

I was a military lawyer. Hegseth doesn't get that no one is above the law



Your Turn
Sheldon G. Gilman
Guest columnist

Comments by Secretary of Defense Pete Hegseth suggesting that military lawyers impede effective command reflect a fundamental misunderstanding of how the American military actually functions. Having served as an Army judge advocate during the Vietnam era, I saw firsthand that military lawyers do not weaken command authority – they ensure it remains lawful, disciplined and worthy of the nation it serves.

I entered the Army through ROTC, attended law school and was commissioned into the Judge Advocate General's Corps in 1968. It was a turbulent time of the Tet Offensive, political assassinations and widespread civil unrest. I expected the challenges of military service. What I did not anticipate was how often the law itself would become the most important stabilizing force within the chain of command.

At the U.S. Army Missile Command, Redstone Arsenal, our commanding officer – a two-star general – was named as a defendant in a federal lawsuit. When a U.S. marshal came to serve

process, the general initially refused, insisting it was not his problem and threatening to have “his troops” deny the marshal access to the post. I advised him that Redstone Arsenal was a federal installation and that a United States marshal had the legal right to enter and serve process. He ultimately relented.

That moment was not about technical legal compliance. It was something more fundamental: even senior commanders are subject to the law, and the military cannot place armed personnel in opposition to federal authority. A military lawyer's role is to ensure that command decisions remain within those boundaries before a situation escalates.

Real consequences

In another instance, I encountered tensions between local law enforcement and African American soldiers stationed at Redstone. These soldiers were preparing for dangerous assignments in Vietnam, yet off base they were subjected to repeated harassment. I met with the Madison County sheriff and made a simple point: these were armed servicemen under stress and continued harassment created a volatile and unnecessary risk. The sheriff understood, and the problem partially subsided.

No regulation required that intervention. No court ordered it. But preventing a foreseeable conflict between armed soldiers and local authorities is precisely the kind of quiet, preventive function military lawyers perform inside the chain of command.

Later, I was assigned to the Pentagon as legal officer to the Army's Conscientious Objector Review Board. We determined whether soldiers who claimed newly formed objections to the war met the legal standards for discharge. If denied, many were sent to Vietnam.

Those decisions carried real consequences. Some of the men whose applications were denied did not return. A few deaths were reported as “accidental friendly fire.” Whether coincidence or something more troubling, the experience left a lasting impression: legal determinations in the military are not abstractions – they can be matters of life and death. After several months, I asked to be reassigned.

Enforcing lawful command

My final assignment was with the Department of Defense's Federal Voting Assistance Task Force, where we worked to enable service members stationed worldwide to vote in federal elections through absentee ballots. The effort was largely successful and forms

part of the system still in use today. Even as soldiers were deployed across the globe, the law ensured they retained the rights they were sworn to defend.

These experiences illustrate a simple but critical point: military lawyers do not interfere with command, they make lawful command possible. They ensure that orders comply with the Constitution, the Uniform Code of Military Justice and the law of war. They help prevent unnecessary conflicts, protect service members, and preserve the legitimacy of military action.

When senior leaders suggest that legal oversight is an obstacle, they risk encouraging a command culture untethered from legal constraint. That is not strength. It is a liability – strategically, institutionally and morally.

The strength of the American military has never rested solely on its weapons. It rests on the principle that even in war the United States remains a nation governed by law, and JAGC officers are part of the quiet safeguard that preserves that important principle. The most dangerous military is not one constrained by law – but one that believes it is above it.

Sheldon Gilman served four years, 1968-1972, as a JAG officer at the U.S. Army Missile Command, the Office of the Judge Advocate General and the Office of the Secretary of Defense.

KY lags in energy reliability, but we can take notes from Tennessee



Your Turn
Thomas Woodcock
Guest columnist

After World War II, Kentucky and Tennessee faced many of the same challenges: widespread poverty, dependence on agriculture and little industrial growth. By the 1950s, both states had comparable levels of per capita income and sluggish economic models. Yet, by 2010, and continuing today, Tennessee has outperformed Kentucky by a staggering margin in jobs, median household income and population growth.

What made the difference? Tennessee was transformed through the Tennessee Valley Authority (TVA). Kentucky did not pursue an equivalent and has suffered from a lack of investment, stagnation, losses of jobs and little median household income growth.

Kentucky has spent too long reacting to economic change instead of shaping it. We must stop playing catch-up and build a Kentucky Power Initiative (KPI) to rival the transformative scale of the TVA.

TVA's impact

As a Louisville real estate developer, I regularly hear the same question from companies considering investments in our region. Is Kentucky able to reliably provide the massive, affordable energy modern industry needs?

Created in 1933, the TVA provided flood control and introduced cheap, reliable electricity throughout the Tennessee Valley. It electrified rural areas, attracted industries and drove economic development.

The TVA led to lasting gains in employment and productivity after federal subsidies ended, thanks to agglomeration effects (the principle that one factory built leads to 10 more factories being built) and massive, reliable electricity production. This helped to create hundreds of thousands of jobs and untold billions in investment.

Today, TVA industrial power rates are lower than approximately 95% of the top 100 utilities in the United States, acting as a magnet for business and high-quality jobs.

