

US prosecutors: Manning “does not deserve the mercy of a court of law”

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Army PFC Bradley Manning’s sentencing hearings concluded Monday as US government prosecutors and Manning’s defense presented closing arguments. Earlier this month, Manning was convicted on 19 criminal counts—including five violations of the Espionage Act—for making public information detailing US war crimes in Iraq and Afghanistan.

The government used the final pre-appellate phase of the trial to call for a 60-year prison term for the young whistleblower. Army Colonel Judge Denise Lind is expected to issue a sentence today.

If you “betray your country, you do not deserve the mercy of a court of law,” said the government’s lead prosecutor, Army Captain Joe Morrow.

Repeating the government refrain that Manning is a traitor, Morrow declared that Manning’s leak “wasn’t a greater good. It wasn’t a good at all. It was destructive,” and that the whistleblower serves as an example of “arrogance meet[ing] access to sensitive information.”

Morrow emphasized that the sentence “must send a message to any soldier contemplating stealing classified information” to “ensure we never see an act like this again.”

These comments underscore the show-trial character of the prosecution of Manning. From the beginning of his imprisonment 1,294 days ago, the Obama administration has sought to make an example of the young whistleblower in order to intimidate him and silence other would-be leakers.

At the root of the government’s method is a fear that its policies of war and Constitutional encroachments are engendering deep social opposition. Morrow’s “message” to those who may seek to expose the crimes of the government is that if they speak out, they will meet the same fate as Manning—years of cruel and

unusual punishment, isolation, the denial of due process, and a lifetime in prison, or worse.

Moreover, the government has requested that Manning be imprisoned until the year 2070 despite never having offered specific evidence that Manning’s leaks endangered US forces, as required by the Espionage Act.

So weak is the evidence against Manning that Judge Lind was forced to reject an argument put forward by the prosecution that the release of diplomatic cables aided “terrorists” by causing a “chilling effect” that led to a decline in information from foreign spy sources.

Lind ruled the evidence “speculative and inadmissible.”

In reality, the government is not pursuing Manning because he provided material support for Al-Qaeda. Manning has been tried because he revealed to the American people the crimes of the US government. A main government objective throughout the trial has been to establish a precedent for punishing leakers as spies.

To this end, Lind has ruled that “enemy” is to be defined as “not only organized opposing forces in time of war but also any other hostile body that our forces may be opposing and includes civilians as well as members of military organizations.”

Lind has also ruled that Manning need not intend to cause harm—he only must have “acted with actual knowledge that intelligence published on the internet was accessible to the enemy.”

The anti-democratic character of the trial itself served as an obstacle to the waging of a principled legal defense. At the same, Manning’s lead defense attorney, David Coombs, worked entirely within the framework set out by the military and the Obama administration and refused to mount a political defense of the young

whistleblower.

In his summation on Monday, Coombs urged the court to reach an “unbiased” sentence, which he characterized as somewhat less than the prosecution’s demand for 60 years. He called “very biased” the view that Manning “go home today,” thus accepting that his own client deserves a lengthy prison sentence. He said that it would be an over-generalization to call Manning either a “traitor” or a “hero.”

Coombs based his defense largely on Manning’s gender and sexuality. He has repeatedly made the case that Manning’s military superiors should not have deployed Manning on account of his mental instability and the “emotional distress” that “impaired his thought process.”

On Monday, Coombs cited psychological reports detailing Manning’s “narcissistic personality traits” and his “regressed stages of development” in an attempt to seek a reduced sentence.

Noting that Manning was “in a post-adolescent idealism stage,” Coombs blamed Manning’s superiors for entrusting him with “access to classified information” and said that “corrective action should have been done.”

The degree to which Coombs accepts the framework of the entire “war on terror” is indicated by his demeaning reference to Manning’s belief that his leaks would cause the public to “question the need of future wars.”

“As naïve as that belief may be,” Coombs said, “it was a sincere belief...”

Manning’s belief that publicizing information detailing US war crimes could generate wider opposition to future wars is not “naïve,” but courageous. It is for these courageous acts that he is being punished, to serve as an example and set a precedent for others who would seek to reveal the crimes of the American ruling class.



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