5 *Impunity Here to Stay*

"For those who have and continue to slander my name, the truth is coming."[1] Those words, uttered by Eddie Gallagher in 2020 after his release from prison, served as a warning shot to critics. In his fight against what he labeled "domestic terrorists"[2] in the U.S. military justice system, Gallagher was defiant. His words were not empty rhetoric. Since receiving clemency from Trump in 2019, the former Navy SEAL has penned a book,[3] founded a nonprofit dedicated to overhauling military prosecutions,[4] and morphed into a right-wing celebrity and martyr.[5] Gallagher is not alone. His work is now mirrored by countless individuals and organizations that, both in Washington and nationally, lobby for the release of jailed U.S. servicemembers.

This chapter explains the persistence of the impunity agenda. It argues that Trump's resurgence in 2024 has already thrust the agenda back to the forefront and that it could even be self-executing after Trump eventually leaves office. Sections 5.1 and 5.2 show how the conservative media space and an emboldened right wing in Congress discourage advocates from backing away from publicly testing IHL. Section 5.3 traces the expanding coalition of the impunity movement, which now not only includes Fox News and Republican lawmakers but also lobbyist organizations and troops granted clemency by Trump. Section 5.4 describes how close-knit professional and social

[1] Allassan, Fadel. Jan. 28, 2020. "Eddie Gallagher Attacks Navy SEALs Who Testified against Him." *Axios*. www.axios.com/2020/01/28/navy-seal-eddie-gallagher-attack-video

[2] www.instagram.com/p/B3aozb7gh3l/

[3] Gallagher, Eddie and Andrea Gallagher (with Andy Symonds). 2021. *The Man in the Arena: From Fighting ISIS to Fighting for My Freedom*. Washington, DC: Ballast Books.

[4] https://pipehitterfoundation.org

[5] Levin, Bess. Jan. 2, 2020. Edward Gallagher, "Trump's Favorite War Criminal, Is a 'CONSERVATIVE INFLUENCER' Now." *Vanity Fair*. www.vanityfair.com/news/2020/01/edward-gallagher-navy-seal-influencer

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

networks amplify the power of the impunity coalition, even more now given Trump's re-ascendance to the White House and Pete Hegseth's selection as Defense Secretary.

5.1 Trends in Conservative Media

Fox News shows little sign of retreating from its aggressive advocacy for the impunity agenda. Even when Trump was out of office, the network's most outspoken advocacy for "Trumpism" continued to come from reliable backers, not least Pete Hegseth prior to his cabinet appointment. Fox News's reluctance to peel away from the impunity agenda in part reflects inertia. Since 2016, Fox News built up anchors and producers who positively covered Trump's military leadership and were influential in steering White House policy. As one analysis observed, "The end of a presidential campaign is often a time for news organizations to take stock and recalibrate their strategies. But [with Fox News] never before had a network been so closely affiliated with a commander-in-chief."[6]

Since his second election, no act has more clearly demonstrated Trump's commitment to Fox News and the impunity agenda than his appointment of Hegseth as Defense Secretary. The pick was not only symbolically important in elevating a Fox News host to lead the Pentagon, formalizing a previously informal relationship. Trump's doing so against considerable pressure, and accusations that Hegseth was unqualified, showed his personal commitment to Hegseth. Shortly after his appointment, allegations emerged accusing Hegseth of sexual misconduct, financial mismanagement, alcoholism, and later, spousal abuse, all of which Hegseth denied.[7] Hegseth also sparked controversy for his previously stated position that women should not fight in front-line combat.[8]

[6] Ellison, Sarah and Jeremy Barr. Feb. 2, 2021. "Sean Hannity Is the Face of the Post-Trump Identity Crisis at Fox News." *Washington Post*. www.washingtonpost.com/lifestyle/media/fox-ratings-sean-hannity-cnn-msnbc/2021/02/02/9a604eac-650d-11eb-8c64-9595888caa15_story.html

[7] Mayer, Jane. Dec. 1, 2024. "Pete Hegseth's Secret History." *New Yorker*. www.newyorker.com/news/news-desk/pete-hegseths-secret-history

[8] Baldor, Lolita C. Nov. 18, 2024. "Should Women be Allowed to Fight on the Front Lines? Trump's Defense Pick Reignites the Debate." *Associated Press*. https://apnews.com/article/military-women-defense-hegseth-combat-916d50a7b465ccfea1aeb13bb91064b3

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Trump first floated the idea of making Hegseth the Secretary of Defense on "Fox & Friends," with one analysis reporting "pride among Fox hosts that one of their own" had been tapped.[9] Hegseth's appointment now reinforces a direct line of communication between the White House and Fox News. With Hegseth's appointment, Fox News loses an anchor but gains an ally with the direct ear of the commander-in-chief. During Trump's first term, Hegseth, both privately and on air, needed to lobby Trump and work against forces inside the Pentagon anathema to the impunity agenda. Now, Hegseth can take unilateral action against subordinates. Fox News also has an incentive to champion their former anchor and face of the network, which it has consistently done.[10]

In his new role, indications are that Hegseth will continue to prioritize the impunity agenda, alongside Fox News. After Trump lost in 2020, Hegseth continued to make the case on Fox News for standing behind jailed U.S. servicemembers. Notably, just months before his nomination, Hegseth released the book *The War on Warriors: Behind the Betrayal of the Men Who Keep Us Safe*, published in conjunction with Fox News Books.[11] A Fox Nation clip of Hegseth went viral from just before the book's release, where Hegseth decried that "wars keep going … because we are not doing what we did in Japan [drop a nuclear bomb]." He claimed that, in World War II, the military "had barrel-chested men saying 'we are going to win this war,'" whereas today it has lawyers.[12]

In Trump's second term, Fox News is again poised to advance the impunity agenda through its interactions both with Trump and its conservative audience. One account recently called Trump the channel's "de facto programming executive."[13] Another said that Trump

[9] Barr, Jeremy. Dec. 12, 2024. "Fox News and the Blurred Lines of Pete Hegseth." Dec. 12, 2024. www.washingtonpost.com/style/media/2024/12/12/fox-news-pete-hegseth-hannity-trump/

[10] Dec. 5, 2024. "How Fox News Is Defending Pete Hegseth." *WBUR*. www.wbur.org/hereandnow/2024/12/05/hegseth-defense-scrutiny & Stelter, Brian. Dec. 4, 2024. "Fox News Stars Defend Imperiled Ex-colleague Pete Hegseth amid Misconduct Allegations." www.cnn.com/2024/12/04/media/fox-news-pete-hegseth-defend-misconduct-allegations/index.html

[11] Pete, Hegseth, 2024. *The War on Warriors: Behind the Betrayal of The Men Who Keep Us Free*. New York: Broadside and Fox News Books.

[12] https://x.com/DecodingFoxNews/status/1860793202904555872

[13] Jan. 11, 2024. "'A Pathetic Surrender': Why Fox News Just Can't Quit Donald Trump." *Vanity Fair*. www.vanityfair.com/news/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

has "commented so frequently on the coverage of his favourite conservative networks," including Fox News, that he has become "a sort of politician-media columnist."[14] After stepping down from Fox News following his appointment as Defense Secretary, Hegseth went on Fox News's "Hannity" to plug his credentials. In the interview, he praised Trump for having a "backbone of steel" and pledged to "clean out all the social justice, politically-correct garbage on top" so that the military could get back to "lethality."[15]

There is also evidence that Pete Hegseth is controlling media access to reduce scrutiny of his leadership at Department of Defense (DoD). Soon after becoming Secretary of Defense, Hegseth instituted a new annual "media rotation program" at the Pentagon.[16] Venues that lost workspace in the building included the *Washington Post*, CNN, the *Hill*, NBC News, National Public Radio, and the *New York Times*. Outlets that gained space were Newsmax, One America News Network (OAN), *Breitbart*, the *New York Post*, *Free Press*, *Daily Caller*, and *HuffPost* – with all but the latter leaning conservative. Fox News kept its existing office space. The Pentagon Press Association, which acts on behalf of journalists who report on the U.S. military, denounced the decision as an "unprecedented move by DoD to single out highly professional media."[17]

In addition to Fox News, new rivalries in conservative media are likely to reinforce the impunity agenda. Competition from the right of Fox News could foster even more extreme echo chambers amplifying overt challenges to IHL. This includes cable outlets Newsmax and OAN. Although the professed goal of these networks is to

donald-trump-fox-news-2024-election?srsltid=AfmBOoqvcVJtjJm9ULm2dSkWs9BMyquO6i10UYdGPYxQAkcKQs2xd1QE

[14] Marcus, Josh. Nov. 11, 2021. "Jim Jordan Says He Would Talk with Trump 'Through Fox News' Despite Ex-president Claiming He Didn't Watch TV." *Independent*. www.independent.co.uk/news/world/americas/jim-jordan-donald-trump-fox-b1956164.html

[15] Dec. 10, 2024. "Hegseth Praises Trump for Standing by Him: 'Backbone of Steel'." *Fox News*. www.youtube.com/watch?v=A2A9i5qqnjs

[16] Stelter, Brian. Feb. 7, 2025. "Pentagon Boots CNN and the Washington Post from Workspace in Favor of Smaller Conservative Outlets." *CNN*. https://edition.cnn.com/2025/02/07/media/pentagon-press-rotation-defense-department/index.html

[17] Stewart, Phil and Idrees Ali. Feb. 1, 2025. "Trump's Pentagon Says It Will 'Rotate' Out Some Media from Offices." *Reuters*. www.reuters.com/world/us/trumps-pentagon-says-it-will-rotate-out-some-media-offices-2025-02-01/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

ideologically counterbalance the likes of CNN and MSNBC on the left, it is also to "outfox Fox News."[18] One analysis, for instance, has described a "race unfolding among several conservative outlets who don't think Fox is pro-Trump enough."[19] Another has observed that "[Trump] followers now have multiple options to feed their fix for right-wing opinions – some of them far more extreme than … Fox News."[20]

