

Manning prosecution rests case in sentencing phase

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The prosecution in the Bradley Manning court martial sentencing rested after eight days of testimony from a number of witnesses both in open and closed court. The information presented by witnesses during this phase of the trial have demonstrated the extreme weakness of the espionage charges upon which Private Manning was convicted two weeks ago. Colonel Denise Lind, the presiding judge, even threw out testimony by two different prosecution witnesses last week.

On Wednesday, Judge Lind rejected testimony given Monday by State Department undersecretary Patrick Kennedy, who stated that Manning's revelations have had a "chilling effect" on US foreign relations that continues to this day. The judge ruled that this bogus notion would only be admissible if the effect came directly after the information was published.

Judge Lind simultaneously threw out the testimony of Michael Kozak, acting assistant secretary, who stated that Manning's actions had had the same effect on foreign citizens and human rights activists, who are now allegedly hesitant to speak privately with US diplomats.

On Thursday, Navy Commander Youssef Aboul-Enein, a military expert on what he calls "militant Islamists," testified for the prosecution that members of Al Qaeda "could" have used Manning's classified information leak to plan attacks on US forces. However, he also stated that there exists no evidence that they did.

Transcripts created by the Freedom of the Press Foundation show that Aboul-Enein testified that with hundreds of thousands of military documents, Al Qaeda "can begin to deduce a pattern of behavior of how US combat forces operate in the field." However, he continued to state that he had not seen any evidence that WikiLeaks disclosures had ever played a role in

that process. These disclosures include the leaks of Bradley Manning.

Aboul-Enein also agreed that while "militant Islamists" like to brag about their tactical successes, Al Qaeda has never claimed any such success as a consequence of information provided by WikiLeaks.

Before resting on Friday, the prosecution also called Navy Rear Admiral Kevin Donegan to testify. According to Donegan, Manning's revelations put entire Afghan villages at risk of harm from the Taliban for cooperating with US forces. However, upon cross-examination, he conceded that he was unaware of any casualties suffered by this purported danger.

The fact that the prosecution has been unable to produce any concrete evidence that Bradley Manning's leaks produced any significant harm underscores the trumped-up character of the entire trial. Even Judge Lind, who has consistently favored the government, has found their weak case to be insubstantial in certain instances.

This draws out the fact that Judge Lind's conviction of Manning for espionage was politically motivated and that her ruling had no basis in law. The precedent set by the Supreme Court decision regarding the Pentagon Papers in the 1970s established that very specific evidence of harm must be demonstrated in order to silence First Amendment rights. The prosecution has failed to do this in Manning's case.

The ruling by Judge Lind, backed by the Obama administration, has utilized the prosecution of Bradley Manning in an effort to intimidate future whistleblowers and journalists who seek to reveal classified information. Manning is being made an example for those who would provide the public with information that demonstrates the criminal nature of US imperialism, branding them as spies who should be

jailed for life or executed for bringing this information to light.

The defense will begin calling witnesses in the sentencing phase today and plans to rest by Friday. They have also indicated that Bradley Manning will make a brief statement before they rest their case.

Last Tuesday, Judge Lind ruled in favor of the defense concerning their previous motion that certain charges be combined to reduce Manning's maximum potential sentence. The lowering of that maximum from 136 to 90 years has been lauded by the mainstream media as a rare victory for Manning and his defense team. The fact that 90 years is still a virtual life sentence for Manning has been ignored. Judge Lind is likely cleaning up any loose ends that could surface in opposition to any sentence she hands down to the private.



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