

Federal judge rejects Boeing plea deal for two fatal 737 MAX 8 crashes

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On Thursday, federal Judge Reed O'Connor of the Northern District of Texas rejected a plea deal between Boeing and the US Justice Department in which the aerospace giant would plead guilty to a felony conspiracy charge for defrauding US regulators about the dangers of the 737 MAX 8 aircraft—dangers that led to two fatal crashes and the deaths of 346 people.

The plea deal included a clause that Boeing would pay a fine of up to \$487.2 million, in addition to spending a further \$455 million to improve its quality and safety checks over three years of court-supervised probation.

As the families of those who died in the two MAX 8 crashes have noted, the sum is a drop in the bucket for Boeing, which is currently valued at about \$115 billion. The company's five top executives took home more than \$75 million in total compensation in 2023.

Moreover, a plea deal means that while the Boeing company would be considered a felon, the full extent of the crimes that led to the deaths would remain hidden from the public. The families are also demanding that Boeing's restitution for the deaths be two orders of magnitude higher, at \$24.78 billion.

Paul Cassell, an attorney for the victims' families, wrote in a statement reported by the Associated Press: "No longer can federal prosecutors and high-powered defense attorneys craft backroom deals and just expect judges to approve them."

Cassell continued: "Judge O'Connor has recognized that this was a cozy deal between the government and Boeing that failed to focus on the overriding concerns—holding Boeing accountable for its deadly crime and ensuring that nothing like this happens again in the future."

The deal would have, in particular, focused on Boeing's role in covering up problems with the now

infamous Maneuvering Characteristics Augmentation System (MCAS). The system was introduced after it became clear that the rushed design of the MAX 8, developed to compete with the Airbus A320neo, meant the jetliners had a tendency to stall.

Critically, the system could override a pilot's input, ostensibly to keep planes in the air. In reality, faulty input from broken sensors could force the plane into a nosedive that pilots could recover from only if they knew of the MCAS and how to disable it.

As was revealed in the aftermath of the MAX 8 crashes in October 2018 and March 2019, Boeing executives, including former CEOs Dennis Muilenburg and David Calhoun, deliberately hid the existence of the system in order to push through regulatory approval. Those FAA regulators who were aware of the potentially lethal nature of the MAX 8 aircraft, especially after the first crash, did nothing to ground the planes or warn the flying public until after mass international outrage emerged in the wake of the second crash.

In attempting to secure a plea deal, Boeing is doing its utmost to prevent its executives and loyal government functionaries from being tried for manslaughter.

Much has been said in the corporate press about the immediate reason Judge O'Connor rejected the plea deal, which revolves around the call for "diversity" in the hiring of an independent monitor to oversee Boeing's probation. The judge ruled that "The plea agreement requires the parties to consider race when hiring the independent monitor."

He then claimed, "Additionally, the plea agreement marginalizes the Court in the selection and monitoring of the independent monitor. These provisions are inappropriate and against the public interest."

O'Connor is a known right-wing figure in the judicial system who was appointed to his position by George W. Bush in 2007. *Fortune* reported that billionaire Elon Musk, close ally of President-elect Donald Trump, has filed lawsuits multiple times in O'Connor's court in order to get favorable rulings.

That does not, however, change the fact that the ruling is ultimately a blow against the attempts by Boeing to whitewash its crimes. Boeing has faced numerous lawsuits over the MAX 8 crashes and suffered a collapse of its stock value, a decline that was exacerbated in the wake of the door blowout on a MAX 9 jet in January of this year. The company would dearly love to conclude its sweetheart deals with the federal government and reverse the years-long downward trend of its stock portfolio.

At the same time, O'Connor's rejection of the plea deal does not mean confidence can be placed in the US judicial system to justly punish those responsible for the deaths of 346 men, women and children. The response by the federal government is a naked expression of class justice in America.

A worker or youth who succumbs to the malignancies of capitalist cultural and political life and goes on a rampage often gets gunned down in the streets. A corporation that coldly calculates that the potential deaths of hundreds is cheaper than building a safe product is given a slap on the wrist.

The real solution in the fight for safety and quality at Boeing, and at every workplace, is through the struggle for workers' control over production. During the recent strike by 33,000 Boeing machinists in Washington state, Oregon and California, a common refrain from workers was that producing safe airplanes was their number one priority—a priority consistently overruled by management.

Regarding the door blowout, one worker commented to the *World Socialist Web Site* during the strike:

That was a disgusting thing to have happened. But I guarantee that when they've looked and evaluated that problem, that problem came from years earlier. The mechanic that [removed the door plugs] was doing what he was told by management. ... The deeper you drill down, you're going to find out that this has been

something that's been the status quo.

The fight for rank-and-file control of production standards, quality and safety is the perspective of the Boeing Workers Rank-and-File Committee, which fought against the sellout of the strike by the International Association of Machinists. In the aftermath of the strike, which ended in a betrayal of the workers' demands, Boeing has begun laying off thousands of workers, setting the stage for an even further degradation of the safety of Boeing planes.



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