voted to modify the titles, while others removed them altogether. "The services initially resisted this change but amended their stance after the civilian leadership of the DOD accepted the position that the titles themselves were not important" (Neiberg, 144). Many colleges and universities still confer the official title of Professor to ROTC officers, but others, including Ivy League sister Princeton University, have found alternatives. In Princeton's case, the ROTC Professor of Military Science is given the academic title of Instructor. Columbia could clearly do this too.
4. **Academic Credit:** Another major contention many universities had was with the credit granted for ROTC courses, which many considered academically inferior to other coursework at the colleges. This was challenged by many in the military who feared,
 - 1) "That faculties were repudiating the military and the military model for organization and authority"; and 2) "That losing credit would adversely effect enrollment in ROTC" (Neiberg, 146)This was repudiated even by some in the military, who "noted that

engineering schools rarely gave any academic credit to ROTC, yet several engineering colleges, like Georgia Tech, supported strong and vibrant ROTC programs.” Again to give a contemporary example, Princeton has a strong Army ROTC program at their school which grants no credit whatsoever to their students, while those Cadets who cross-enroll at Princeton ROTC from New Jersey’s public university do gain credit from their institution. (Neiberg, 147)

Cons against the ROTC Program

Arguments made against the return of ROTC to Columbia and Responses

1. **Lack of Interest:** Today’s privileged Columbia students are not interested in ROTC or serving their country. **Answer:** The number of students who currently participate in off campus military training programs (a total of 14 as of Jan. 2004) despite the travel requirements and hardships of integrating them with the rest of their curricula shows that there is indeed interest. In addition the many benefits of a military career are attractive to many students, who simply don’t see it as an option going to a school lacking in an ROTC program.
2. **Military courses not Columbia-caliber.** Military courses are sub-standard. Officers are not qualified to teach at Columbia and should not be recognized as professors. **Answer:** Many cadets and midshipmen taking the Advanced ROTC courses might tend to disagree; ROTC coursework is challenging and engaging. And if classes in weight-lifting and fencing have enough academic value to receive credit, one wonders why Military Science is considered so inferior. Even so, ROTC Courses do not necessarily have to be given credit, as shown by Princeton’s program. Conversely, Columbia could volunteer to work with ROTC Officers to tailor and improve coursework so as to make it qualified for academic credit, something that the university cannot do with external programs located at other schools.
3. **The Program would be too costly:** Bringing an ROTC program to campus and having to pay for all the supplies and books and personnel would be too costly for Columbia’s already tight budget. **Answer:** There is no cost to Columbia for bringing an ROTC program to campus beyond providing office space for the officers and classroom space for the classes. The personnel and supplies are all paid for by the Department of Defense. The park service at Grant’s Tomb has even indicated that they would allow use of that space for the small amount of drill and ceremony and outdoor training that may be required of students. On the other hand Columbia will be saving money in the form of financial aid and scholarship funds. Each student that attends on scholarship constitutes \$17k to \$29k less that the university has to spend in the form of financial aid. ROTC, in effect, brings far more money to the school than it takes away.
4. **Non Discrimination Policy:** Don’t Ask Don’t Tell Don’t Pursue (DADT) goes against university non-discriminatory policies and therefore prohibits ROTC’s presence. **Answer:** Most people on this campus, including many proponents of

ROTC's return, agree that an anti-homosexual policy in any shape or form is wrong. Almost all favor changing the policy. However, Don't Ask Don't Tell is not a military policy, it is a Federal Law rooted in 10 USC 654. ROTC is bound by Federal Law as is the rest of the military. To change this situation one must address not ROTC or even the DOD, but the United States Congress. To disallow the presence of so positive and advantageous a program simply because it is required to follow a federal law is just as wrong. In addition DADT does not outright prevent openly gay/lesbian students from participating in ROTC: it only prevents them from receiving ROTC scholarships and being commissioned (see note below); and it prevents cadets from being open and public about their sexual preferences in the military. Under DADT, the feeling is that service people's private lives are their own business. On the flip side the military cannot pursue members "suspected" of being homosexual and force them to say so. Many saw this law as a stepping stone to phase-in the full integration of homosexuals and lesbians into the military, but in order for this to happen Congress must change the law again, to offer protection to all, regardless of sexual preference. The military has no say in the matter except to make recommendations to Congress. Note: The answer above follows from a question as to whether there were any examples of ROTC programs being implemented in which only the stipend and commissioning aspects (a Dept. of Defense issue) were deemed as discriminatory under DADT, while any campus activities (such as classes, training, meetings) would be open to everyone, even though the program is funded by the Dept of Defense. There are indeed examples of such a program being implemented: The AF ROTC program at Manhattan College (and indeed all AFROTC programs to our knowledge) allows non contracted students who wish to do so to participate in the program for the leadership experience and training without stipend or commissioning requirements, and the Don't Ask Don't Tell law does not apply to them.

