Court martial opens against Bradley Manning

Naomi Spencer
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Accused US Army whistleblower Bradley Manning entered no plea in the brief opening hearing of military court martial February 23. The 24-year-old Army private also deferred a choice of whether to be tried by military judge or jury.

Manning faces 22 charges under the Espionage Act, including "aiding the enemy," for allegedly leaking 700,000 military and government files while working as an Army intelligence analyst. The charges carry a maximum sentence of death. While military prosecutors said they were pursuing "only" a term of life in prison during the pre-trial hearing late last year, under court martial, Manning may still be subject to capital punishment.

Many of the files that Manning is charged with leaking document evidence of war crimes committed by US troops in Afghanistan and Iraq; these were published by the whistleblower organization WikiLeaks.

The hearing at Fort Meade, Maryland, lasted less than an hour, during which Manning spoke only a few times, to acknowledge that he understood the course of the proceedings.

Manning's defense attorney, David Coombs, has pressed for a trial by April. Legal experts have said that by deferring to enter a plea or choose a judge or jury, the defense could have more time to negotiate a deal. Manning has been held in prison for 19 months, during much of which he was tormented in solitary confinement and denied access to legal counsel, exercise, and other basic necessities.

Military judge Colonel Denise Lind concluded by scheduling another session March 15. The government wants to schedule the trial for August 3. By this time, Manning will have been held without being convicted of a crime for more than 800 days. Under military law, courts martial are required to be held within 120 days of arrest. The fate of Manning makes a mockery of the constitutional right to a speedy trial.

The government has sought to break down the young soldier in an effort to arrive at a plea bargain, the terms of which would likely include a reduced sentence in exchange for testimony against WikiLeaks and its founder, Julian Assange. The prosecution has asserted that it has evidence in its possession that links Manning directly to Assange (see: "Manning prosecution lays basis for terror charge against WikiLeaks founder Assange").

The government has also, with no proof, claimed that the leaks have endangered the security of the US and its military personnel by making information available publicly, and therefore accessible to al Qaeda or other enemies of the US government.

Assange is presently fighting extradition to Sweden on trumped-up charges; if he is transferred to Sweden, he faces possible extradition to the US to face a drumhead trial on terrorism charges.

Rather than mount an argument on the basis of opposition to war crimes, censorship, and attacks on democratic rights, Manning's defense team has focused on the young soldier's emotional state during the time he was stationed in Iraq, insisting that he never should have been granted access to classified material in the first place. During the pre-trial hearing, Coombs centered his efforts on having the 22 charges reduced to 3, for a sentence of 30 years in prison.

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Media reports note that observers of the hearing were sparse, with only 20 in attendance and no more than half a dozen journalists. Another 10 journalists watched the proceeding via closed-circuit television.

US media coverage was conspicuously muted. The Associated Press wire report that was picked up by the major newspapers commented that the “only outburst was as the judge adjourned the hearing.” A 70-year-old anti-war activist from nearby Baltimore, Maryland, asked, “Judge, isn’t a soldier required to report a war crime?” The interruption elicited no response from Lind.

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