Like Fox News, Newsmax and OAN have aggressively championed Trump's record as commander-in-chief. A key difference, however, is that these networks have tended to air even more extreme views and to tolerate less dissent. For example, a Newsmax interview with Eddie Gallagher's brother began with the host affirming, "I admit my bias. Your brother to me is an American hero, and frankly, I think … should be given a medal … Why is … [he] enduring this hell?"[21] In another Newsmax interview, a guest blasted military prosecutors for "target[ing]" and "harass[ing]" Gallagher, who he said had "annihilated the government … and exposed their corruption."[22] One Newsmax headline condemned the charges against Gallagher as a "Persecution."[23] Newsmax also hosted Gallagher to promote his book[24] and to champion Pete Hegseth.[25]

[18] Folkenflik, David. Nov. 30, 2020. "Newsmax Rises on Wave of Resentment Toward Media – Especially Fox News." *NPR*. www.npr.org/2020/11/30/939030504/newsmax-rises-on-wave-of-resentment-toward-media-especially-fox-news

[19] Fischer, Sara and Mike Allen. Nov. 17, 2020. "The Race to Out-Fox Fox News." *Axios*. www.axios.com/fox-news-conservative-cable-tv-newsmax-oann-352677fb-b6ae-4500-9dea-588788ab3a99.html

[20] Battaglio, Stephen and Meg Jones. Feb. 18, 2021. "Fox News Tries to Keep Trump Fans Satisfied, but at What Cost?" *Los Angeles Times*. www.latimes.com/entertainment-arts/business/story/2021-02-18/trump-fox-news-conservative-viewers-murdoch-newsmax

[21] Jan. 23, 2019. "The Real Story Behind the Charges against Eddie Gallagher." *Newsmax*. www.youtube.com/watch?v=PmxFMphdC4A

[22] https://twitter.com/newsmax/status/1199019342794543104

[23] Kerik, Bernard. Dec. 3, 2018. "The Persecution of US Navy Special Warfare Operator Eddie Gallagher." *Newsmax*. www.newsmax.com/bernardkerik/us-navy-eddie-gallagher/2018/12/03/id/892926/

[24] Fitzgerald, Sandy. July 3, 2021. "Eddie Gallagher to Newsmax: Book about War Charges 'Therapeutic.'" *Newsmax*. www.newsmax.com/newsmax-tv/gallagher-navy-seals-book/2021/07/03/id/1027356/

[25] Solange, Reyner. Nov. 13, 2024. "Eddie Gallagher to Newsmax: Hegseth 'Great Pick'." *Newsmax*. www.newsmax.com/newsmax-tv/eddie-gallagher-pete-hegseth-military/2024/11/13/id/1187975/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Similar narratives have been featured by OAN voices, who echo Fox News rhetoric. For example, in berating the court-martial of U.S. troops, OAN's Neil McCabe railed against military lawyers wanting the "scalps of the war criminals," which he insisted was "creating a detrimental effect among our trigger pullers."[26] In one segment, Gallagher himself argued that his interactions with military prosecutors were a harbinger of "January 6th individuals … being mistreated."[27] In another clip, an OAN anchor introduced Gallagher by declaring, "You were a SEAL … You know exactly what it takes to get the job done."[28] One OAN interview advertised a $100 per ticket "cocktail benefit" in Florida hosted by Gallagher to help military personnel finance their criminal defenses.[29]

As with Fox News, OAN and Newsmax have fostered close interactions with Republican lawmakers. For instance, when Reps. Duncan Hunter and Louie Gohmert established the Congressional Justice for Warriors Caucus (CJWC) in 2019, OAN aired a special feature on the organization. The anchor predicted that "if the Justice for Warriors Caucus is successful, it may soon be a force for enduring freedom."[30] Newsmax has continued to host CJWC members, with highly favorable coverage. This included a 2022 interview with Rep. Ralph Norman of South Carolina to discuss proposed reforms to the Uniform Code of Military Justice (UCMJ). In it, one of the show's hosts, himself a retired Navy SEAL, referred to Eddie Gallagher as "basically the poster child for the military justice system's corruption and failures."[31]

[26] Carr, Julie. July 10, 2019. "War on Warriors: The Tennessee Star Report Talks to OANN's Neil McCabe about the Anti-Military Cadre Within the Pentagon." *Tennessee Star*. https://tennesseestar.com/2019/07/10/war-on-warriors-the-tennessee-star-report-talks-to-oanns-neil-mccabe-about-the-anti-military-cadre-within-the-pentagon/

[27] Newsroom. Apr. 13, 2023. "Navy SEAL Hero: My Ordeal Foretold J6 Prisoner, Vax Mandate Nightmares." *OAN*. www.oann.com/video/oan-contribution/navy-seal-hero-my-ordeal-foretold-j6-prisoner-vax-mandate-nightmares/

[28] Oct. 7, 2022. "One America News REAL AMERICA – Dan Ball with Navy Seal Chief Eddie_Gallagher." Pipe Hitter Foundation. www.youtube.com/watch?v=dptV8QUsi1A

[29] Newsroom. Apr. 12. "Eddie Gallagher Touts Ben Darby's Release at Fla. Event." *OAN*. www.oann.com/video/oan-contribution/eddie-gallagher-touts-ben-darbys-release-at-fla-event/

[30] June 28, 2019. "Hunter, Gohmert Team up to Launch 'Justice for Warriors Caucus'." *OAN*. www.youtube.com/watch?v=iHv_ohGZFFU

[31] www.facebook.com/CongressionalJusticeForWarriorsCaucus/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

To the extent that right-wing cable outlets like Newsmax and OAN are still seen as too moderate, conservatives can also increasingly access a panoply of far- and "alt-right" websites, blogs, and other platforms that support explicit challenges to IHL. As one journalist has written, "true believers [of Trump] can get their information elsewhere."[32] Right-wing and "new media" websites have become incubators for hardline, pro-Trump content, from QAnon conspiracy theories to the "Big Lie." These mediums have also routinely defended efforts to test IHL. For instance, numerous platforms – such as *Red State*, *TheBlaze*, and *Gateway Pundit* – have endorsed positions that the U.S. military should take a less binding stance in upholding norms of restraint on the battlefield.

The byproduct of this competition is not only that more right-wing media sources exist to push the impunity movement. By threatening to capture Fox News's market share, Newsmax, OAN, and like-minded outlets also impose "market discipline" on Fox News that may disincentivize it from veering from the impunity agenda. Fox News executive Steve Tomsic, for instance, has acknowledged that the network "do[es]n't take lightly the potential for competition, whether it's the existing sort of classic MSNBC or CNN or the sort of emerging ones like Newsmax and OAN."[33] As one reporter has summarized, "Onscreen and off, in ways subtle and overt, Fox News has adapted to the post-Trump era by moving in a single direction: Trumpward."[34]

What is unlikely to change is that right-wing media outlets driving the impunity agenda will continue to have as their audience not just conservative voters but also Trump himself. For example, Republican Rep. Jim Jordan of Ohio said that, during Trump's first term, "every time we were on TV," including Fox News, "we weren't just talking to people in the television audience; we were

[32] DiResta, Renee. Nov. 23, 2020. "Right-Wing Social Media Finalizes Its Divorce from Reality." *Atlantic*. www.theatlantic.com/ideas/archive/2020/11/right-wing-social-media-finalizes-its-divorce-reality/617177/

[33] Easley, Jonathan. Dec. 15, 2020. "Fox News Confident in Face of New Rivals from Right in Newsmax, OAN." *The Hill*. https://thehill.com/homenews/media/530178-fox-news-confident-in-face-of-new-rivals-from-right-in-newsmax-oan

[34] Grynbaum, Michael M. May 28, 2021. "Fox News Intensifies Its Pro-Trump Politics as Dissenters Depart." *New York Times*. www.nytimes.com/2021/05/28/business/media/trump-fox-news.html

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

talking to POTUS."[35] This dynamic was underscored when Fox News anchors joked on air that Trump should turn off and on lights at the White House to prove that he was listening. Moments later, the lights appeared to flash on screen. Although Fox News conceded the video was edited, the anecdote reflects the reality of Trump leaning on Fox News as his primary information source.[36]

5.2 Trends among GOP Allies on Capitol Hill

Even before Trump re-entered office, Republican Congress members had continued to advocate for U.S. troops implicated in war crime cases. Particularly through the CJWC, many have coordinated campaigns involving social media, TV spots, and events, such as a 2022 reception honoring Eddie Gallagher.[37] Indicative of the CJWC's resilience is its sustained activity despite both of its original chairmen leaving Congress. In 2020, Rep. Duncan Hunter resigned in the wake of corruption charges related to campaign finance violations.[38] In 2022, Louie Gohmert stepped down from his seat in an unsuccessful bid to become Texas attorney general.[39] CJWC executive director, Derrick Miller, himself a convicted war criminal,[40] has remained in his position since 2019.[41]

[35] Crilly, Rob. Nov. 11, 2021. "'We could talk to Trump through Fox News or MSNBC': GOP Rep Jim Jordan says He Didn't Need to Schedule Phone Calls or Meetings with the President and Instead Communicated through News Network Interviews." *Daily Mail*. www.dailymail.co.uk/news/article-10192747/Jim-Jordan-says-didnt-need-calls-meetings-Trump-simply-used-TV-appearances-instead.html

[36] Wemple, Erik. Aug. 1, 2022. "'Fox & Friends,' at Its Transparent Best." *Washington Post*. www.washingtonpost.com/opinions/2022/08/01/fox-friends-trump-kilmeade-sycophancy/

[37] www.facebook.com/CongressionalJusticeForWarriorsCaucus/

[38] Zanona, Melanie. Jan. 7, 2020. "Rep. Duncan Hunter Resigns from Congress." *POLITICO*. www.politico.com/news/2020/01/07/rep-duncan-hunter-resigns-from-congress-095725

[39] Akin, Stephanie. Mar. 2, 2022. "Gohmert Comes up Short in Bid for Texas Attorney General." *Roll Call*. https://rollcall.com/2022/03/02/gohmert-comes-up-short-in-bid-for-texas-attorney-general/#:~:text=Texas%20Rep.,in%20a%20four-person%20primary.