5. **Financial Aid:** What are the details of the money received? Would not ROTC cadets be receiving scholarship funds above and beyond the amount of financial aid they have, thereby getting more financial aid than he/she would need? The ROTC monthly stipend is given to any student who is contracted (who has signed a service agreement for a certain amount of time after college). The scholarships are merit based and not based on need, but according to Columbia's financial aid policy these funds would be used to reduce the student loan and/or work study part of a financial aid package and once that need is eliminated the scholarship will then be used to reduce any Columbia grant received. So, for instance, if a student is using work study and loans to pay for \$8000 of annual Columbia tuition, but then receives a \$22,000 scholarship from ROTC, \$14,000 of that would be used to reduce the Columbia grant specifically, \$8000 in place of the work study and loans.
6. **Maintain intellectual elitism.** The military perspective has no place in Columbia's intellectual discourse. **Answer:** The military officer is a professional, as much as any doctor or lawyer. Officers are educated, most field grade officers having obtained at least one if not multiple higher degrees, and worldly, having been more places and seen more of the world than even some in academia. Among them are experts in their fields who could prove to be invaluable resources to the education of Columbia students. Those fields in

the military also cover a wide range. Along with the combat officers, pilots, and ship captains in the armed forces are financial officers, doctors, nurses, scientists, lawyers, personnel officers, and administrators, among others.

7. **ROTC is racist:** Just like the rest of the military, ROTC is racist, preferring protestant white males to serve in their officer caste over just about anyone else. **Answer:** This is not true, and one look at the numbers will tell you so. For the most relevant example, look at the Fordham University Army ROTC program: As of 2002 over 50% of their Corps of Cadets were minorities, including 23% Hispanic. As President Bollinger's fight for affirmative action in the Supreme Court showed, the Military has been one of the staunchest proponents of affirmative action. A Supreme Court Brief filed in support of U. Michigan's AA policy by many of the nation's best known military officers and former top Pentagon officials stated that service academies and ROTC programs need affirmative action to maintain a highly diversified officer corps. Officials supporting the brief included Gen. Norman Schwarzkopf, the commander in the first Persian Gulf War; Adm. William Crowe, Gen. Hugh Shelton and Gen. John M. Shalikashvili, all former chairmen of the Joint Chiefs of Staff; and Gen. Anthony Zinni, former head of the U.S. Central Command.
8. **The military restricts free speech.** ROTC restricts the free speech of cadets, which is unacceptable for Columbia students. **Answer:** ROTC does not restrict the free speech of cadets and midshipmen. ROTC may request that students not make political statements while in uniform, as that uniform represents the U.S. military and could falsely misrepresent the policies or positions of the government, but it does not restrict the student in any way from expressing his or her own political opinions. This includes membership in socialist, communist, or other such political groups that were, in the Vietnam era, shunned and regarded as un-American.

For a full list of resources on the arguments made regarding ROTC at Columbia please visit <http://www.advocatesforrotc.org/columbia/coverage.html> which contains many articles, mostly Columbia Spectator and New York Times, on the issue. www.advocatesforrotc.org also includes information on the movement at other Ivy League schools and a broad range of resources on such topics as Don't Ask Don't Tell and the Solomon Amendment.

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Appendix 5. ROTC Web page, Senate Web site (www.columbia.edu/cu/senate/)

ROTC Task Force

On March 26, 2004, the University Senate established the Task Force on ROTC to study a student proposal to return ROTC to Columbia.

The members of the task force were appointed later that spring, and the group has been deliberating since the fall. It has sought the views of the Columbia community by holding a town hall meeting on February 15 and by inviting e-mail submissions to the task force, at rotc-taskforce@columbia.edu. We have collected e-mails in two batches, one set received between February 9 and 24, the second between February 25 and March 28. More are welcome. Contributions are anonymous unless the author asks to be identified; for lengthy documents originally presented elsewhere, the Task Force may provide just a Web link.

The ROTC Task Force plans to offer recommendations to the Senate in time for the last plenary meeting of this academic year, on May 6. Read the Task Force's interim report, updated for the April 15th Senate meeting.

The Senate devoted an entire meeting to the subject of ROTC on April 15, 2005. Other Senate discussions of ROTC or the work of the Task Force over the past year are recorded in minutes of the following meetings:

March 26, 2004

April 30, 2004

January 28, 2005

February 25, 2005

Appendix 6. Three Student Government Resolutions

Appendix 6a. General Studies Student Council, Adopted March 12, 2003

RESOLUTION ON ROTC

WHEREAS the Columbia community is committed to diversity in both demographics and intellectual discourse, and

WHEREAS the ROTC program would provide a new, alternative voice on campus, and

WHEREAS Columbia University's policies clearly state that any form of discrimination – be it based on religion, race, gender, and specifically sexual orientation – will not be tolerated in any form;

THEREFORE, BE IT RESOLVED that the General Studies Student Council will be willing to endorse an ROTC program at Columbia University UNTIL openly gay members of the Columbia University community are allowed to participate in any and all aspects of the ROTC program.

Appendix 6b. Union Theological Seminary, Adopted April 15, 2005

We, the Executive Committee of the Student Senate of Union Theological Seminary, strongly oppose ROTC's return to Columbia University. We believe ROTC's war-making and policy against homosexuals are violations of the sacredness of human life. While the current debate in Columbia's Senate has focused almost exclusively on ROTC's "Don't Ask Don't Tell" policy, the rationale provided below pays particular attention to the violence of militarism.

