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Jerry's widow saw 'wisdom of Solomon' during Kagan hearings; why she backs Gibson, not Murphy, for his seat

To the Editor:

As I watched Elena Kagan move closer to becoming our newest Supreme Court Justice, I couldn't help but reflect on how one of her more troubling decisions of her past intersects directly with public figures, past and present, from our region.

It was only a few short years ago when the Supreme Court was forced to hear arguments in a case that pitted Ms. Kagan as Dean at Harvard Law School against one of my husband's, the late Congressman Gerald Solomon, laws protecting the rights of our young people to serve in the military.

In the mid-1990s, my husband was fighting to ensure that the military's recruiter and ROTC programs were receiving equal treatment on college campuses and preserving students' opportunities to serve and advance their education.

Hundreds of universities had begun prohibiting ROTC and military recruitment on campus. My husband passed

a series of amendments that collectively became known as the Solomon Amendment.

These laws require universities to allow military recruiters and ROTC programs the same access as other corporate recruiters on campus if they want to receive various federal funds.

Elena Kagan joined other academic elites to challenge the Solomon Amendment in the Court's in order to keep barring our military's access to their campuses. This even as our men and women in uniform defended at their own peril the freedom of expression Harvard rightly cherishes.

In December 2005 I was privileged to sit in the Supreme Court to listen to oral arguments. The Court in 2006 ruled unanimously against Ms. Kagan in an 8-0 vote upholding the Solomon Amendment. Even Justice Stevens voted to uphold the laws. It was clear

then as it is today how out of step Ms. Kagan is with the judicial mainstream on the bench.

In an unfortunate twist of irony, the seat Jerry Solomon held in Congress while authoring these amendments is held by someone who shares similar views to Ms. Kagan.

Unfortunately, I learned that as a Harvard student now-Congressman Murphy opposed allowing ROTC on campus. In fact, he had many negative things to say about the military and military service.

While many of his generation were proudly serving in the military and able to advance their educations because of it, Scott Murphy was attending Harvard and writing editorials opposing their opportunity to do so.

Meanwhile, his opponent in this year's election, Chris Gibson, was one of Scott Murphy's peers who was serv-

ing in the military and protecting Mr. Murphy's freedoms at the time he was writing those opinion pieces.

Chris Gibson, who grew up in New York's 20th district in a working class family, began his decorated 24-year military career after earning his ROTC commission at nearby Siena College.

It was this very act that Ms. Kagan and Scott Murphy fought to deny students that gave Gibson the opportunity to advance his learning and service.

Gibson went on to earn a PhD from Cornell University and teach American Politics at West Point while rising to rank of Colonel. Today Chris Gibson stands as a great example of the many roads available to our young men and women for achieving the American Dream.

It is a road that Congressman Murphy and Ms. Kagan attempted to deny to others because they believed they knew better.

Accomplished and dedicated citizen soldiers like Chris Gibson are living proof that Ms. Kagan and Congressman Murphy are out of touch.

While we now have an out-of-touch lifetime Supreme Court Justice in Ms. Kagan, in November local voters will have another chance to stand on the side of those who believe in the opportunities our military affords us, by voting for Chris Gibson to serve in the congressional seat that my husband so proudly held.

— Freda Solomon, Queensbury

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