[40] Nava, Victor. Mar. 29, 2023. "Matt Gaetz Staffer was Previously Convicted of a War Crime in Afghanistan." *New York Post*. https://nypost.com/2023/03/29/rep-matt-gaetz-staffer-was-previously-convicted-of-war-crimes/

[41] www.linkedin.com/in/derrick-miller-04ba09212/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Alongside other initiatives, the CJWC has continued to petition for the release of U.S. troops held in pretrial confinement and imprisoned for convictions.[42] Republican Congress members have maintained a presence at parole hearings[43] and broadcasted their efforts through public relations channels.[44] CJWC members have also lobbied for concrete reforms before Congress. In 2023, for example, a draft bill of the National Defense Authorization Act included several "Gohmert amendments," named after Rep. Louie Gohmert. One proposed lowering the bar for the U.S. Supreme Court to hear a servicemember's criminal case irrespective of a verdict issued by the Court of Appeals for the Armed Forces. Another proposed requiring unanimous verdicts of guilt in U.S. military courts.[45]

Polarization in Congress, and particularly the rise of Trumpist, far-right legislators, is likely to keep the impunity agenda front and center. One way is simply by reducing the Republican Party to its most polemical manifestations on military issues.[46] With "MAGA" Republicans especially, this could lead to the continued mainstreaming of fringe views, including open attacks on IHL, that would be muted in a more centrist environment. As scholar Stephen Walt has observed, "Once foreign policy begins to oscillate between two increasingly divided factions, each of the groups has an incentive to pursue its most ambitious, controversial, or extreme projects."[47] So long as conservative voters respond positively to impunity appeals, Republican politicians are likely to embrace them.

[42] https://twitter.com/JFWCaucus/status/1527372127401574402

[43] Staff. "JUSTICE FOR WARRIORS: The Congressional Justice for Warriors Caucus Calls for the Release of a Wrongly Convicted Soldier." Hannity. https://hannity.com/media-room/justice-for-warriors-the-congressional-justice-for-warriors-caucus-calls-for-the-release-of-a-wrongly-convicted-soldier/

[44] https://twitter.com/RepBrianMast/status/1582785901129740288

[45] https://rules.house.gov/bill/117/hr-7900

[46] Friedrichs, Gordon M. and Jordan Tama. 2022. "Polarization and US Foreign Policy: Key Debates and New Findings." *International Politics* 59: 767–785. Smeltz, Dina, Ivo Daalder, Karl Friedhoff, Craig Kafura, and Brendan Helm. 2020. *Divided We Stand: Democrats and Republicans Diverge on US Foreign Policy*. Chicago: Chicago Council on Global Affairs. Trubowitz, Peter, and Nicole Mellow. 2011. "Foreign Policy, Bipartisanship and the Paradox of Post-September 11 America." *International Politics* 48: 164–187.

[47] Walt, Stephen M. Mar. 11, 2019. "America's Polarization Is a Foreign Policy Problem, Too." *Foreign Policy*. https://foreignpolicy.com/2019/03/11/americas-polarization-is-a-foreign-policy-problem-too/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Self-reinforcing feedback loops may also increase both elite and mass Republican support for the impunity agenda. When Trump or GOP lawmakers promote the impunity agenda, these positions, in turn, may perpetuate a cycle of electorates (and, again, politicians) moving further to the right. For example, many Republican voters have pivoted to support Russia in recent years as a result of Trump's pro-Kremlin rhetoric.[48] Similarly, at the height of the GOP primaries in 2015, which were marked by hawkish rhetoric on the Middle East, one analysis found that nearly a third of Republican voters would support bombing Agrabah, a nonexistent country.[49] Deference to party leaders may push conservative voters to endorse open challenges to IHL, causing GOP politicians to become even more extreme.

Partisan conflict in Congress could also promote the impunity agenda by giving Trump or an eventual predecessor more leeway to directly challenge IHL. With many lawmakers moving to the ideological poles, consensus on military policy has grown increasingly elusive on Capitol Hill. This has allowed recent U.S. presidents, including Trump, to exploit gaps in congressional oversight to expand their authority over the military.[50] Political scientists James M. Goldgeier and Elizabeth N. Saunders, for instance, have referred to the rise of "unconstrained … executive power" by American presidents in international affairs.[51] This de facto expanded control over the armed forces could empower a commander-in-chief to unilaterally downplay the importance of the law of war.

At the same time, the pullback of some Congress members from military affairs could actually give anti-establishment Republicans like

[48] Prokop, Andrew. Dec. 14, 2016. "The Change in Republican Voters' Views of Putin Since Trump's Rise Is Remarkable." *Vox*. www.vox.com/2016/9/9/12865678/trump-putin-polls-republican

[49] Timm, Trevor. Dec. 18, 2015. "Republicans Are So Bullish on War that 30% Would Bomb a Fictional Country." *Guardian*. www.theguardian.com/commentisfree/2015/dec/18/republicans-are-so-bullish-on-war-that-30-percent-would-bomb-a-fictional-country

[50] Mann, Thomas E., and Norman J. Ornstein. 2012. *It's Even Worse than It Looks*. New York: Basic Books. Fowler, L. L. 2015. *Watchdogs on the Hill: The Decline of Congressional Oversight of US Foreign Relations*. Princeton: Princeton University Press.

[51] Goldgeier, James M., and Elizabeth N. Saunders. 2018. "The Unconstrained Presidency: Checks and Balances Eroded Long before Trump." *Foreign Affairs* 97: 144–156.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

CJWC members more clout. Even if Congress as a whole continues to play a lesser role in the military, polarization may increase power for small groups of the most ambitious lawmakers.[52] Scholars Kevin Marsh and Jeffrey S. Lantis, for example, have written on how polarization in Washington has led to an expanded role for "revolutionary" foreign policy entrepreneurs (driven by strategic or philosophical aims) and "mercenary" foreign policy entrepreneurs (motivated to advance their political stature).[53] Given both the high levels of organization and commitment of the CJWC, this could augment its relative power in Congress.

Finally, entrenched polarization on Capitol Hill reduces the likelihood that presidents will be held to account for clear violations of the law of war. While Congress holds the power of executive oversight, recent events such as Trump's two impeachment trials have demonstrated that lawmakers now rarely sanction a leader of their own party.[54] Although presidents may occasionally face intra-party criticism, the lack of formal accountability mechanisms leaves ample room for commanders-in-chief to maneuver. The absence of any serious debate within Congress about holding Trump accountable for violating IHL highlights this dynamic. Consequently, Trump or a successor may perceive free rein to overtly flout IHL, without fear of repercussions.

5.3 Other Political Pressures

Beyond conservative media and GOP lawmakers, pressure from lobbyist organizations and court-martialed U.S. servicemembers themselves may also "re-up" the impunity agenda. Following Trump's 2019 and 2020 military clemencies, some activists pushed for even

[52] Homan, Patrick, and Jeffrey S. Lantis. 2020. *The Battle for US Foreign Policy: Congress, Parties, and Factions in the 21st Century*. Switzerland: Palgrave Macmillan.

[53] Marsh, Kevin and Jeffrey S. Lantis. 2018. "Are All Foreign Policy Innovators Created Equal? The New Generation of Congressional Foreign Policy Entrepreneurship." *Foreign Policy Analysis* 14(2): 212–234.

[54] Cassidy, John. Jan. 13, 2021. "The House Impeaches Trump Again, but Most Republicans Stick with Him." *New Yorker*. www.newyorker.com/news/our-columnists/the-house-impeaches-trump-again-but-most-republicans-stick-with-him

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

more war crime interventions.[55] This included eight former U.S. servicemembers who petitioned Trump for pardons, including, most notoriously, Staff Sgt. Robert Bales, who pleaded guilty to murdering three men, four women, and nine children in Afghanistan.[56] Although unsuccessful, the efforts set the groundwork for attempts to retry cases, to downplay the severity of alleged crimes, and to provide combatants with well-financed legal defense teams. With Trump back in the Oval Office, these cases have not faded from public view.

Lobbyist Organizations

Several lobbyist organizations continue to advocate for war crime interventions. By far, the most well-known is United American Patriots (UAP), whose self-stated goal is to create "positive public awareness and support for our Nation's Warriors."[57] Since its inception in 2005, UAP has worked with dozens of U.S. servicemembers, flagging attention to what it deems illegitimate verdicts and sentences.[58] Headquartered near Washington, DC, the organization maintains annual revenues of more than $700,00 and operating expenses of more than $1.4 million.[59] In addition to its full-time staff, volunteers, and a board of directors, UAP claims a membership of "hundreds of thousands of highly patriotic, dedicated, and concerned American citizens" who fund or support its efforts.[60]

As of 2024, UAP reports a total of twenty-four "presently supported warriors" (seven Marine, two Navy, and fifteen Army personnel).[61] Much of the legal work done by UAP is contracted to a national cadre of attorneys, who it hires through its "Warrior Fund"[62] at firms like MilitaryDefender.com and Military Justice

[55] Sisk, Richard. Dec. 23, 2020. "There May Be More Military Pardons to Come from Trump, Advocates Say." *Military.com*. www.military.com/daily-news/2020/12/23/there-may-be-more-military-pardons-come-trump-advocates-say.html

[56] Sisk, Richard. Dec. 4, 2020. "Robert Bales Among 8 Former Troops, Contractors Petitioning Trump for Pardons." *Military.com*. www.military.com/daily-news/2020/12/04/robert-bales-among-8-former-troops-contractors-petitioning-trump-pardons.html

[57] www.uap.org/uap-mission [58] www.uap.org/uap-mission

[59] https://projects.propublica.org/nonprofits/organizations/412172043

[60] www.uap.org/who-we-are/ [61] www.uap.org/who-we-support/

[62] www.uap.org/warrior-fund/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Attorneys.[63] Among its highest-profile current clients are Army Staff Sgt. Robert Bales and paroled Army First Sgt. John Hatley, sentenced in 2019 for the killings of four Iraqi civilians. UAP also lists as past "success stories" numerous combatants who have received pardons from Trump (Michael Behenna, Mathew Golsteyn, and Clint Lorance), had their charges dismissed or sentences reduced, or received discharge upgrades for their service.[64]

Although it manages legal cases, UAP is perhaps most influential as a public relations apparatus. It launches targeted political campaigns on behalf of court-martialed servicemembers and fights against what it labels "lynchings" by U.S. military courts.[65] As part of these efforts, supporters can donate to UAP, subscribe to UAP's newsletter "One Team, One Fight," and purchase UAP-themed gear, such as ball caps, hoodies, cell phone cases, and mugs.[66] In 2020, UAP sponsored a stock car in NASCAR's XFINITY series at Daytona, emblazoned with the photos of Mathew Golsteyn, Clint Lorance, and other court-martialed U.S. servicemembers.[67] UAP's Facebook,[68] Youtube,[69] and Instagram[70] pages post regular updates about cases to its followers.