As a recruiting arm of the U.S. Army, ROTC participates in predatory recruitment practices that offer financial incentives to the poor and people of color to participate in military activities for which few U.S. Americans, including our policymakers, are personally willing to sacrifice their lives or take the lives of others. We reject such solutions to systemic injustices and support more equitable and life giving programs to address the severe economic and educational disparities in our country.

As members of the Morningside Heights community, we do not wish to have further military presence in our neighborhood than already exists through Columbia's numerous departmental contracts with defense and intelligence agencies; furthermore, we urge Columbia to sever its ties with such agencies until drastic democratic reforms are made to US foreign and domestic policy.

The military's discriminatory policies against gays and lesbians are not only deeply damaging to gays and lesbians serving in the military, but further instill homophobic views in heterosexual soldiers. Given that these soldiers are necessarily trained to be violent and are put in high-pressure situations in which moral judgment is often compromised, we consider this institutionalized homophobia a safety issue for gay and lesbian civilians in the US and in countries where there is US military presence.

We also note that the US military's treatment of rampant and much more harmful "deviant" sexual behavior within its ranks, including rape, is treated lightly, if at all.

We invoke the spirit of justice and peace that led to Columbia's banning of ROTC during the Vietnam War. We question why ROTC should be allowed to return to the campus during a similarly unpopular war.

The Solomon Amendment that economically punishes universities who will not accept ROTC onto their campuses exposes an attempt by the US government to further entrench

its vision of a militarized country. We call on Columbia University not to surrender to such coercive pressure but to use the substantial intellectual resources at its disposal to dispute and reject the amendment.

Some of us are pacifists and others of us simply reject the US military in its current manifestation. We urge Columbia to reject ROTC at least until the military has made major reforms in the areas of human rights training, counseling, health and support services for soldiers and veterans, and in its treatment of women and homosexuals. Statistics for domestic abuse, suicide, homicide, and other violent behavior in active-duty soldiers and veterans are unacceptably high.

Our rejection of ROTC and the US Army does not imply a rejection of the inherent worth and goodwill of the enlisted men and women themselves. It is largely because of our concern for their physical and psychological well-being that we call on Columbia to withhold its support for ROTC until guarantees are made that Army recruits will be better supported within the military institution, and until US foreign and domestic policies better reflect the enormous potential for just, visionary, and democratic policies that remain untapped in our society.

Signed on this 14th day of April, 2005,

Dominique Atchison, co-chair UTS Student Senate

Josh Thomas, co-chair UTS Student Senate

Margaret Sawyer, secretary UTS Student Senate

Laurel Severns Guntzel, Co-chair, ROTC Response Task Force, UTS Student Senate

Miguel Angel Escobar, Co-chair, ROTC Response Task Force, UTS Student Senate

Appendix 6c. Law School Student Senate, Adopted April 20, 2005

WHEREAS, we appreciate the dedication of the U.S. Armed Forces,

WHEREAS, we recognize Columbia Law School's unique role as a leader in academia both nationally and on the Columbia University campus itself,

WHEREAS, we realize that our nondiscrimination policy is premised on the understanding that there can be no fair or adequate balancing of a student's individual desire to pursue a particular career and a student's fundamental need to be free from discrimination,

WHEREAS, discrimination against Gay, lesbian, Bisexual and Transgendered persons is morally wrong and antithetical to our University's mission and integrity,

WE RESOLVE to: (1) Urge the University Senate not to allow any ROTC programs to return to the University campus; (2) Urge the University Senate to explicitly and categorically reaffirm our University's nondiscrimination policy; (3) Ask the University Senate to express its current intention not to review the return of ROTC again until such time as the ROTC programs can provide adequate assurances that they no longer discriminate; (4) Ask the Administration of the Law School to actively intervene and express the School's commitment to nondiscrimination and academic freedom; (5) Recommend the fullest prudent measure of transparency to ensure the satisfaction of all our campus' constituencies with the process utilized by the University Senate and the ROTC Taskforce.

Appendix 7. Petitions on ROTC, Pro and Con

Appendix 7a. Electronic petition to oppose ROTC, April 2005

We the undersigned, Columbia University faculty, students, and staff, oppose the proposal to return ROTC to Columbia's Campus.

If reinstated, the ROTC will become a formal Columbia University program that explicitly discriminates against lesbians, gay men, and bisexuals with impunity. We view this as reprehensible and contrary to Columbia University's current policy of nondiscrimination on the basis of sexual orientation. With this proposal the University is really asked to reexamine its commitment to nondiscrimination.

The University cannot justify and hide the adoption of this discriminatory policy by arguing that ROTC would provide benefits to some students, as is argued by the proponents of the proposal. Ensuring that benefits do not accrue to some on the basis of programs that deny the opportunity for participation to all is the point of nondiscrimination policy. The ROTC ban on lesbians, gay men and bisexuals clearly violates the spirit and letter of nondiscrimination. An alleged nondiscrimination policy that accepts the denial of educational, financial, and career opportunities to specifically targeted groups of Columbia University students (lesbians, gay men, and bisexuals) makes a mockery of the principle of nondiscrimination.

