

# US navy secretary fired in case of pardoned SEAL war criminal

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The firing Sunday of US Navy Secretary Richard Spencer over the scheduling of a routine administrative review in the case of Navy Seal Edward Gallagher, who was court-martialed for war crimes, has deepened tensions between the Trump White House and the Pentagon's senior command.

Last Thursday, Trump, who had pardoned Chief Petty Officer Gallagher, tweeted that the "Navy will NOT be taking away Warfighter and Navy Seal Eddie Gallagher's Trident Pin," the gold insignia worn by SEALs. The administrative review board had been convened precisely to determine whether Gallagher should be removed from the elite special operations unit.

Both Spencer and senior naval commanders took the position that a tweet was not an order, and they were awaiting further instructions. Gallagher and his supporters, including Fox News and a defense team that includes close associates of both Trump and his personal lawyer Rudy Giuliani, described this position as "insubordination" and an invitation to be fired by Trump.

The circumstances of Spencer's termination remain murky, amid claims that the navy secretary had sought a secret deal with the White House in the Gallagher case, going over the head of his superior, Defense Secretary Mark Esper.

Esper claimed he was "flabbergasted" by Spencer's action, which was relayed to him by the Trump White House, and that he had lost "trust and confidence" in the navy secretary. It was also reported that Spencer had threatened to resign, which he himself denied.

The claim that Spencer sought a compromise with the Trump White House suggests that he proposed that the review board be allowed to proceed, with a guarantee that it would render a decision allowing Gallagher to

remain in the SEALs until his planned retirement at the end of the month.

Esper adopted the improbable position that he was offended by Spencer not letting the "process play itself out" and proposing to "bend the rules." Yet on Monday he announced that Trump had ordered the Pentagon not to remove Gallagher from the SEALs, thus ending the "process" and upending the "rules."

In a letter Sunday acknowledging his "termination," Spencer pointedly stated that he no longer agreed with Trump on "the key principle of good order and discipline," and that he could not "obey an order that I believe violates" the oath to defend the US Constitution.

Trump has repeatedly intervened in the case of Gallagher, who was brought before a court-martial after being accused by nearly a dozen of his fellow SEALs of indiscriminately shooting unarmed civilians, including a young girl, as a sniper during the 2017 siege of Mosul in Iraq. He was also charged with stabbing to death a wounded teenage Iraqi fighter as he was being treated by a SEAL medic, and then texting his friends a photo of himself with the youth's corpse, along with the caption, "Got him with my hunting knife."

Gallagher was placed in the San Diego Navy brig before his court-martial after threatening to murder fellow SEALs who reported his crimes. However, Trump ordered him released.

He was acquitted of murder charges and convicted only of the lesser offense of posing with the corpse after a key witness—now facing perjury charges—changed his testimony. Trump then pardoned him, along with two convicted Army war criminals, and reversed the Navy's penalty of reducing Gallagher's rank and pay.

The convening of a so-called trident review board to determine whether Gallagher should remain in the unit is standard operating procedure after a court-martial conviction, as with many lesser offenses. At least 154 Navy SEALs have been stripped of their tridents and put out of the special operations command since 2011.

The Navy's Special Warfare Command, which oversees the SEALs, has sought in recent months to deal with an increasing breakdown in discipline within the special operations unit. Its chief, Rear Adm. Colin Green, issued a memo last August warning that "our force has drifted from our Navy core values of honor, courage, and commitment." He added that "a portion of this force is ethically misaligned with our culture," and that elements of its leadership "prioritize this misalignment over the loyalty to Navy and nation."

The memo, launching a bid to reassert discipline within the SEALs, followed a series of incidents, including the 2017 murder of a Green Beret by Navy SEALs in Mali after an assault in which they had brought along a Malian man to rape the soldier. Other SEALs have been charged with drug trafficking and abuse as well as rape and other crimes.

In an interview with CBS News Monday, Spencer charged that Trump's intervention to block the trident review board for Gallagher "sends a message...that you can get away with things." The statement reflects concerns within the military that the Trump administration's open support for those accused of war crimes will undermine military discipline.

The crimes of Gallagher and the other war criminals pardoned by Trump account for a minuscule portion of the civilians massacred in the illegal wars waged by US imperialism over the past 18 years. From the invasion of Afghanistan in 2001 to the siege of Mosul in 2017, the victims number in the millions. Nonetheless, the military brass consider the punishment of those who have carried out acts of gross individual criminality necessary from the standpoint of maintaining morale among the troops sent to fight these wars.

While the chairman of the Joint Chiefs of Staff, Gen. Mark Milley, said Monday that as far as he was concerned the Gallagher case was "closed," Trump's intervention leaves unresolved the fate of three other SEAL members charged in relation to the same offense as Gallagher—posing with the corpse of the Iraqi teenager. They are set to go before a review board next

month. Moreover, the Gallagher case sets a precedent that if special operations troops are able to cement relations with right-wing forces supporting the Trump administration, they can indeed "get away with things."

Trump's intervention in the Gallagher case is directed at currying favor with his far-right base and, in particular, among the fascistic layers within the military and its special operations commands.

This section of the US armed forces, specializing in the deployment of highly trained killing squads, has grown exponentially since the launching of the so-called "war on terror" in 2001. From a combined force of 42,000 active duty troops, reservists and National Guardsmen, the Special Operations Command (SOCOM) has grown to over 63,500, while the Pentagon's budget for these forces has climbed from \$3.1 billion to \$12.3 billion over the last 18 years.

The attempts by the Trump administration to politicize the issues of military justice and discipline within these units, exacerbating already sharp conflicts regarding civilian control over the military, is an expression of both the deepening crisis within the US capitalist state apparatus and the stark dangers confronting the working class.



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