UAP is one of several groups involved in the space. For example, it recently joined with the Combat Clemency Project (CCP) at the University of Chicago Law School,[71] which, according to a *New York Times* description, offers legal services toward a "shared mission to pardon U.S. soldiers who killed civilians."[72] Founded in 2015 as part of a legal clinic, the project has written clemency petitions and lists among its current and ex-clients seven combatants, including Clint Lorance. CCP says that all "have been excessively punished, and the Army bears some degree of responsibility for their crimes."[73] According to director Mark Heyrman, CCP exists in part because

[63] www.militaryjusticeattorneys.com/firm/attorneys/gerald-healy/
[64] www.uap.org/success-stories/ [65] www.uap.org/post/veterans-legal-help/
[66] https://store.uap.org/ [67] www.uap.org/nascar/
[68] www.facebook.com/UAPINC/
[69] www.youtube.com/channel/UCeYGzfELwMAAZwyz2sEYwSg
[70] www.instagram.com/uapatriots/?hl=en
[71] For more information, see: www.law.uchicago.edu/clinics/mandel/mental/combat
[72] Philipps, Dave. May 19, 2016. "Shared Mission to Pardon U.S. Soldiers Who Killed Civilians." *New York Times*. www.nytimes.com/2016/05/20/us/clemency-war-crimes.html
[73] www.law.uchicago.edu/clinics/mandel/mental/combat

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

"[w]e owe more to our veterans than to just use them in our wars, traumatize them, and throw them away when they behave badly."[74]

The nonprofit Save Our Heroes (SOH) has also played a visible role in efforts to reform U.S. military prosecutions.[75] According to SOH, its members travel monthly to the nation's capital "to help educate Congressional leadership" on "inherent flaws within the military judicial system."[76] SOH's Facebook page has depicted Clint Lorance as "one of our wrongfully convicted Heroes."[77] Its blog contains posts like "Unlawful Command Influence Exposed at the Highest Levels of Military Legal Leadership."[78] SOH boasts a "client base" of more than 300 individuals, several legislative proposals introduced before Congress, and the instruction of lawmakers about the "national security threat posed by the military justice judicial system."[79] In 2018, SOH convened its first annual meeting in Texas.[80]

Other organizations have also aggressively lobbied for war crime clemencies. For example, the Navy SEALs Fund (NSF)-Brotherhood beyond Battle organization, which brands itself as a "Veterans-helping-Veterans" nonprofit,[81] shouldered much of the financial burden for Eddie Gallagher's court case. NSF started an online fundraiser to counter what it characterized as "absurd charges" against the "tried and true Warrior," asserting that Gallagher sacrificed in battle so that "you and your family can sleep peacefully in the warmth of your beds at home."[82] In total, NSF raised more than $750,000 for Gallagher's

[74] Gillespie, Becky Beaupre. Apr. 13, 2016. "The Hardest Stories to Tell." University of Chicago Law School. www.law.uchicago.edu/news/hardest-stories-tell-what-intense-new-clinic-project-teaching-seven-students-about-war-mercy

[75] www.saveourheroesproject.org/

[76] www.saveourheroesproject.org/news-events/congressional/

[77] www.facebook.com/SaveOurHeroesProject/posts/1174920312595029

[78] Conzachi, Michael. Oct. 27, 2017. "Unlawful Command Influence Exposed at the Highest Levels of Military Legal Leadership." Save Our Heroes. www.saveourheroesproject.org/unlawful-command-influence-exposed-highest-levels-military-legal-leadership/

[79] www.saveourheroesproject.org/accomplishments/

[80] www.saveourheroesproject.org/accomplishments/

[81] https://navysealsfund.org/

[82] https://navy-seals-fund.networkforgood.com/projects/60396-justice-for-eddie-gallagher-support-fund#:~:text=fight%20for%20Justice!-,The%20Navy%20SEALs%20Fund%20%E2%80%93%20Brotherhood%20Beyond%20Battlefield%C2%AE%20is%20Honored,system%20standing%20on%20its%20head.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

case. Following Gallagher's not guilty verdict for murder, NSF declared on its website that "Truth has prevailed!" and posted a Fox News video of Gallagher and Pete Hegseth.[83]

Even corporate interests have joined the lobbying efforts. For example, Nine Line Apparel CEO Tyler Meritt raised at least $80,000 for Eddie Gallagher's legal case via a "Free Eddie" campaign.[84] He also created limited-edition Gallagher t-shirts and defended Gallagher on Fox News.[85] Merritt posted a tongue-in-cheek article on Nine Line's website entitled "Navy SEAL Kills 8lb 6oz Baby Jesus on Easter" that mocked the charges against Gallagher. In it, he offered a "disclaimer" that "[n]o babies (including the son of GOD) were murdered by any Navy Seal EVER" and disparaged a "BS story [about Gallagher] published by the garbage news agency known as the NY Times." He further posted online a mock-up of a *New York Times* article suggesting many of the charges against Gallagher were bogus.[86]

Beyond large organizations, a defining aspect of the impunity movement under Trump has been the growth of online, grassroots organizing. A notable example during Trump's first term was supportraven23.com, created on behalf of the Blackwater agents,[87] which also published a newsletter that eclipsed 50,000 recipients.[88] With newsletter titles like "Sign & Share Our Pardon Petition to Free Raven 23," the organization kept its followers updated on how to contribute. It championed the CJWC,[89] published regular calls for prayers,[90] requested that members share the cases with their

[83] https://navy-seals-fund.networkforgood.com/projects/60396-justice-for-eddie-gallagher-support-fund#:~:text=fight%20for%20Justice!-,The%20Navy%20SEALs%20Fund%20%E2%80%93%20Brotherhood%20Beyond%20Battlefield%C2%AE%20is%20Honored,system%20standing%20on%20its%20head.

[84] www.ninelineapparel.com/blogs/news/freeeddie-update

[85] https://video.foxnews.com/v/video-embed.html?video_id=6050562533001

[86] Merritt, Tyler. Apr. 29, 2019. "Navy SEAL Kills 8lb 6oz Baby Jesus on Easter." Nine Line. ninelinenews.com/nine-line-news/inthepress/navy-seal-kills-8lb-6oz-baby-jesus-on-easter/

[87] www.supportraven23.com/

[88] https://us11.campaign-archive.com/home/?u=7d183eb6e4095556b7c9195bc&id=c6c78ca2c7

[89] https://us11.campaign-archive.com/?u=7d183eb6e4095556b7c9195bc&id=64da202e44

[90] https://us11.campaign-archive.com/?u=7d183eb6e4095556b7c9195bc&id=2347ede96f

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

churches,[91] and asked supporters to "please keep tweeting President Trump and emailing him and calling and snail mailing him to say that you support presidential pardons."[92]

On social media, legions of supporters have also been inspired to participate in discussion forums[93] and fundraisers[94] to raise awareness of troops accused or convicted of war crimes. Hashtags like "#FreeEddie [Gallagher]" and "#KeeptheFaith" became calling cards for court-martialed combatants. Independent websites and magazines additionally publish blogs[95] and articles[96] clamoring for and celebrating clemencies. To fill ongoing demand, internet companies continue to sell paraphernalia with taglines like "Edward Gallagher: Never Out of the Fight."[97] Smaller, more amateur advocates in this space, such as Justice4NavySeals, have also gained niche followings, which amplify content from organizations like Fox News, OAN, UAP, and the NSF.[98]

Today, advocates for war crime clemencies have increasingly begun convening face-to-face through large, public gatherings that attract like-minded attendees. A particularly high-profile example is SHOT Show, described by Fox News as "the greatest gun show on Earth."[99] The trade show has found natural partnerships with advocates of the impunity agenda. UAP, for instance, routinely arranges a booth at SHOT Show, where attendees can learn about its lobbying and buy UAP-themed "swag."[100] In 2020, the organization featured

[91] https://us11.campaign-archive.com/?u=7d183eb6e4095556b7c9195bc&id=66c6b5e6a4

[92] https://us11.campaign-archive.com/?u=7d183eb6e4095556b7c9195bc&id=1a28504ac5

[93] For example, www.reddit.com/r/ExDemFoyer/comments/ql4rtr/video_the_true_story_behind_the_eddie_gallagher/

[94] For example, www.customink.com/fundraising/fight4clint?side=front&type=2&zoom=false

[95] For example, https://feraljundi.com/

[96] For example, www.sofmag.com/who-are-the-biden-four/

[97] For example, www.amazon.com/Free-Eddie-Gallagher-Vintage-Gift/dp/B07QY3QFHC/ref=sr_1_2?crid=1NNNUJF4JYLVT&keywords=free+eddie+gallagher+t-shirt&qid=1699811387&sprefix=free+eddie+gallagher+t-shir%2Caps%2C97&sr=8-2

[98] https://twitter.com/Justice4SEALs

[99] Barrie, Allison. Jan. 23, 2018. "SHOT 2018: The Greatest Gun Show on Earth." *Fox News*. www.foxnews.com/tech/shot-2018-the-greatest-gun-show-on-earth

[100] www.facebook.com/UAPINC/posts/5168394979857841/?paipv=0&eav=AfbMQtD5NOSQ_OFkr--eIyhLpoJJY199eICqVdtO_qefJ4tmvMe3odeXQiNomipSXDU&_rdr

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

a "meet-and-greet" with Clint Lorance.[101] In 2022, *Shot Show TV* interviewed UAP CEO David "Bull" Gurfein.[102] The same year, Shot Show hosted Eddie Gallagher, who boasted in a video of his "f[inding] a way to beat the [military justice] system."[103]

