



**THANK YOU TO ARIZONA
SENATOR MARK KELLY FOR
STANDING BY THE RULE OF LAW
AND THE PRINCIPLE THAT
NO ONE IN UNIFORM IS
REQUIRED TO FOLLOW
AN **ILLEGAL** ORDER.**

In early January 2026, the Department of Defense confirmed it had begun administrative proceedings that could strip Senator Mark Kelly of his retirement rank and reduce his military pension. The action followed public remarks in which Kelly reminded service members of a long-standing rule of military law: unlawful orders may and must be refused. Defense Secretary Pete Hegseth labeled those statements “seditious,” despite this concept being a key part of any recruit’s training. The move has triggered alarm across the political and military spectrum because of what it signals far beyond one senator.

IT POLITICIZES THE MILITARY JUSTICE SYSTEM

The Uniform Code of Military Justice is meant to preserve discipline, not to punish political disagreement. Using administrative proceedings against a sitting U.S. senator for public speech risks turning military law into a political weapon. The impact is chilling: retired officers and service members may hesitate to speak honestly about legality, ethics, or oversight for fear of retaliation. Once that line is crossed, the independence of military justice is compromised.

IT UNDERMINES A CORE LEGAL SAFEGUARD

The obligation to refuse unlawful orders is not controversial. It is a cornerstone of U.S. military law and training, reinforced after atrocities committed under the defense of “just following orders.” Penalizing a former officer for accurately stating that principle sends a dangerous signal to those currently serving. The impact is confusion in the ranks about where loyalty ends and legality begins, exactly the opposite of good order and discipline.

IT THREATENS CONSTITUTIONAL OVERSIGHT

As a member of the Senate Armed Services Committee, Kelly is legally tasked with overseeing the military and the Defense Department. Punishing oversight as misconduct blurs the boundary between civilian control and executive retaliation. The impact is a weakened system of checks and balances, where scrutiny is treated as insubordination. That erosion does not stop with one senator; it reshapes how power is exercised.

This moment demands public attention. The proceedings against Senator Kelly should be halted, and the Defense Department should clearly reaffirm that refusing illegal orders is not only lawful, but required. Accountability must flow upward as well as downward, and oversight must not be criminalized.

Here is the White House switchboard:

[202] 456-1414

Call and tell them to end these proceedings and defend the rule of law.

*Signed, Navy Veteran
Marjorie Hogue*