We view the value of nondiscrimination as surpassing immediate gains to any select group of the Columbia community. Although, as proponents argue, some universities that have confronted this issue state that accepting ROTC is compatible with their nondiscrimination policies, we strongly disagree. We believe that by reinstating ROTC Columbia University will in effect reverse its current nondiscrimination policy.

We call on the University Senate to reject the Proposal to Return ROTC to Columbia's Campus and reaffirm Columbia's commitment to nondiscrimination.

Sincerely,

[600 + signatures, mostly students, faculty, and alumni]

The author is Ilan Meyer, a professor in the School of Public Health.

Appendix 7b. Petition to restore ROTC, circulated by Advocates for ROTC, March 2004

To: President Lee Bollinger and the Columbia Board of Trustees

We, the undersigned, support the restoration of ROTC programs at Columbia University, which we believe will benefit both the university and its students.

We believe that having ROTC programs at Columbia University will contribute to student body diversity and foster an understanding of the complementary roles of the business, academic and military professions in our nation's affairs.

We also believe that ROTC programs contribute to the common defense and security of all citizens and educate students to recognize the value of a strong military in achieving these beneficial goals.

Sincerely,

[438 student, faculty, and alumni signatures]

Appendix 8. Task Force Report to the Senate, April 15, 2005

To: Columbia University Senate

From: ROTC Task Force: Co-chairs Jim Applegate (Sen., Ten., A&S/NS) and Nathan Walker (Sen. Stu., TC), Coco Fusco (Nonsen., NT, Arts), Aaron Lord (Nonsen., Stu., P&S), Joseph McManus (Nonsen., NT, SDOS), Scott Olster (Nonsen., Stu., GS), James Schmid (Sen., Stu., Bus.), Kendall Thomas (Nonsen., Ten., Law), Sean Wilkes (Nonsen., Stu., CC), Peter Woodin (Nonsen, Alum).

Date: April 15, 2005

Re: Results of deliberations

Executive Summary

1. The ROTC Task force was split (5-5-0)³ on whether or not ROTC should return to Columbia University in the 2006/7 academic year.
2. There was a supermajority (9-0-1) of votes in favor of returning ROTC if there is no longer discrimination against lesbian, gay, and bisexual service-members in the military.
3. No one agreed (0-6-4) with the following statement: under no circumstance should ROTC return to Columbia University.
4. A majority (7-1-2) voted in favor of strengthening the relationship with the current ROTC programs at Fordham and Manhattan College by securing more positions to accommodate more CU students.
5. There was a supermajority (9-0-1) of votes recommending the University Trustees establish a financial contingency plan to protect lesbian, gay, and bisexual students who may be victims of Don't Ask Don't Tell.
6. It was unanimous (10-0-0) that if ROTC returns then Columbia University should maintain full and independent control over whether or not courses receive academic credit; the University should also determine the titles of ROTC faculty and the military's use of classroom, office, and training space.

³ The first number indicates agreement, the second disagreement, and the third abstention.

Summary of Findings

1. The committee is split 5/5 on whether or not ROTC should return to Columbia University in the 2006/7 academic year. In summary, the Task Force is evenly split on whether or not DADT should prevent the return of ROTC to campus.
2. The Task Force unanimously agrees that the military's discrimination against homosexuals, as seen in the federal law DADT, is inconsistent with the values of the community as expressed in the University's non-discrimination policy.
3. A majority of the Task Force agrees that there are significant benefits in returning ROTC, such as financing students' education and Columbia's participation in training military leaders.
4. Also, a majority of the committee believed that the use of University resources such as classroom, office, and training space could be a reason why ROTC should not return.
5. The Task Force was split on whether or not the return of ROTC would have a negative or positive impact on the campus climate.
6. The five proponents voted in favor of the return of ROTC in the 2006/7 academic year. Notwithstanding the existence of discrimination in the military, various benefits would be realized by returning the program to campus. In addition to the benefits identified above, these include Columbia's ability to contribute leaders to the military, who would over time be able to influence current law and military policy with regard to the participation of homosexuals in the military. Additionally, the presence of ROTC would increase diversity of ideas, viewpoints, and values within the Columbia community.
7. The five opponents believe that returning ROTC in 2006/7 would not only violate Columbia's nondiscrimination policy but would also be an explicit institutional endorsement of DADT, legitimizing a culture of homophobia on campus. Such an act would directly violate the human rights of lesbian, gay, bisexual, and transgender (LGBT) Columbians, threaten other protected groups, and deny every member of our community the right to live and learn in an environment free of institutionalized discrimination. An institution of Columbia's stature must hold fast to the ideals of equality that it claims to hold so dear.
8. Finally, the Task Force voted 9-0-1 in favor of returning ROTC if there is no longer discrimination against LGBT service-members in the military.