Troops Granted Clemency

Individual troops granted clemency by Trump also continue to perpetuate the impunity agenda. The most visible has been Eddie Gallagher, who has made a new career presenting himself as a victim of a corrupt military justice system. Since receiving clemency, Gallagher has launched his own website, TheEddieGallagher.com, and founded the Pipe Hitter Foundation, a charity that lobbies for U.S. servicemembers who purportedly "find themselves in legal crosshairs simply for doing their jobs."[104] He has published an autobiography, *The Man in the Arena: From Fighting ISIS to Fighting for My Freedom*.[105] He has also made headlines for suing both Navy Secretary Kenneth Braithwaite[106] and *New York Times* writer Dave Philipps,[107] who has penned a book, *Alpha*, critical of Gallagher.[108]

Most notably, Gallagher has established himself as a right-wing "influencer." In *Vanity Fair*, for instance, one writer called Gallagher

[101] UAP. 2020 Update – Annual Report. www.uap.org/wp-content/uploads/2021/02/UAP-Year-in-Review-2020.pdf

[102] www.facebook.com/watch/?v=301054021989529

[103] Feb. 15, 2022. "Justice for all – A Chat with Eddie and Andrea Gallagher of the Pipe Hitter Foundation at SHOT Show." Back to the Lodge Podcast. www.youtube.com/watch?v=B6o1GRDrnBM

[104] Pipe Hitter Foundation. 2021. "Justice for All." https://pipehitterfoundation.org

[105] Gallagher, Eddie and Andrea Gallagher (with Andy Symonds). 2021. *The Man in the Arena: From Fighting ISIS to Fighting for My Freedom*. Washington, DC: Ballast Books.

[106] Dyer, Andrew. June 1, 2020. "Former SEAL Edward Gallagher Sues New Navy Secretary, New York Times Reporter." *San Diego Union-Tribune*. www.sandiegouniontribune.com/news/military/story/2020-06-01/former-seal-eddie-gallagher-sues-new-navy-secretary-and-new-york-times-reporter

[107] Bruno, Bianca. Sept. 27, 2021. "New York Times Reporter Dodges Some Defamation Claims by Navy SEAL." *Courthouse News Service*. www.courthousenews.com/nyt-reporter-dodges-some-defamation-claims-by-navy-seal/

[108] Philipps, David. 2021. *Alpha: Eddie Gallagher and the War for the Soul of the Navy SEALS*. New York: Crown.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

"an online micro-celebrity," detailing how he has used his image to sell products, including fitness supplements and t-shirts with phrases like "Waterboarding Instructor" and "KILL BAD DUDES."[109] In 2020, Nine Line Apparel officially launched Gallagher-themed merchandise, including clothing and drinkware, under its "Salty Frog" line.[110] One writer observed that "[t]his commodification of criminality and toxic patriotism chimes with Trump's attitudes toward his presidency…. It looks like Trump has found his own brand ambassadors."[111] A *New York Times* profile called Gallagher a "pitchman and conservative activist."[112]

To bolster his brand, Gallagher has created a personal logo, comprised of a skull and crossbones, alongside the phrase "Seek Battle: FAFO" (F*&K Around and Find Out – reportedly a favored slogan of the paramilitary group the Proud Boys). On his website, Gallagher advertises that supporters can "train with Eddie" in the use of high-powered weaponry and in "home defense and preparation."[113] Courses, which take place at a veteran-owned shooting range in Florida, include "Operator for a Day," "Advanced Pistol/Rifle Training," and private one-on-one training with Gallagher. Gallagher additionally sponsors the sale of ammunition, knives, and rifles.[114] For $15 per month, supporters can become "Tier 1" members of Gallagher's Patreon page, which finances his content creation.[115]

Gallagher's Instagram account, which has more than a quarter million followers as of 2024 and includes more than 6,000 posts, offers a sampling of his content.[116] Gallagher consistently posts updates on the Pipe Hitter Foundation, inspirational quotes, "shorts" of personal

[109] Levin, Bess. Jan. 2, 2020. Edward Gallagher, Trump's Favorite War Criminal, Is a "CONSERVATIVE INFLUENCER" Now." *Vanity Fair*. www.vanityfair.com/news/2020/01/edward-gallagher-navy-seal-influencer

[110] Baker, Sinead. Jan. 2, 2020. "Navy SEAL Edward Gallagher Has Launched a Lifestyle Brand after Trump Reversed a Military Court's Sentence." *Business Insider*. www.businessinsider.com/navy-seal-edward-gallagher-lifestyle-brand-after-war-crime-acquittal-2020-1?r=US&IR=T

[111] Beorn, Waitman Wade. Nov. 27, 2019. "The War-Crimes Presidency." *The New Republic*. https://newrepublic.com/article/155857/war-crimes-presidency

[112] Philipps, Dave. Dec. 31, 2019. "From the Brig to Mar-a-Lago, Former Navy SEAL Capitalizes on Newfound Fame." *New York Times*. www.nytimes.com/2019/12/31/us/navy-seals-edward-gallagher-trump.html

[113] https://theeddiegallagher.com/training/

[114] https://theeddiegallagher.com/

[115] www.patreon.com/EddieGallagher

[116] www.instagram.com/eddie_gallagher/?hl=en

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

interviews, advertisements for sponsored products like hot sauce and fitness machines, and other news about his daily life. Some features include a photo of Gallagher giving two "middle fingers" to the Naval Consolidated Brig building in San Diego; Gallagher posing with his latest designed "Free Eddie" t-shirt, on sale for followers; clips with titles like "Exposing the Legal System" and "Why the System is Broken"; and a photo that simply says "The Media Wants to Scare Us."

Gallagher is also a regular guest for online videos and podcasts.[117] Examples include a 2020 YouTube video where Gallagher mockingly reads "Mean Tweets" about him,[118] an interview that declares that "Eddie's story can be paralleled with the story of Joseph in the bible,"[119] and a podcast that urges fans to order his book alongside images of beer and barbecue.[120] Gallagher's own long-form videos, posted under the YouTube handle "theeddiegallagher," depict an ultra-masculine, all-American "bro." One video, for example, features Gallagher working out in an American-flag muscle shirt.[121] Another shows him at a shooting range and gym, ending with his lifting partner advertising "Battle Tested" post-workout supplement.[122]

Several prominent platforms have boosted Gallagher's online celebrity. The most notable was a 2019 video by popular YouTuber "Donut Operator."[123] The upload, which went viral with 3.9 million views, played a large role in introducing Gallagher's case to a mass audience. Elsewhere, Gallagher was described as "serv[ing] honorably" on the popular *Joe Rogan Podcast*.[124] In a two-part podcast,

[117] https://theeddiegallagher.com/news/

[118] Jan. 15, 2020. "Mean Tweets – Navy Seal Eddie Gallagher Responds." Nine Line Apparel. www.youtube.com/watch?v=eY57Jd5Ee-A

[119] https://teamneverquit.com/podcast/eddie-andrea-gallagher/

[120] Nov. 29, 2020. "Black Rifle Coffee Podcast: Ep 080 Eddie Gallagher and Donut Operator." Black Rifle Coffee Podcast. www.youtube.com/watch?v=MSGhjYwVzFs

[121] Mar. 9, 2023. "Full Mobility Training with Navy Seal Eddie Gallagher Part 1 #darustrong." Eddie Gallagher. www.youtube.com/watch?v=bRWRmrXyvGc

[122] Mar. 5, 2023. "Tactical Shooting & Lifting with Navy Seal Eddie Gallagher." Eddie Gallagher. www.youtube.com/watch?v=DZ2cTMzLpMQ

[123] Feb. 16, 2019. "The Story of Navy SEAL Chief Eddie Gallagher." Donut Operator. www.youtube.com/watch?v=qFe-n4Eu6Mw

[124] Oct. 20, 2022. "Joe Rogan: Mike and Andy TALK about Eddie Gallagher and the UNFAIR TREATMENT He Received." JRE Notes. www.youtube.com/watch?v=uz5qG3SWYnM

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Gallagher also appeared with Rob O'Neill, who reportedly killed Osama Bin Laden.[125] Comments on the video included: "Gallagher and O'Neil Save America … F-YEA!!!!!!!!!!!!!!!!!!!! LOVE YOU GUYS!!!!!!!!!!!!!"; "[H]e's a fucking warrior I'm so glad Trump pardoned him"; and Jeopardy answer: "Who are two of the baddest Muther F***ers to ever walk this planet?"

Gallagher has also created or participated in several major production ventures. In 2020, for instance, he posted a three-minute, cinematic video that called the Navy SEALs who testified against him in court "cowards." The footage begins with Gallagher maintaining his innocence and insisting, "The fight to clear my name is not over."[126] In 2021, Apple featured Gallagher in its first-ever podcast-TV original series.[127] Entitled "The Line," the high-budget production, which included six podcast episodes and a four-part documentary, was criticized by one expert for being "too credulous of the SEAL's self-aggrandizing mythology."[128] An independent, pro-Gallagher documentary, entitled "Navy Seals in the Crosshairs: The Eddie Gallagher Story," is also reportedly in the works.[129]

As a testament to his reputation within right-wing circles, the conservative *Washington Examiner* published a special feature on Gallagher in 2019 speculating how he might use his notoriety to earn money or to advocate for political causes after he left the Navy.[130] In the article, one Navy SEAL urged Gallagher to write publicly about his experiences to provide a "warning for the future generations." Another SEAL said that he believed "there's a lot of defense businesses out there that Eddie could potentially get into" and that "he's

[125] Mar. 15, 2023. "Eddie Gallagher Part 1 – The Operator Ep: 31." Drinkin Bros Studio. www.youtube.com/watch?v=kkKXFVIQ3xA

[126] www.instagram.com/eddie_gallagher/?hl=en

[127] Spangler, Todd. Apr. 6, 2021. "Apple TV Plus Launches True-Crime Podcast 'The Line' Ahead of Docu-Series Premiere." *Variety*. https://variety.com/2021/digital/news/apple-tv-plus-the-line-podcast-docu-series-1234944780/

[128] https://twitter.com/Brian_Castner

[129] "Navy SEAL in the Crosshairs – The Eddie Gallagher Story (Official Trailer)." Time for a Hero. www.youtube.com/watch?v=8hfowJG3axE

[130] Read, Russ. July 5, 2019. "Upcoming Documentary Just One of Many Opportunities for Acquitted Navy SEAL Eddie Gallagher." *Washington Examiner*. www.washingtonexaminer.com/policy/defense-national-security/upcoming-documentary-just-one-of-many-opportunities-for-acquitted-navy-seal-eddie-gallagher

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

going to have enough patriots out there that will gainfully employ him." Discussing Gallagher's connection to Pete Hegseth, the article reported that "observers have speculated Gallagher could join … [Fox News] as a military analyst."

