

US blocks UN torture investigator from seeing Bradley Manning

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The US government has blocked the United Nations' special rapporteur on torture from visiting Army Private Bradley Manning, who has been held in solitary confinement at Quantico Marine base since July.

Manning has yet to appear in court. The 23-year-old faces 34 charges of leaking classified material to the whistleblower organization WikiLeaks, including evidence of numerous US war crimes committed in Iraq and Afghanistan. Among the charges is that of "aiding the enemy," which carries a sentence of life in prison or execution.

In addition to living in solitary confinement 23 hours a day in a small, empty cell, Manning has been subjected to forced nudity, deprived of personal possessions including his glasses, denied the ability to exercise or sleep during the day in his cell, and is continually harassed and intimidated by military guards. The soldier issued a letter through his lawyer last month detailing his abuse.

The severity of his charges and the hellish conditions to which he is being subjected make clear that Manning is being held as a political prisoner by the Obama administration.

The UN envoy, Juan Mendez, said Monday, "I am deeply disappointed and frustrated by the prevarication of the US government with regard to my attempts to visit Mr. Manning." The US "has not been receptive to a confidential meeting with Mr. Manning," Mendez said in a statement. Military officials stated that the meeting could proceed only with a guard present, meaning that its content could be used against Manning in his court-martial trial.

Mendez issued a reprimand against the US—a measure only rarely undertaken by the UN, and usually in response to the conduct of small, dictatorial regimes—after being repeatedly stonewalled and denied entrance to the Virginia military base by the Obama administration since December.

Commenting to news agency Reuters, Pentagon spokesman Colonel Dave Lapan insisted that only lawyers were allowed unmonitored meetings with Quantico prisoners. Lapan added that there was "considerable misinformation" about Manning's treatment, dismissing charges of cruelty and abuse. "There is no such thing at Quantico. ... These facts are simply not true."

Manning's treatment has drawn condemnations from human rights groups and legal experts around the world. The British government, facing a mounting outcry over the mistreatment of the soldier, whose mother is Welsh, last week announced it would press US officials to moderate Manning's conditions. (See, "British government presses US over treatment of Bradley Manning")

On Sunday, the *New York Review of Books* published an open letter from prominent legal scholars to President Barack Obama describing the young soldier's confinement as "degrading and inhumane conditions that are illegal and immoral."

The open letter, written by law professors Bruce Ackerman of Yale and Yochai Benkler of Harvard and published under the headline "Private Manning's Humiliation," states that the conditions in which Manning is being held are a violation of both the Eighth Amendment of the US Constitution prohibiting cruel and unusual treatment and the Fifth Amendment protection against punishment without trial.

"If continued," the letter states, Manning's treatment "may well amount to a violation of the criminal statute against torture, defined as, among other things, 'the administration or application ... of ... procedures calculated to disrupt profoundly the senses or the personality.' ...

"The administration has provided no evidence that Manning's treatment reflects a concern for his own safety or that of other inmates," the letter states. "Unless and until it does so, there is only one reasonable inference:

this pattern of degrading treatment aims either to deter future whistleblowers, or to force Manning to implicate WikiLeaks founder Julian Assange in a conspiracy, or both.”

Nearly 300 lawyers, professors, and authors have signed the letter, including Harvard professor Laurence Tribe, who taught constitutional law to Obama and served as an advisor on legal access issues at the Justice Department until three months ago.

Tribe told the British *Guardian* that Manning’s detention was “not only shameful but unconstitutional ... in the way it violates his person and his liberty without due process of law and in the way it administers cruel and unusual punishment of a sort that cannot be constitutionally inflicted even upon someone convicted of terrible offenses, not to mention someone merely accused of such offenses.”

When asked during a press conference last month about Manning’s abuse, Obama asserted that he knew nothing directly about the case but that the soldier was being treated well. “With respect to Private Manning, I have actually asked the Pentagon whether or not the procedures that have been taken in terms of his confinement are appropriate and are meeting our basic standards. They assure me that they are.”

Obama also absurdly presented Manning’s strip-downs and other indignities as matters of personal protection. “I can’t go into details about some of their concerns,” he stated, “but some of this has to do with Private Manning’s safety as well.”

After coming to power in part on the basis of pledges to reverse some of the worst abuses of democratic rights by the Bush administration, the Obama administration has overseen an expansion of these illegal policies, including the recent resumption of military tribunals for Guantánamo detainees. The White House has been particularly cut-throat in its pursuit of whistleblowers inside the government and military.



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