Appendix 9. TF Members' Statements at the April 15, 2005 Senate Meeting

[TF members Peter Woodin and Juliana Fusco missed this meeting]

PROFESSOR APPLGATE: Hello. My name is Jim Applegate. I'm professor of astronomy here and I am co-chair of the task force on ROTC. We've been meeting on this issue for pretty close to a year now, and I have to tell you one thing—that despite Nate's little jokes in here, the discussion on what can be a very emotional and rather intense topic has in fact been remarkably collegial. So let's not get the wrong impression on that.

I voted in favor of the return of ROTC because I believe the Armed Forces of the United States are an essential, unique and permanent part of our country. Neglecting the military and shunning it is a choice that a private university is free to make, but it is not a choice that Americans collectively are free to make. And I believe it is a choice that Columbia should not make, and it is time to welcome ROTC back.

I believe a number of things. One is that America and the world are best served if the Armed Forces of the United States have the best educated leaders that they can. They will be able to carry out their duty well and represent our country abroad. I also very much oppose the policy of Don't Ask, Don't Tell, which I believe to be fundamentally wrong and just plain bad policy. However, I and four of my colleagues part company with the five who voted no in believing that the best course for the university is not to withdraw from the issue and boycott the military, but rather to engage it. In other words, the University should engage this issue and do what we do best as teachers, and that is to educate. And if we involve ourselves, the best agent of change that we can provide are Columbia-educated leaders for the military. The boycott and avoiding ROTC I think just makes us irrelevant.

I have to disagree with Nate about something, and that is resolution number 2, and this is a bit of fine point. We did not agree 9-0-1 that ROTC could return, but subject to the precondition of the abolition of Don't Ask, Don't Tell. That was something on which we did not vote. We did discuss, and it was clear at least five people would have voted against it. Nine people said we are willing to, we would like to have ROTC back if the military does not discriminate. But that does not preclude the possibility of bringing ROTC back under current conditions, and that is why you got a supermajority.

I also must say that we all agreed that it is absolutely essential that certain conditions are met. Columbia must maintain control of the things that an academic institution should retain control of: awarding of academic credit, the titles of the instructors, and control of its physical space. Thank you.

Now I'd like to introduce Jim Schmidt from the Business School.

SENATOR JAMES SCHMID (STU., BUS.): Thanks, Professor Applegate. I just want to second the final point in terms of clarification that was just made, and that is I think that the second vote. It's clear that in a vacuum everyone on the committee would like to see the ROTC come back under the condition that there was no Don't Ask, Don't Tell. I don't think it was at all clear that given that policy is not changing today that the five people who voted in favor of the second statement would necessarily vote in favor of that as an only condition, which is what Professor Applegate stated. So I just wanted to make that point clear.

I actually tried to beg off this committee a few times. It wasn't necessarily something I wanted to spend the last year at Columbia University doing because it was, you know, very time consuming and, you know, it consumed a lot of my thoughts throughout the year. But at the end of the day I thought it was important after having been here for six years to take on an issue like this. And I basically narrowed down my feeling to three points.

The first is that for the last thirty years, approximately since 1968, the University has essentially said we're not going to have the ROTC on campus, and that was the University's way of stating to the military, We don't agree with some of the things you're doing. The fact of the matter is, within that time period nothing has changed regarding the Don't Ask, Don't Tell policy. And for the University to continue to support the ROTC off campus basically says that they can have their cake and eat it too. They can take money from the ROTC, allow their students to go there and to train, but they don't have to house it here. They don't have to put up with any of the issues that would come with having cadets on campus. And that's obviously a difficult task to engage. So why not stash them up at Fordham so that no one can see the program, still take the money? And to me that's somewhat disingenuous.

If I was an advocate for saying I won't allow the ROTC back on campus until Don't Ask, Don't Tell was eliminated, then I would support the issue also that the University should not take money from any cadet that's involved in the ROTC program anywhere. One necessarily follows the other.

The second point I boiled down to was that there is a substantial hypocrisy in keeping the Don't Ask, Don't Tell ROTC off campus and allowing groups such as Greek organizations, fraternities or sororities, or for that matter Barnard College, to continue to be actively involved in student life here because the fact of the matter is, all the organizations that I just mentioned discriminate in some way or another based on certain conditions. And back when this discussion was had in the late '60s, if you look at the Columbia record, that same point was made by a number of people on the university Senate, and I think it's a very compelling one.

The last point that I think is important is that this University does not act in a vacuum. Just because it's a private university and can make its own decision, doesn't mean it shouldn't take notice of the reality of the rest of the United States and the rest of the world from time to time. I think it's important to remember how everyone else feels outside of these walls. Because it's sometimes easy to get wrapped up in what's just happening here.

So, with that I'd like to introduce Joe McManus to share his thoughts.

JOSEPH MCMANUS (NONSEN., NT, SDOS): Good afternoon. I really don't have any prepared remarks. Perhaps what I do have is an observation. This has been a very educational experience for me, being up at the Dental School, to be appointed to this task force. As a matter of fact, I even received a new title because of this. One of the senators here sent us an e-mail to the task force. As a matter of fact, that e-mail was distributed to you today. And it characterized the military as professional killers and those who served in a capacity to keep them healthy were assistants to professional killers. Now I had the privilege of serving in the Dental Corps of the United States Navy during the Vietnam conflict, so I suppose I am an assistant to professional killers.