In 2024, Fox News also featured a special report on Gallagher's Pipe Hitter Foundation, spotlighting his advocacy and fundraising efforts on behalf of court-martialed U.S. servicemembers.[131] The feature opened with the claim that "Eddie Gallagher knows how it feels to have a target on your back, both on and off the battlefield." It advertised Gallagher's "Operator for a Day" fundraiser where supporters could spend $3,000 to receive ammunition and gain access to "two-story live-fire shoot house on site" that simulates close-quarter combat. In an accompanying interview, Gallagher told Fox News that the U.S. military has "a nasty epidemic of overpunishing people." He further described the UCMJ as "an outdated and archaic system."

Besides Gallagher, other troops granted clemency by Trump have also remained in the spotlight. Clint Lorance, dubbed a conservative "*cause celebre*" by the *New York Times*,[132] released his own book in 2020 entitled *Stolen Honor*: *Falsely Accused, Imprisoned, and My Long Road to Freedom*.[133] The memoir was advertised as a "captivating account of how Clint Lorance … became a scapegoat for a corrupt military hierarchy." A *Military.com* feature published that year detailed Lorance's distrust of a "bureaucratic deep state" and his plans to become an attorney so that he could revamp the UCMJ.[134] In a Q&A with UAP, Lorance also described his openness

[131] Pandolfo, Chris. Oct. 8 2024. "Retired Navy SEAL Who Spent Months behind Bars in War Crimes Probe Vows to Not Let It Happen to Others." *Fox News*. www.foxnews.com/us/retired-navy-seal-who-spent-months-behind-bars-war-crimes-probe-vows-not-let-happen-others

[132] Philipps, Dave. Feb. 24, 2015. "Cause Célèbre, Scorned by Troops." *New York Times*. www.nytimes.com/2015/02/25/us/jailed-ex-army-officer-has-support-but-not-from-his-platoon.html

[133] Lorance, Clint. 2020. *Stolen Honor: Falsely Accused, Imprisoned, and My Long Road to Freedom*. New York: Center Street.

[134] Sisk, Richard. Oct. 25, 2020. "He Was Convicted of War Crimes and Pardoned by Trump. Now He Wants to Reform Military Justice." *Military.com*. www.military.com/daily-news/2020/10/25/he-was-convicted-of-war-crimes-and-pardoned-trump-now-he-wants-reform-military-justice.html

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

to what he labeled a "nuclear option": running for Congress so that he can "jump up and down on people's desks in Washington."[135]

Even before his pardon, Lorance starred from prison in the Starz documentary "Leavenworth," a six-part miniseries available on Amazon. A *New York Times* headline described the production as "Putting the Army on Trial."[136] Lorance was also the subject of his attorney's 2019 book, *Travesty of Justice: The Shocking Prosecution of Lt. Clint Lorance*.[137] Following Trump's Blackwater pardons, Lorance began a Change.org petition to "bring … more of our comrades home."[138] Since his release from jail, Lorance has continued to make public appearances. For example, in 2020, he was interviewed on the far-right *Conservative Business Journal Podcast,* which was billed as part of "The Biden Scam Series," alongside an interview with MyPillow CEO Mike Lindell.[139]

Lorance, who graduated from Appalachian School of Law in 2023[140] and has described himself as a "military justice reform advocate,"[141] has also taken part in several high-profile legal battles since his clemency. In 2021, as an appellant, he won a landmark victory in the Tenth Circuit U.S. Court of Appeals, which ruled that his receipt of a pardon did not constitute acknowledgment of guilt for war crimes.[142] The *Lorance v. Commandant* decision, which overturned a 2019 lower court judgment in Kansas, was the first time the U.S. court system had ruled on whether accepting a pardon intrinsically

[135] Oct. 1, 2020. "Q&A With Clint Lorance, Author of The New Book 'Stolen Honor.'" United American Patriots. www.uap.org/post/clint-lorance-author-q-a/

[136] Hale, Mike. Oct. 18, 2019. "Review: 'Leavenworth' Puts the Army on Trial." *New York Times*. www.nytimes.com/2019/10/18/arts/television/leavenworth-review.html

[137] Brown, Don. 2019. *Travesty of Justice: The Shocking Prosecution of Lt. Clint Lorance*. Denver: WildBlue Press.

[138] Lorance, Clint. Dec. 29, 2020. "New Mission for Team Freedom." www.change.org/p/president-donald-j-trump-mr-president-please-pardon-the-biden-four/u/28280845

[139] www.instagram.com/p/CIjqmwRgcPv/

[140] www.instagram.com/p/Cr4CYpFveax/?hl=en

[141] Hussain, Murtaza. Aug. 5, 2023. "War Criminal's Bid to Become Lawyer Faces Obstacle: His Own Troops." *Intercept*. https://theintercept.com/2023/08/05/war-criminal-clint-lorance-trump-pardon/

[142] https://law.justia.com/cases/federal/appellate-courts/ca10/20-3055/20-3055-2021-09-23.html

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

implies imputation or acceptance of guilt.[143] UAP heralded the case on social media, praising it for "now being cited as #precedent in other federal civilian appellate courts."[144]

In 2023, Lorance again made headlines when his application for the Oklahoma bar was questioned by two former soldiers with whom he served in Afghanistan. In a Twitter post receiving more than 3 million views, Todd Fitzgerald wrote that Lorance had "no moral fiber." He recounted that, after the shooting that led to his arrest, Lorance told a group of "crying women and children" to "[s]hut the fuck up or I'll kill you too."[145] In an op-ed for the *Army Times*, another platoon mate, Mike McGuiness, wrote a scathing indictment of Lorance's bar application, claiming that "at no point should he ever again hold a position of power or influence."[146] Lorance's application was also featured in the American Bar Association Journal, which asked whether he was "unfit for practice."[147]

Mathew Golsteyn has also waged a public relations campaign aimed at rehabilitating his image. In 2021, for example, Golsteyn made national headlines for "blast[ing]" a decision by the Army not to restore his special forces insignia and medals for valor after it ruled that his pardon was not a technical wiping clean of his war record.[148] He has reputedly weighed launching a formal appeal. Like Clint Lorance, UAP continues to list Golsteyn as a "presently supported warrior."[149] Golsteyn's wife, Julie, has also remained a vigorous

[143] Raymond, Nate. Sept. 23, 2021. "Ex-soldier's Acceptance of Trump Pardon Didn't Constitute Confession of Guilt, Court Rules." *Reuters*. www.reuters.com/legal/litigation/ex-soldiers-acceptance-trump-pardon-didnt-constitute-confession-guilt-court-2021-09-23/#:~:text=(Reuters)%20-%20A%20federal%20appeals,for%20murdering%20two%20Afghan%20civilians.

[144] https://twitter.com/UAPatriots/status/1541456612858011648

[145] https://twitter.com/fucking_fitzy/status/1672012731371618306?s=20

[146] McGuinness, Mike. July 7, 2023. "Clint Lorance Wants to Be a Lawyer. A Soldier He Led Says He's Unfit." *Army Times*. www.armytimes.com/opinion/2023/07/07/clint-lorance-wants-to-be-a-lawyer-a-soldier-he-led-says-hes-unfit/

[147] Weiss, Debra Cassens. July 11, 2023. "Pardoned Ex-soldier Plans to Take the Bar Exam; Is He Unfit for Practice?" *ABA Journal*. www.abajournal.com/news/article/pardoned-ex-soldier-plans-to-take-the-bar-exam-is-he-unfit

[148] Brook, Tom Vanden. Mar. 17, 2021. "Army Denies Medals, Special Forces Insignia to Soldier Trump Pardoned for Alleged Murder." *USA Today*. www.usatoday.com/story/news/politics/2021/03/17/army-denies-medals-soldier-trump-pardoned-alleged-afghan-murder/4730488001/

[149] www.uap.org/who-we-support/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

advocate for her husband. In 2022, she wrote a children's book about "bravery" based on her "life experiences." The book was promoted on "Fox and Friends," where Pete Hegseth called her a "powerful spokesman for [Mathew]."[150]

The four Blackwater contractors pardoned by Trump have also continued to express outrage over their alleged mistreatment. Before receiving a pardon, for example, Nicholas Slatten decried that he was a "POW in … [his] own country."[151] Shortly after his pardon, an *Associated Press* headline described Evan Liberty as "defiant."[152] Newspapers have documented gallant returns of the Blackwater agents to their hometowns.[153] Dustin Heard benefited from a "Go Fund Me" campaign.[154] The Blackwater Memorial Alumni Association additionally raised funds for all four agents.[155] Today, supporters can still purchase "Raven 23 support shirts" through

[150] Mackey, Maureen. July 17, 2022. "Wife of Former Green Beret Writes Children's Book about Bravery, Courage and Compassion." *Fox News*. www.foxnews.com/lifestyle/wife-green-beret-childrens-book-bravery-courage

[151] Collins, Michael. Sept. 24, 2017. "Tennessee Native and Former Blackwater Security Guard Nick Slatten: 'I Am a POW in My Own Country.'" *Tennessean*. https://eu.tennessean.com/story/news/politics/2017/09/24/former-blackwater-security-guard-nick-slatten-i-am-pow-my-own-country/692745001/

[152] Tucker, Eric. Jan. 2, 2021. "After Pardon, Blackwater Guard Defiant: 'I Acted Correctly.' *Associated Press*. https://apnews.com/article/donald-trump-shootings-baghdad-only-on-ap-iraq-7b3e202ac353db544180fb2a61d2902c