Electricity as the new railroad

In the modern economy, electricity is the new railroad. You have to lay down the tracks. The modern economy is built on energy-intensive sectors such as advanced manufacturing, EV battery plants and hyperscale data centers. A single data center can consume as much electricity as 100,000 homes.

Our neighbors have leveraged a unified power strategy to recruit businesses, while Kentucky's efforts remain fragmented. We have relied for too long on a “wait and see” approach to infrastructure, rather than building the massive, shovel-ready capacity required to land transformational projects.

We have the coal, the sunshine, the

natural gas, the rivers and the potential for nuclear, but we lack the unified state-led authority to wield them as a singular economic tool.

The results are clear. Tennessee has surged while we have stalled. Just in 2026, we have seen two mega-projects depart or falter. First, Century Aluminum bypassed Kentucky for a new \$4 billion aluminum smelter in Oklahoma. That industry requires reliable, massive power that we currently lack. Second, plans for BlueOval SK in Glendale have been idled. Even multi-billion dollar promises are fragile. The consequences of weak energy policy are not abstract. In parts of Eastern Kentucky, families are spending nearly 20% of their income just to keep the lights on.

The Kentucky Power Initiative

Kentucky can solve our power problems by creating our own TVA: the Kentucky Power Initiative (KPI). This state-chartered authority would focus on generating and delivering massive, affordable, reliable power. Our generation must be “all of the above”: natural gas, renewables, battery storage and next-generation small modular reactors (SMRs). The goal is simple: produce enormous amounts of reliable, affordable power.

- Maximize capacity: Build new generation capacity while working to upgrade and raise the nameplate capacity of existing plants. Let's get everything out of what we have already paid to build.

- Upgrade the grid: Modernize transmission to meet industrial cus-

tomers where they locate.

- Storage and tech: Invest in battery storage to let our renewable and future nuclear assets provide 24/7 firm power.

Funding could come from federal infrastructure grants, state bonds, public-private partnerships and low-interest financing which, like the TVA, could become a self-sustaining entity. Kentucky has used state financing tools before, and we can finance this transition affordably.

Recent legislation has shown promising momentum. Kentucky has awarded \$10 million to kick-start our Nuclear Energy Development Grant Program, and Senate Bill 57, which passed the Senate, would create a Nuclear Reactor Site Readiness Pilot Program to help with federal permitting and site prep for next-generation nuclear facilities.

The model already exists just across our southern border. A century ago, the TVA transformed the economy of the region by providing power for industry.

Kentucky cannot afford another generation of playing catch-up. If we want jobs, industries, and investment for the next century, we must start building the power system that makes them possible.

Thomas Woodcock is a seasoned real estate attorney and native Louisvillian with a deep-rooted connection to the city. After earning his Juris Doctor from Gonzaga University and an LL.M. in Banking and Financial Law from Boston University School of Law, he returned to Louisville. Admitted to the bar in both Kentucky and Washington State, he brings a wealth of legal expertise to his work.

Gerth

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operated there for a while, but in 2007, it did not file its annual report with the Kentucky Secretary of State's Office and the secretary of state dissolved the church's corporation.

A few years ago, Jefferson County Attorney Mike O'Connell sued for more than \$40,000 in back property taxes. When the lawyer who was assigned to find the building's owner sent a letter to the owners' last known address, she got no response.

It was sold at auction in 2024 and still sits vacant – now behind a temporary chain link fence.

Church closure can drag down neighborhood

When a church closes, you lose the good that churches do for neighborhoods – everything from helping pay

bills for church members who need help to providing things like summer-time programs for kids – programs that are lifesavers for working parents.

But at the same time, the building itself may be even more important than the programs.

When a building like St. Charles Borromeo goes to seed, it can drag down a whole community with it, devastating nearby property values and completely change a neighborhood's dynamics. Large empty buildings like that can also bring in a homeless population that can risk burning down the building as they try to find ways to warm themselves on cold winter nights.

The archdiocese's current plan is to close six parishes in Louisville and four more in other parts of the archdiocese, which encompasses 24 counties running from Trimble County to the Tennessee line.

The plan also calls for merging some parishes including St. James

and St. Brigid, in the Highlands, and merging Our Mother of Sorrows and St. Elizabeth of Hungary, in the Schnitzelburg area – a precursor to what could be parish closings in the future.

Several Louisville parishes closed last year

This proposed round of closures comes on the heels of the closure of a handful of parishes in the last year, including St. Therese in the Germantown-Paristown area and Christ the King, in the West End.

The Catholic Church donated the Christ the King campus, which included the church and a school building, to Simmons College of Kentucky for a new STEM campus

The parishes in Louisville that are proposed for closing include St. Frances of Rome, St. Leonard, St. Boniface and Sts. Simon and Jude, Most Blessed Sacrament and St. Theresa of Calcutta.

I'm most concerned about St. Boniface, in the Phoenix Hill neighborhood. That's the church that is home to Nativity Academy, an independent Catholic middle school for urban kids – about the only outreach the archdiocese does to the Black community after closing so many churches in African American areas.

None of this is ever easy and the Catholic Church, which is facing a severe priest shortage, needs to pare down the number of parishes. There's no way around it.

According to The Record, the archdiocesan newspaper, 40% of priests in Louisville serve multiple parishes.

But the church needs to figure out how to do this while protecting the communities and the people it has served for years. It's the Christian thing to do.

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