But having said that, I would defend the senator's right not only to think that, to say that and to write that, but I would be remiss in my obligations to this committee, to this body of Columbians, if I would not characterize that comment as inflammatory, uncalled for, and demeaning to everyone in the Columbia family who has put on the uniform of their country. Now the politics will be over.

The reason I voted in the affirmative to return ROTC on this campus: I feel that we are a country at risk, a country at war, and in a theological sense I am willing to grant the Department of State absolution for their egregious discriminatory policy. I firmly believe with

some of my other colleagues that constructive engagement within the military is the way to change the military, that if we withdraw from this, I don't think we'll ever have a change.

So I thank you for your attention and I'd like to introduce Sean Wilkes.

SEAN WILKES (NONSEN., STU, CC): I approached this issue with a bit of a personal connection being that I am a cadet myself and have been heavily involved in this issue from the start. So it is somewhat personal to me, but I also appreciate the opportunity to have the discussion and to have participated on the task force so far.

The primary reasons why I believe so strongly about this, that ROTC should return, can be broken down into just a few points. First off, Columbia has an obligation to develop leaders in all areas of society. It's been known for this for years, for decades, for centuries even. And this includes the military, this should include the military, and it should not only allow these opportunities for students to engage in this area of society, to train with the military and to participate as military officers, but to embrace this and to foster it as part of its mission. Columbia is a flagship institution, and its students should have the opportunity to prepare for service to their country on their own campus, and not have to do so at another institution, at Fordham or at Manhattan College.

I also find it anomalous that Columbia is not actively engaged in the education and production of military leaders, because it's inconsistent to make the criticisms that they do, for instance, that there is an overrepresentation of the poor and minorities in the military while Columbia's not doing what it can itself to help change this, to help its own students join the same ranks of those in the poor and middle class. So it's somewhat, again, I don't want to use the word "hypocritical," but it really is.

In addition the status quo discourages national service. Without ROTC at Columbia, cadets only get partial reimbursements and tuition for the most part, and they also have to commute to several locations. Granted, this has to occur as other universities as well. Most other universities in the area have to commute. But doing this discourages students from doing ROTC, from participating in ROTC, and also discourages students who are interested in ROTC, who are interested in national service, from attending Columbia. Not only does this make Columbia appear to be discouraging national service, but it has a concrete effect of decreasing the diversity of the student body and excluding students aspiring to national service.

Finally, on the issue of Don't Ask, Don't Tell, I will agree that ROTC should be reinstated to Columbia under protest. Meaning, that we do recognize that allowing ROTC serves a greater good, but it is contrary to the Columbia non-discrimination policy. And I would mention that other schools have managed to incorporate ROTC with their non-discrimination policies in the same fashion, MIT being a prime example.

Finally, as far as the institutional concerns are regarded, those being professorships, granting of the title of professor to ROTC instructors or the granting of credit for ROTC classes, we've approached this on the task force under, as Nate mentioned, the Princeton model. And that is that Columbia would have the authority to set up the program on its own terms, modeling it after Princeton for instance, where the instructors, military instructors, are not given the academic rank of professor. The head of the program is given the title of director, as a student extracurricular organization or student extracurricular program, and the instructors under him are all given the title of instructor. Additionally, at Princeton the students don't receive credit for their ROTC classes because it does not fit into their program, their liberal arts college program. So as such, that is the model that we are looking towards.

I honestly can't tell you whether that's possible for Columbia. It will have to ask the Department Defense, and it's part of the negotiation process, but that is the model that we're looking at.

Thank you very much for your time. I'll introduce Professor Kendall Thomas next.

KENDALL THOMAS (NONSEN., TEN., LAW): Thank you Sean. I too will try to be brief. I voted against the reinstatement of the Reserved Officers Training Program at Columbia University in the absence of the full repeal by the Federal government of the policy known as Don't Ask, Don't Tell, Don't Harass, Don't Pursue. In fact, it's worth noting that the popular name of the policy is a misnomer, since in fact the Don't Ask, Don't Tell, Don't Harass, and Don't Pursue prongs of the policy are a function not of the law but of regulations developed by the Department of Defense, which can be revoked by the Department of Defense any time. The characterization of DADT has formed the basis for the claim, utterly without foundation, that Don't Ask, Don't Tell was a legislative compromise between opponents of service of any kind on the part of gay men, lesbians, and bisexuals, and those who feel that gay men, lesbians and bisexuals, like all other qualified Americans, have the right serve in the military.

The current policy is in fact an absolute ban on military service by gay, lesbian and bisexual Americans. If ROTC were to be reinstated at the University, Columbia University would become complicit in a regime which has as its centerpiece the only law in the United States of America that authorizes firing someone for his or her sexual orientation.