[153] Choate, Trish. Dec. 29, 2020. "Olney Welcomes Heard Home after Presidential Pardon." *Wichita Falls Times Record News*. www.timesrecordnews.com/story/news/2020/12/29/dustin-heard-welcomed-home-after-trump-pardon/4043832001//Greene, Melissa. Dec. 24, 2020. "WATCH: Pardoned Blackwater Guard Returns Home to Kids in Time for Christmas." *WJHL*. www.wjhl.com/news/regional/tennessee/watch-pardoned-blackwater-guard-returns-home-to-kids-in-time-for-christmas//Sullivan, Cole. Sept. 9, 2021. "Convicted of a Massacre, Pardoned Former Blackwater Contractor Thanks People Who Supported Him." *10 News*. www.wbir.com/article/news/national/military-news/convicted-of-a-massacre-pardoned-former-blackwater-contractor-thanks-people-who-supported-him/51-fa4b582e-a311-4cab-82cf-86d41a05e21c

[154] Coate, Trish. Dec. 29, 2020. "Olney Welcomes Heard Home after Presidential Pardon." *Times Record News*. https://eu.timesrecordnews.com/story/news/2020/12/29/dustin-heard-welcomed-home-after-trump-pardon/4043832001/

[155] https://blackwater-memorial-alumni-association.networkforgood.com/projects/120295-raven-23-freedom-fund

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

BlackwaterWorldWide.com.[156] The Support Raven23 organization still maintains a Twitter handle, where it follows Donald Trump Jr., the CJWC, UAP, and the rapper "Ice Cube."[157]

The Free Raven 23 Facebook page, which has 17,000 followers as of 2024 and has published numerous celebrations of the Blackwater pardons, offers a sampling of the often religious-like fervor that such initiatives have inspired.[158] Following Trump's pardons, for example, one user remarked: "Thank you, president TRUMP!!! This has me bawling my face off!!!" Another user stated: "Praise the Lord! I cried when I heard the news." On Free Raven 23's Twitter page, certain tweets were equally emotional.[159] One poster declared, "Amen. Would love for y'all to write a book. #TrumpWasRightAboutEverything."[160] Another wrote, "Praise God! I got to watch a video tonight of little Lily Slough be surprised by the best Christmas present in the world-her daddy walking in the front door."[161]

5.4 Impunity Synergies

In his second term, Trump is not just inheriting a loose impunity coalition with a temporary interest in advancing military justice reform. Instead, he is re-entering an active, well-established network of political actors dedicated to openly challenging the law of war – a network built around Trump, by Trump, and for Trump. Alongside Fox News and Republican Congress members, the organizations and individuals involved continue to amplify their influence through close, overlapping interactions with one another and the public. Both online and in-person, these activists promote Trump's impunity agenda, resulting in a vast array of content spotlighting the cases of court-martialed American servicemembers and, more broadly, questioning the need for IHL.[162]

[156] https://blackwaterworldwide.com/raven-23-support-shirt/
[157] https://twitter.com/FreeRaven23/following
[158] www.facebook.com/raven23support/
[159] https://twitter.com/freeraven23?lang=en
[160] https://twitter.com/YourBattleAxe/status/1617718512138715138
[161] https://twitter.com/SharonO08/status/1341743468478156810
[162] www.youtube.com/@uapinc5550/videos

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Compared to Trump's first term, however, the "Trump 2.0" impunity movement stands out in an important way – it appears to have even more capacity to mobilize. A key reason is the significant new role of its most prominent figure behind Trump, Pete Hegseth, who now leads the Defense Department. Indeed, Hegseth's Senate confirmation battle alone, a months-long saga that eventually saw him confirmed on a knife's edge, 51-50, with Vice President J.D. Vance casting the tie-breaking vote, typifies the impunity coalition's invigorated capacity. When it became unclear if Hegseth would earn the support of enough moderate Republican senators to become Secretary of Defense, Fox News and GOP allies in Congress launched an aggressive campaign behind him.

One report documented a "full-court press" at Fox News for Hegseth.[163] Hegseth's former co-anchors defended him on air,[164] even welcoming Hegseth's mother to talk about how her son had been redeemed.[165] Other reporting confirmed that Fox News stars were "personally contacting Senators to push for Hegseth" and to provide character references. Fox News host Will Cain called allegations against Hegseth "100 percent bulls***."[166] Fox News headlines during Hegseth's hearing included: "Hegseth Was 'Incredibly Talented, Battle-Proven Leader,' Military Evaluations Show"[167] and "'Clear Vision': Conservatives Rally around Hegseth after 'Crushing' Fiery Confirmation Hearing."[168] North Dakota

[163] Baragona, Justin. Dec. 5, 2024. "Fox News Colleagues Jump on Bandwagon to Back Pete Hegseth as Trump Defense Secretary Pick." *Independent*. independent.co.uk/news/world/americas/us-politics/hegseth-fox-news-defense-secretary-trump-pick-b2659638.html

[164] Stelter, Brian. Dec. 4, 2024. "Fox News Stars Defend Imperiled Ex-colleague Pete Hegseth amid Misconduct Allegations." *CNN*. https://edition.cnn.com/2024/12/04/media/fox-news-pete-hegseth-defend-misconduct-allegations/index.html

[165] Dec. 4, 2024. "Pete Hegseth's Mother Sets Record Straight on Allegations against Son." *Fox News*. www.foxnews.com/video/6365525205112

[166] Bickerton, James. Dec. 4, 2024. "Pete Hegseth's Fox News Colleagues Speak Out." *Newsweek*. www.newsweek.com/pete-hegseth-fox-news-colleagues-speak-out-1995427

[167] Wallace, Danielle. Jan. 13, 2025. "Hegseth Was 'Incredibly Talented, Battle-Proven Leader,' Military Evaluations Show." *Fox News*. www.foxnews.com/politics/hegseth-incredibly-talented-battle-proven-leader-military-evaluations-show

[168] Miller, Andrew Mark. Jan. 14, 2025. "'Clear Vision': Conservatives Rally around Hegseth after 'Crushing' Fiery Confirmation Hearing." *Fox News*.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

Sen. Kevin Cramer said that "[t]hey [Fox News] love him," which he described as "very reassuring."[169]

Similar support came from Republicans on Capitol Hill. For example, thirty-two military veterans serving in the House of Representatives penned a letter backing Hegseth.[170] The letter specifically claimed that Hegseth's "media expertise" would be "crucial in executing a clear vision that cuts through bureaucratic inertia." Sen. Mike Rounds of North Dakota told Newsmax that Hegseth was "refreshing," especially because of his focus on "mak[ing] the department more lethal."[171] Sen. Rick Scott of Florida lauded Hegseth for being "clearly committed to making sure we have a lethal military that scares the crap out of our enemies."[172] When faced with the accusation that Hegseth had a drinking problem, Sen. Markwayne Mullin of Oklahoma offered the excuse that "[t]here's a lot of alcohol that flows through Washington."[173]

Other right-wing groups and individuals also defended Hegseth. The Heritage Foundation filmed a pro-Hegseth TV ad[174] and published an open letter backing Hegseth signed by dozens of "prominent veterans," including Eddie Gallagher.[175] A member of the Navy SEAL Foundation, which hosts an annual swim in New York City that Hegseth has participated in, organized a march of more than 100 Navy SEALs in favor of Hegseth during the first day of

www.foxnews.com/politics/clear-vision-conservatives-rally-around-hegseth-crushing-fiery-confirmation-hearing

169 Vaillancourt, William. Dec. 11, 2024. "Fox Stars Are Personally Contacting Senators to Push for Pete Hegseth." *Daily Beast*. www.thedailybeast.com/fox-stars-are-personally-contacting-senators-to-push-for-pete-hegseth/

170 https://x.com/RepPfluger/status/1867026100007698446/photo/1

171 Thomas, Jim. Dec. 7, 2024. "Sen. Rounds to Newsmax: Hegseth's Approach Focuses on Lethality, Success." *Newsmax*. www.newsmax.com/newsmax-tv/rounds-hegseth-candidate/2024/12/07/id/1190732/

172 Kight, Stef W. Dec. 2, 2024. "GOP Senators Defend Hegseth after Private Meeting." *Axios*. www.axios.com/2024/12/03/senators-pete-hegseth-defense-secretary-trump

173 Hawkinson, Katie. Dec. 8, 2024. "GOP Senator Offers Curious Defense for Pete Hegseth Drinking Claims: 'There's A Lot of Alcohol that Flows through Washington.'" *Independent*. www.independent.co.uk/news/world/americas/us-politics/pete-hegseth-markwayne-mullin-alcohol-fox-news-b2660897.html

174 https://x.com/Heritage/status/1865132829782479278

175 N.D. "Letter in Support of Pete Hegseth's Military Record." Heritage Foundation.

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

his confirmation hearings.[176] Turning Point USA CEO Charlie Kirk, a right-wing celebrity, took to X to call crossing Hegseth a "red line."[177] Alongside other conservative outlets, a commentator at the Daily Signal blasted the "corporate media" for being on a "search-and-destroy mission" against Hegseth.[178]

Hegseth himself turned to conservative allies to argue his case and used his celebrity to make public appeals. He appeared on the Megyn Kelly podcast where he accused Democrats of operating a "classic art of the smear" against him.[179] In the *Wall Street Journal*, Hegseth wrote an op-ed titled, "I've Faced Fire Before. I Won't Back Down." Hegseth also personally thanked Trump on X after he doubled down in calling Hegseth a "WINNER."[180] As he walked around Capitol Hill with an entourage (including his personal guard, a former Army Special Forces master sergeant who once beat up a civilian and hogtied him in a pool),[181] Hegseth ripped open his suit jacket in "Superman style" to reveal an American flag lining, declaring, "This is how we're feeling today, right here."[182]

A striking example of the impunity coalition's coordination came in response to suggestions that Republican Sen. Joni Ernst of Iowa was wavering in her support of Hegseth. A pro-Trump, dark-money group took out a TV ad in Iowa claiming that the "deep state" was trying to block Hegseth's nomination.[183] Reports also documented a pressure campaign in Washington against Ernst to confirm Hegseth. According to an anonymous Trump ally, Hegseth became a "cause …

