Defense begins case in trial of Bradley Manning

Thomas Gaist
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Private First Class Bradley Manning's trial, at Fort Meade, Maryland, is now is in its sixth week. The defense began its case this week, but it has been hamstrung in advance by military judge Colonel Denise Lind's ruling that Manning's political motives were irrelevant to the case, which effectively denies the defendant any ability to mount a whistleblower defense.

Manning faces a long list of charges, including aiding the enemy under the Espionage Act, computer fraud and stealing government property. Manning has admitted to leaking hundreds of thousands of military intelligence files to WikiLeaks while serving in Iraq during 2009 and 2010, including clear evidence of war crimes. It was the largest such leak of classified documents in US history.

The US government has filed 22 counts against Manning, for a maximum sentence of 149 years in military prison. The most severe charge, "aiding the enemy," is a potential capital offense, but the government has said that it is not seeking the death penalty.

The whole procedure is a travesty of justice against a political prisoner. The extensive pre-trial hearings and the trial itself have been characterized by high levels of secrecy. Many of the prosecution's witnesses have testified anonymously, and courtroom access has been severely restricted. According to the Center for Constitutional Rights, Manning's trial has been "more restrictive than military tribunals at Guantanamo Bay."

While Manning's defense team made arguments Monday presenting his decision to leak classified documents as motivated by concern for the well-being of the United States, its military, and the Iraqi people, Lind's ruling prevents the defense from basing their case on the defendant's principled opposition to US policies.

On Monday, the defense called Lauren McNamara, a woman who corresponded with Manning during the period when he made the leaks. She testified that he was "concerned with saving the lives of families in foreign countries" and that he "considered human life to be valuable above all." McNamara quoted from her correspondence with Manning, reading his statement that was "concerned about making sure that everyone, soldiers, marines, contractors, even the local nationals, get home to their families."

US Army Sergeant David Sadtler, who oversaw Manning's intelligence work, testified that Manning was angered by the jailing of 15 Iraqi civilians, with US approval, for distributing written material criticizing the government. "He was upset at the situation," Sadtler said. Previously, Manning stated before the court that the Iraqis involved had no ties to the armed resistance against the US occupation and that their materials contained a "scholarly critique" of the existing regime.

Manning's pre-trial statement shows that he was motivated by a growing consciousness of the criminal character of US foreign policy. In the statement, delivered to the military judge in February, the soldier asserted that his actions were intended to initiate a process of "worldwide discussion, debates, and reforms."

Referring to politically motivated roundups carried out with full US support by the Iraqi regime, Manning said, "I knew that if I continued to assist the Baghdad Federal Police in identifying the political opponents of Prime Minister al-Maliki, those people would be arrested and in the custody of the Baghdad Federal Police and very likely tortured and not seen again for a very long time, if ever."

Manning also spoke in the earlier statement about his

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growing concerns about the Guantanamo Bay prison camp, saying, “The more I became educated on the topic, it seemed that we found ourselves holding an increasing number of individuals indefinitely that we believed or knew to be innocent.”

Referencing the diplomatic cables that he would leak, Manning said, “The more I read, the more I was fascinated by the way that we dealt with other nations and organizations. I also began to think that the documented backdoor deals and seemingly criminal activity didn’t seem characteristic of the de facto leader of the free world.”

Monday’s proceedings featured a viewing of the “Collateral Murder” video leaked by Manning, which shows US helicopter pilots committing war crimes in Baghdad, killing 12 individuals including two Reuters news personnel. While the Pentagon claims the pilots mistook the individuals for “enemy fighters,” the footage shows clearly that the victims were unarmed.

In his pre-trial statement, Manning cited his disgust at the “delightful bloodlust” the pilots in the video appeared to take in the killing, saying that “they dehumanized the individuals they were engaging and seemed to not value human life…. For me, this seems similar to child torturing ants with a magnifying glass.” He continued, “I hoped that the public would be as alarmed as me about the conduct of the aerial weapons team…. I wanted the American public to know that not everyone in Iraq and Afghanistan are targets that needed to be neutralized.”

The defense team filed four motions this week, seeking the dismissal of 7 of the 22 counts against Manning on the basis that they lack evidence. The prosecution has until Thursday to respond, at which point Colonel Lind will rule on the motions.

In support of these motions, the defense called as a witness Colonel Morris Davis, chief prosecutor for the Guantanamo military commissions between 2005 and 2007, who testified that the information on detainees leaked by Manning was already available to the public: “A lot of the information was repetitive of comparable open-source information that was available in print,” Davis said. “You could read the open-source information and sit down and write a substantial version of what was in the DAB [detainee assessment brief].”

“As far as providing sensitive information, it doesn’t do that—it is just background information,” Davis said.

Speaking to the *New York Daily News*, military justice professor Eugene Fidell of Yale University Law School said that the exposure of National Security Agency surveillance programs by Edward Snowden has significantly raised the stakes in the Manning trial. “Anybody looking at this [Manning] case is going to say, “We have to throw the book at this guy, or where does it end?’” Fidell said.

Fidell’s comments underscore that one of the central aims of the Obama administration’s vindictive prosecution of Manning is to set an example and a precedent, which will be used to prosecute all those who publicize information deemed harmful to US imperialism. The prosecution of whistleblowers is one component of a broader campaign by the US ruling elite to criminalize political dissent. The US political and military establishment is deeply fearful of growing popular opposition to its imperialist war policies, which is beginning to find expression even within its own personnel, a process embodied in the cases of Manning and Edward Snowden.

Manning is the target of a deeply reactionary political witch-hunt intended to intimidate opponents of the US foreign policy establishment. While Manning offered to plead guilty to several charges as part of a bargain, the Obama administration rejected any deal and is pushing for the maximum sentence.

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