Now, some members of the task force have suggested that we ought not be troubled by the fact that Columbia would be moving from its neutral position to a position of active and open collaboration with the Department of Defense, indeed with the United States government, and its policy of discrimination. I must say that, although I find the rhetoric, "We agree with you in principle, we disagree on matters of strategy and tactics" not utterly implausible, I keep hearing the voice of my grandmother, who would say actions indeed do speak louder than words. And the fact of the matter is, is that if Columbia re-establishes a full relationship with ROTC, all the protestations to the contrary notwithstanding, I have no doubt that that collaboration would be publicized by the military as Columbia's full and complete endorsement of the U.S. military program of ROTC.

Now, and therefore, I must say that I'm not persuaded by the constructive engagement argument, an argument with which many of you in the room are no doubt familiar from the years when universities and others debated the question of whether or not we ought to divest stock from corporations that did business in South Africa during the years of the Apartheid regime. I do not think there's any evidence at all that the constructive engagement policy will work. The expression of faith by my fellow members of the task force and others that it will work is just that, and there's no basis, it seems to me at all, given the hierarchical command structure of the U.S. military, to believe that Columbia's noble mission of sending our enlightened students to serve as officers in the military is in any way going to change the structure of the military with respect to this policy of Don't Ask, Don't Tell—which I might note, by the way, disproportionately affects women.

A couple of other points very, very, very quickly. Professor Applegate in his statement, distributed to you at the entrance to the room, argues that the university's non-discrimination policy should be understood as one of its supporting policies, not as a defining policy of the University. I could not disagree more. It seems to me that one of the core values that make the institution and practice of academic freedom possible is precisely the notion that each and every member of the University is entitled to equal concern and respect, and that in the absence of an ethic of equality that extends to all members of the University community, the

possibility of academic freedom for all will be undermined. If Columbia re-establishes an on-campus relationship with the U.S. military through an ROTC program, Columbia in effect will be saying to those of us who are gay, lesbian or bisexual that we are not entitled to a campus climate which observes the principle of equal concern and respect for all its members. Columbia will in effect be saying to its gay, lesbian and bisexual members that we are second-class citizens. I find it very hard to square the acceptance of that with the commitment to the principle of non-discrimination.

I will say in closing, finally, that I also find it very, very hard to swallow the claim that my colleague Professor Applegate makes that Columbia in fact does discriminate, that we discriminate for example through our policies of affirmative action. I would simply point out to him a distinction that I very often make in my constitutional law class between invidious and non-invidious discrimination. There's a very real difference between a helping hand and a slap in the face. As far as I'm concerned, the reinstatement of ROTC on the Columbia campus is a slap in the face which will make Columbia complicit not simply in the everyday and ordinary incivilities that characterize life in the military, but in a pattern, a well-documented pattern, of harassment, violence and indeed death for persons whose sexuality has been revealed when they have served in the U.S. military. And I think the members of the University Senate ought to think hard and long about taking action that would make this university an accessory to that culture of discrimination, of violence, and indeed death. Thank you.

I'd like to introduce Aaron Lord, who, as you may be able to tell from his garb, comes to us from the Medical School.

AARON LORD (NONSEN., STU., P&S): Thank you. Professor Thomas's eloquence is something hard to follow, but I will make an attempt. My name is Aaron Lord and I'm a second year medical student. So this task force—I voted, just to let you know, against ROTC coming back. This task force was created to evaluate a student proposal to bring ROTC back, so the debate has always been framed from the beginning as such. But there really is another way to frame the debate so that one views it from a different angle, and that is, Does the university believe that it should violate its own non-discrimination policy for the benefit of a few students and the U.S. military?

Indeed, is there any situation in which the non-discrimination policy should be disregarded? I realize that members voted to bring ROTC back despite their disagreement with

Don't Ask, Don't Tell, favoring an idea that ROTC program at Columbia will offer this community a chance to reform the military's policy. However, I viscerally disagree with the logic, as I really can see no way how actively participating in the denial of somebody's human rights or to our queer community's human rights is a very strong statement that you find that very same denial of human rights wrong.

There's been a lot of talk on the task force about, and this is to reiterate Professor Thomas's point, that the university already violates its own non-discrimination policy with respect to Barnard and in race and in admissions. But let us not confuse benign discrimination of affirmative action with the hateful discrimination of homophobia that the university would be endorsing, I believe, by allowing the military and their policy of Don't Ask, Don't Tell back on campus.

So arguments have been advanced for a policy of constructive engagement with the military and often references to China and the burgeoning democracy have been made, and with respect to our education of scientists that have since gone back there to promote such movements. Now while I agree that active trade and education of Chinese scientists has been a major reason for the human rights situation changing there, by no means did the U.S. ever, ever, ever deny our own citizens their human rights in the process. We never invited China over to our country or on to our campus to practice a little denial of human rights on our soil. So while the military's already actively discriminating against homosexuals on our campus, this is true, I don't believe that Columbia itself is doing so very actively.

To bring ROTC on to campus would be effectively facilitating the denial of these rights, and to me that is unconscionable. A lot of evil has been done in this world in the name of advancing good. At some point we have to be responsible for the actions that are ours and that are made by the institutional bodies that are closest to us, and analyze what those actions are at face value, not what the hopeful and uncertain consequences of those actions might be.