[176] Mack, Ericc. "Navy SEALs, Veterans to March for Hegseth Confirmation." *Newsmax*. www.newsmax.com/newsfront/defense-secretary-confirmation-pete-hegseth/2024/12/08/id/1190824/

[177] https://x.com/charliekirk11/status/1864697921125650819

[178] www.instagram.com/thedailysignal/reel/DDfXg34JbMW/

[179] Brest, Mike. "Pete Hegseth Says He's a Victim of the 'Art of the Smear' Designed to Tank Defense Secretary Nomination." *Washington Examiner*. www.washingtonexaminer.com/policy/defense/3249299/pete-hegseth-victim-tank-secretary-defense-nomination/

[180] https://x.com/PeteHegseth/status/1865025967376269819

[181] Philipps, Dave and Sharon LaFraniere. Dec. 16, 2024. Hegseth's Guard Left the Army After the Beating of a Civilian During Training." *New York Times*. www.nytimes.com/2024/12/16/us/politics/hegseth-bodyguard-army.html

[182] https://x.com/bennyjohnson/status/1866877678772437220

[183] Dec. 8, 2024. "Mullin: 'There's Been Absolutely No Noes from Republican Senators' on Hegseth Yet." *CNN*. https://edition.cnn.com/2024/12/08/politics/video/sotu-markwayne-mullin-defends-hegseth-nomination

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

[n]ot even for the official Trump operation, but the movement who is going apeshit for him."[184] One well-known conservative commentator offered a stark threat: "Warning to Joni Ernst – Pete Hegseth will be just fine if you sabotage his deserved spot as SecDef … You, however, will not be fine."[185]

On the eve of his confirmation hearing, the *New York Times* ran a feature titled "Trump Supporters Go All In for Pete Hegseth with Money and Coordination."[186] The article described a "phalanx of well-financed groups" backing Hegseth, including podcasters, political advocacy groups, and donors helping to make Hegseth's "political survival a cause célèbre." Former Trump adviser Steve Bannon reflected on how Trump's backers had grown "more sophisticated" since Trump's first term, commenting that "it's got more money … a whole media and influencer ecosystem, and it started earlier, because a lot of it came out of the campaign."[187] Another account described how pro-Hegseth advocates intimidated possible witnesses and suppressed an FBI background check on Hegseth.[188]

All of this support unfolded within the broader MAGA network, where activist members of the public made clear to party officials the imperative of voting for Hegseth. For example, in response to charges that Hegseth had once drunkenly yelled "Kill all Muslims! Kill all Muslims!" (allegations that Hegseth denies), one writer commented

[184] McGraw, Meredith and Natalie Allison. Dec. 10, 2024. "Trump Allies Adopt New Strategy for Nominees: Make the Doubters Pay." *POLITICO*. www.politico.com/news/2024/12/10/trump-hegseth-controversial-nominee-playbook-00193349

[185] Peterson, Kristina, John McCormick, and Lindsay Wise. Dec. 10, 2024. "Pete Hegseth Gets Boost from Trump Allies' Pressure Campaign." *Wall Street Journal*. www.wsj.com/politics/policy/pete-hegseth-trump-pressure-republican-senators-50ee71c7

[186] Kelly, Kate and Kenneth P. Vogel. Jan. 13, 2025. "Trump Supporters Go All in for Pete Hegseth with Money and Coordination." *New York Times*. www.nytimes.com/2025/01/13/us/politics/pete-hegseth-defense-secretary-trump.html

[187] Kelly, Kate and Kenneth P. Vogel. Jan. 13, 2025. "Trump Supporters Go All in for Pete Hegseth with Money and Coordination." *New York Times*. www.nytimes.com/2025/01/13/us/politics/pete-hegseth-defense-secretary-trump.html

[188] Mayer, Jane. Jan. 13, 2025. "The Pressure Campaign to Get Pete Hegseth Confirmed as Defense Secretary." *New Yorker*. www.newyorker.com/news/the-lede/the-pressure-campaign-to-get-pete-hegseth-confirmed-as-defense-secretary

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

on how "it doesn't dim his star in MAGA world. Instead, it signals that he's reliable. That's a bond that neither Trump nor most of the G.O.P. caucus will want to mess with."[189] The flurry of online support for Hegseth mirrored that of U.S. servicemembers jailed for war crimes. Supporters cast Hegseth as a folk hero, called for the primarying of Republicans who failed to back him, and expressed feelings of near-religious zeal for his confirmation.

After Hegseth was confirmed, the impunity coalition celebrated. On Hannity, Fox News's Joe Concha heralded Hegseth as the ultimate "soldier-secretary" and praised his Fox News colleagues for being the "only people" who "both on and off camera" said that "everything reported by from the likes of NBC, and CNN, the *New York Times*, and others in our dying legacy media was all BS."[190] Republican Sen. Markwayne Mullin of Oklahoma posted on X, "We did it, America. It was an honor to be in the fight with my friend, and your SecDef: @PeteHegseth."[191] Sen. Mike Lee of Utah declared, "Heck yeah! @PeteHegseth is the man for the job."[192] Hegseth thanked his supporters, exclaiming, "This is for the troops. For the warriors…. We will never back down."[193]

Beyond just Hegseth, the few degrees of separation between members of the "war crime lobby" are now facilitated by tight-knit personal and professional ties. "Revolving doors" produce a constant churn of activists across like-minded institutions. For example, among the members of the Pipe Hitter Foundation's board of directors is Tommy Marquez, formerly a caseworker for CJWC co-founder Duncan Hunter. Also on the board is Carl Higbie, a *Newsmax* contributor.[194] Derrick Miller, the current CJWC executive director, was previously represented in his war crime case

[189] Stephens, Brett. Jan. 22, 2025. "What It Means That Republicans Aren't Acting on the Pete Hegseth Allegations." *New York Times*. www.nytimes.com/2025/01/22/opinion/pete-hegseth-republicans-trump-loyalty.html

[190] https://x.com/JoeConchaTV/status/1882985910922612995

[191] https://x.com/SenMullin/status/1882989455650472062

[192] Mion, Landon. Jan. 25, 2025. "Republicans React to Pete Hegseth's Confirmation as Defense Secretary: 'He is the Change Agent'." *Fox News*. www.foxnews.com/politics/republicans-react-pete-hegseths-confirmation-defense-secretary-he-change-agent

[193] https://x.com/PeteHegseth/status/1883022600676188588

[194] https://pipehitterfoundation.org/who-we-are/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

by UAP.[195] Conservative attorney Tim Parlatore, who has penned articles for *Newsmax* under the heading "In Defense of Justice,"[196] has represented Eddie Gallagher,[197] Pete Hegseth,[198] and Trump.[199]

With the second Trump administration, however, one organization still stands out as a key node connecting national security staff who have expressed views challenging the law of war: Fox News. In addition to supplying Pete Hegseth as Defense Secretary, Trump's national security adviser, Rep. Michael Waltz, previously a Fox News commentator, has been a vociferous critic of America's rules of engagement.[200] Sebastian Gorka, a former Fox News contributor and Trump's counterterrorism director, has described the West as being in a civilizational struggle against Islam, claimed that Palestine does not exist, and, according to one analysis, advocated views that "presag[ed] an approach [to the war in Gaza] that has led to tens of thousands of civilians killed in airstrikes and other attacks."[201]

In short, a cottage industry on the American right is now devoted to overturning IHL prosecutions. At its center are Trump, Fox News, and Republican lawmakers. The movement extends to numerous complementary actors. Notable is the movement's scale and reach, tapping into millions of right-wing supporters and would-be

[195] www.uap.org/success-stories/

[196] www.newsmax.com/insiders/timothyparlatore/bio-573/

[197] Wallace, Danielle. July 16, 2019. "Navy SEAL Edward Gallagher's Defense Lawyer Wants to Rejoin the Navy to Teach Prosecutors, Says He Fears for Law-abiding Warfighters." *Fox News*. www.foxnews.com/us/navy-seal-edward-gallaghers-defense-lawyer-timothy-parlatore-rejoin-navy-teach-prosecutors

[198] Dec. 6, 2024. "Pete Hegseth's Lawyer Responds to Allegations That Could Jeopardize Hegseth's Nomination." *CNN*. https://edition.cnn.com/2024/12/05/politics/video/pete-hegseth-tim-parlatore-lawyer-nomination-src-digvid

[199] Alemany, Jacqueline. May 17, 2023. "Attorney Tim Parlatore Says He Is Leaving Donald Trump's Legal Team." *Washington Post*. www.washingtonpost.com/national-security/2023/05/17/parlatore-trump-quits-classified-documents/

[200] Nov. 18, 2019. "Rep. Michael Waltz: Rules of Engagement Were Restrictive under Obama." Rep. Michael Waltz. www.youtube.com/watch?v=_cb9UNVGwJo

[201] Horton, Alex and John Hudson. Nov. 23, 2024. "Gorka and His Hard-right Views on Islam Head back to the White House." *Washington Post*. www.washingtonpost.com/politics/2024/11/23/sebastian-gorka-trump-islam/

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005

supporters. Its multiple layers of advocacy – from top-down lobbying in government and media, to bottom-up activities by grassroots organizers – synergistically advance the impunity agenda. For now, these efforts seem unlikely to dissipate. As UAP CEO David Gurfein has predicted, "I think what we're seeing now is the tip of the iceberg … [in] supporting those warriors who have been improperly accused of war crimes and unjustly convicted."[202]

[202] Laporta, James. Nov. 26, 2019. "After Gallagher, Military Activists Lobby Trump to Intervene in These Other Cases." *Newsweek*. www.newsweek.com/trump-pardons-gallagher-military-activists-lobby-intervene-other-cases-1474007

Downloaded from https://www.cambridge.org/core. UNIVERSIDAD AUTONOMA METROPOLITANA, on 17 Nov 2026 at 17:43:19, subject to the Cambridge Core terms of use, available at https://www.cambridge.org/core/terms. https://doi.org/10.1017/9781009675901.005