

# Sexual assault case against US Army general begins

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Opening arguments began in a court martial case Friday in which a US Army general is accused of sexually assaulting a female US Army captain. The case comes as a procedural vote in the US Senate killed a bill, deeply opposed by the Pentagon, which would have removed the prosecution of sexual assault cases from the military commanders of the accused and put them in the hands of independent military prosecutors.

The Army prosecution has charged General Jeffrey Sinclair with sexual assault in addition to five other crimes. Sinclair is the highest-ranking military officer in the United States ever to be court-martialed on sexual assault charges.

According to AP News, prosecutors argued that Sinclair “used his authority to intimidate and coerce a female officer nearly 20 years his junior into sex.” Sinclair and the alleged victim, who, per AP News rules, remains anonymous, had an affair for three years while she served under his command in Afghanistan.

The US Army captain took the stand and described being forced to perform oral sex on the general after heated arguments in his office, and, another time, her own. “He grabbed me by the back of the neck and pushed me down. I tried to pull back, and he put his other hand on my shoulder... It felt disgusting. It felt like I had no control over my body.”

The captain broke into tears as she told the court that, after a discussion with the general about his wife and how the captain would like to meet her, “he told me that if I ever told her or anyone else about he and I, he would kill me and then he would kill my family.” She added, “and he would do it in a way no one would ever know.”

The general has pleaded not guilty to the charge of sexual assault. His defense team told the court that the captain was desperately in love with the general,

reading excerpts from her diary in which she described being “so in love with him” after the alleged assaults took place. According to AP News, the defense team described the general as being the victim of “political pressure to make an example of him.”

While denying having sexually assaulted the captain, a charge that could lead to life-imprisonment, the general has pleaded guilty to “conduct unbecoming an officer and a gentleman,” “inappropriate relationships,” adultery, impeding an investigation, and possession of pornography.

He admits asking two women, one civilian one not, for nude photos of themselves, having sexual relations with three women, and attempting to have one with another. These are military crimes that could put him in prison for 15 years.

The Associated Press reports that the general’s “lawyers are hoping the plea will limit some of the salacious evidence and reduce the case to his word against hers.”

Whatever the outcome of the case, sexual assaults in the military are epidemic. In the 2012 fiscal year, 2,434 cases were reported, in 2013, 3,553. It is estimated that only one in ten cases is reported due to fear of demotion, intimidation and violence. The last 12 years of unending wars, military occupations and colonial-style subjugation have encouraged the most brutal and backward sentiments in the military, as witnessed by the sadistic sexual abuse of detainees at the Abu Ghraib prison in Iraq.

In late February, in response to reports of sexual assault and alcohol abuse, the Army removed 588 soldiers from “positions of trust,” including posts as recruiters and sexual assault response coordinators.

In 2010, the Department of Defense estimated that 19,300 sexual assaults occurred, with more than half of

the estimated victims being men. While combat trauma is the leading cause of Post Traumatic Stress Disorder (PTSD) in male veterans, rape and sexual violence is the leading cause among female veterans.

In an expression of its general disdain for the constitutional principle of civilian control over the military, the Pentagon brass—and its supporters in the US Senate—have steadfastly opposed any measures concerning sexual abuse that would interfere with the military’s “chain of command.” On Thursday, a bill by Senator Kirsten E. Gillibrand, Democrat of New York, which would put the prosecution of such cases in the jurisdiction of independent military prosecutors, failed by five votes.

Both the Pentagon and the leadership of the House Armed Services Committee opposed the measure. South Carolina Senator Lindsey Graham, who has the closest ties to the military, warned any fellow Republicans considering running for the 2016 presidential race that a vote for the Gillibrand proposal would wreck their chances.

“People wanting to run for president on our side, I will remind you of this vote. You want to be commander in chief? You told me a lot today about who you are as commander in chief,” Graham said. “You were willing to fire every commander in the military for reasons I don’t quite understand. So we will have a good conversation as to whether or not you understand how the military actually works.”

Opposition to the bill ran across party lines. Senate Armed Services Committee Chairman Carl Levin—Democrat of Michigan—claimed there would be more sexual abuse if “we undermine the authority of the very commanders who must be at the heart of the solution. Powerful evidence should lead us to the conclusion that we should not remove the authority of commanders to prosecute these cases.”

The vote coincided with a damning exposure of the military’s in-house treatment of abuse, with revelations that a lieutenant colonel responsible for training military prosecutors working on sexual abuse cases in the Army is, himself, being investigated for sexually assaulting a female Army lawyer.

On Thursday, an anonymous officer told *Stars and Stripes* an investigation was underway of allegations that Lt. Col. Joseph Morse attempted to kiss and grope a female Army lawyer against her will at a training

conference. Lt. Col. Morse’s job is to train lawyers in the military who handle sexual and physical abuse cases.



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