

# Army hearing begins against accused whistleblower Bradley Manning

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The persecution of Bradley Manning entered a new phase on Friday, with pretrial military proceedings. Manning, a US Army private, is accused of leaking evidence of war crimes and other government secrets to whistleblower organization WikiLeaks.

The Article 32 hearing is Manning's first public appearance since he was detained 19 months ago. The court adjourned at 3:30 p.m. after the military judge overseeing the case rejected calls from defense attorneys that he recuse himself.

The hearing is being held at Fort Meade in Maryland, the location of the National Security Agency headquarters. It will review evidence and charges in the case prior to likely court martial proceedings. It is expected to be concluded within a week.

Manning is accused of providing WikiLeaks with hundreds of thousands of classified military and diplomatic documents and other material. Among 22 other counts, he has been charged with "aiding the enemy" under the Espionage Act, an offense that carries the death penalty. Prosecutors have said they will not pursue capital punishment, but life in prison without possibility of parole.

Manning's treatment—along with the crimes he is accused of exposing—underscores the thoroughly reactionary character of the Obama administration, which has drastically escalated the attack of the ruling class on democratic rights and rule of law.

The president is poised to sign into law legislation that allows indefinite military detention, including of American citizens, without charge or trial. This law, tucked into the National Defense Authorization Act that will fund the US war machine, lays the legal groundwork for a police state. (See "Obama, Congress back legalization of a police state")

Even if Manning is not sentenced to decades in prison, under the new bill he could be designated a terrorist and

held in military detention without any due process. His persecution demonstrates the inextricable link between the growth of militarism and the attack on democratic rights.

Among the revelations contained in the material Manning is charged with leaking are the cold-blooded murder of civilians and journalists in Iraq by US forces, backroom dealings among international diplomats, and widespread corruption and brutality in Tunisia, Egypt, and elsewhere. The release of this information contributed to the explosion of revolutionary struggles across the Middle East, exposed the criminal nature of the occupations in Iraq and Afghanistan, and has left governments all around the world discredited in the eyes of their citizens.

If Manning is responsible for the acts of which he is accused, he is not a criminal but a hero. The real criminals are those who have directed wars of aggression, torture and assassination, including top officials in the Bush and Obama administrations who are seeking to stifle public knowledge and dissent.

The prosecution of Manning is being used to intimidate growing opposition to US imperialism. The White House sees the suppression of information about its activities as essential in preventing an explosion of antiwar sentiment and social unrest—within the countries it occupies militarily, and within the US itself. For this reason, the Obama administration has aggressively prosecuted government whistleblowers and classified a record amount of data.

Beyond Manning's punishment, Washington is seeking to link the private to WikiLeaks founder Julian Assange. The administration has been seeking Assange's extradition from Britain to Sweden for prosecution on trumped-up sex charges, and ultimately to the US to face charges in a military court.

As the hearing opened Friday morning, Manning's defense counsel immediately moved that the officer

serving as judge in the case, Lieutenant Colonel Paul Almanza, recuse himself. “The investigating officer is biased,” civilian lawyer David Coombs told the court, pointing out that Almanza has worked since 2002 as a prosecutor for the Justice Department. Coombs told the court that the position constituted a conflict of interest given the department’s criminal investigation against Assange.

“You have been at the Department of Justice since 2002,” Coombs said, addressing Almanza. “By your own admission you have prosecuted 20 cases. And the DOJ has an ongoing investigation in this case... If the Department of Justice got their way, they would get a plea in this case, and get my client to be named as one of the witnesses to go after Julian Assange and WikiLeaks.”

Indeed, underlying Manning’s inhumane imprisonment and delayed trial has been the attempt to mentally and emotionally break the young man and make him a pliant witness in the case against WikiLeaks.

Throughout his detention and legal case, the military has violated Manning’s constitutional and human rights. He has been denied due process and subjected to prolonged solitary confinement and psychological abuse. The United Nations special rapporteur on torture, Amnesty International, and other human rights organizations have repeatedly raised concerns over Manning’s conditions, to the indifference and irritation of the Obama government.

Coombs pointed out to the court that the military had refused the defense witnesses it had requested to testify in the case. Coombs had asked for 48 witnesses, but only two of them had been approved. Among those requested to testify on alleged damage caused by the leaks were President Obama and Secretary of State Hillary Clinton.

“Two out of 48!” he exclaimed. “In a case in which the government has charged [Manning] with aiding the enemy, which carries the maximum sentence right now of death!” The prosecution, he told the court, had been granted all 20 witnesses it had requested. “A reasonable person would see the investigation officer as biased,” he concluded.

The defense has been denied the ability to call witnesses who would challenge the claim that the material published by WikiLeaks endangered American military personnel in the battlefield. At the same time, Almanza ruled to allow unsworn statements about WikiLeaks, a decision that Coombs said was a breach of rules governing an Article 32 hearing.

Almanza called a series of recesses before ruling against

the defense’s motion on recusal. The session was then abruptly adjourned again so that Coombs could file a writ to the Army Court of Criminal Appeals. Almanza rejected Coombs’ request to postpone the hearing until the appeals court rules on the writ.

The military proscribed open reporting for the huge assembly of international journalists at the hearing, allowing only 10 journalists into the courtroom. Others were told to watch the proceedings from a separate room via television hookup. Bradley Manning Support Network organizer Jeff Patterson pointed out, “To run the hearing through a weekend right before the Christmas vacation is clearly designed to minimize both media coverage and public protests.”

Al-Jazeera English correspondent Camille Elhassani commented on Twitter during a recess, “Once the Manning hearing starts again, I’ll have to shut down my computer. Army rules. A veneer of openness but not transparency.” *Guardian* journalist Ed Pilkington reported via Twitter that when court was in session, reporters were prohibited from filing updates or being in any contact with another person outside the courtroom.

Access to the public was even more restricted, with only a handful of supporters and family members allowed in on a first-come first-serve basis, having waited at the gate since predawn. The *Guardian*’s Pilkington noted, “Manning supporters are sitting in the public gallery remaining silent, during the opening session. They were warned by the investigating officer at the start that they will be removed if they interrupt the hearing.”

Outside the gates of Fort Meade, dozens of protesters were gathered, holding images of Manning and signs of support. Among the protesters were a contingent of veterans. Occupy Wall Street demonstrators traveled by bus to join the protest Friday afternoon for a rally Saturday marking Manning’s 24th birthday.



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