So lastly I just want to remark that, and I say this in all honesty, that it was definitely the low point of my career at Columbia—and believe me as a medical student you have a few low moments—when I was sitting at the task force open town hall, and I watched a lot of the lesbian and gay students line up, literally waiting in line, and to do what? To stand up and go through the humiliating process of having to beg, literally beg, for your rights to be treated just like everybody else. It was sad, and I never expected it to happen at this institution.

So I would like to introduce Scott Olster, at the General Studies School.

SCOTT OLSTER (NONSEN., STU., GS): Hello. Like Aaron just said, I'm Scott Ulster. I'm from the School of General Studies, and I approached this task force with the idea that it would be absolutely wonderful to have another program on this university's campus that will help students out, that will give them the necessary funds to afford a school like Columbia. Columbia's incredibly expensive, and as a student who is going to be leaving this spring with a number of loans to pay off, I completely understand the sentiment. And I also understand the sentiment of the value of helping our country.

However, I found as I was going through my experience on the task force that I couldn't support its return to Columbia simply based on the fact that the Columbia community has a non-discrimination policy that they do believe is worthwhile in respecting, and I really feel that we need to honor the ideals of this community by holding fast to that non-discrimination policy.

Now, a lot of that was already said by the other speakers, but what I want to respond to right now is just a few points that I heard from some of the other speakers. There was the idea that it's inherently hypocritical to allow students or to have Columbia students come to other campuses, other environments, to participate in ROTC, and not actually have an ROTC program ourselves. It's, as far as I know, legally unacceptable for Columbia University as an institution to keep students from going to an ROTC program on a separate campus. It's not within our bounds. It's not within our control. So to pose that argument as hypocrisy seems to me as a misrepresentation.

Now another point that I wanted to express is the simple fact of diversity. There's another argument that bringing the ROTC program on to our campus will promote diverse ideas, diverse groups, different types of people to come to Columbia. Now as far as I know, our admission standards aren't going to change. The people who are admitted to Columbia as undergraduates, the makeup isn't going to considerably change because of the institution of the ROTC program as I see it. So I don't really understand how ROTC could inherently create this new-found diversity.

On the flip side, what I do see is—it just came to the fore to me when I was having a conversation with a friend of mine who I graduated high school with who went to Syracuse University and enrolled in the Air Force ROTC program there, and she's enjoyed her experience, but when we were having a very honest conversation, she told me that she'd fear going to a rally

or expressing public support for gay, lesbian, bisexual rights because that would be inherently interpreted as an act of, you know, homosexual persuasion, homosexual support. And while that is not, as far as I know, as far I understand the specific policies, an act of homosexual behavior in any way, the idea is that she feared to do those actions. No matter how she felt, it was the fear that kept her from expressing her ideas or from pursuing the possibility of coming up with those ideas. And to me what that shows is that the ROTC program encourages a climate that is not tolerant, not even tolerant, not even equal. So I fear that bringing back the ROTC program will create a climate on this campus that as a student I know I would not feel comfortable with. I would not feel comfortable endorsing such a community.

So that's all I have to say. I'd like to introduce Nate Walker, who's the co-chair of the committee. Thank you.

SEN. WALKER: Before we take questions, I want to give one personal statement. For me the most fascinating thing about these deliberations is something that has emerged in my own thinking which I never would have expected. For the last couple of months I have been continually imagining myself actually enrolling in the military. Who would have thought? Not as a cadet, but as a chaplain. Some of you know I'm a candidate for Unitarian Universalist ministry and that I come from Nevada, where many of my friends with whom I grew up near the Air Force base are currently in Iraq. This has compelled me to consider potentially serving for a year as a chaplain. But the fact is, I cannot. The United States of America denies openly gay citizens their right to serve their country. It is self-evident that this is the ultimate betrayal of patriotism. An equal betrayal would be if this university turns a blind eye to a non-discrimination policy that we have upheld and compare it and demean it in the name of a mission of a historically black institution or Barnard or a sorority.

The fact is, I came to Manhattan and to Columbia University because I had to leave my home state for three very simple reasons. One, the community college for which I taught for five years denied my request to add sexual orientation to their non-discrimination policy. Two, the state denied my request to adopt a child because I "do not meet their definition of family." And three, because members of my family supported the referendum that helped Nevada to become one of the first states to constitutionally ban gay marriage.

Then I came to Columbia University in the City of New York. This place has certainly been liberating. For example, this last Valentine's Day, when riding on the F train, I

gave my date a rose. Then a man approached and spit on us. It is in this context, I turn to my Columbia family and ask simply, What is the price of our non-discrimination policy, knowing that the exchange of a rose in this time and age can provoke somebody to spit? And in this same time denying me the right to adopt, to get married, and to serve my country. I'm sure you can imagine how Columbia's non-discrimination policy is a safe haven for someone like me.

With that said, I hope that you will join the task force in saying that yes, ROTC should return if the military no longer discriminates. Until then, I trust that we will all continue to uphold the principles of human decency.

