

Punitive fines threaten whistleblower Chelsea Manning with bankruptcy

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Last Thursday, lawyers for the courageous whistleblower Chelsea Manning issued a legal challenge to punitive fines that were imposed upon her by a federal district court judge last month. Her legal team has warned that the unprecedented financial penalties threaten her with imminent bankruptcy.

Manning has been imprisoned by the Trump administration since May 16 for refusing to give perjured testimony before a grand jury against WikiLeaks and its founder Julian Assange.

Her jailing is part of the attempt by the American government to railroad Assange into a US prison for his role in the exposure of war crimes and global diplomatic conspiracies. The British authorities have greenlighted hearings next February for Assange's extradition to the US on 17 counts of violating the Espionage Act, carrying a maximum sentence of 170 years imprisonment.

In a ruling last month, Judge Anthony Trenga not only ordered that Manning be held in jail until she agreed to testify before the grand jury, he also imposed fines against her of \$500 per day, beginning after one month's imprisonment. The daily penalty will rise to \$1,000 after she has been jailed for two months.

The sanctions came into effect on June 15, meaning that Manning has already been fined \$5,000. Her official Twitter page, which is operated by her legal team and closest supporters, reported on June 20 that Manning had lost her apartment.

A subsequent Tweet stated: "She can pay the \$500 daily fines for 11 days before she is flat broke." In other words, if the fines are enforced, Manning will effectively be bankrupt this week.

On Thursday, Manning's lawyers submitted a reply brief to propose guidelines for future hearings that will assess her capacity to pay the fines. Her legal team is

seeking to table documents they say will demonstrate that as a result of her protracted persecution, Manning has virtually no money.

The whistleblower was prosecuted by the Obama administration for leaking US army and diplomatic documents and videos to WikiLeaks that exposed war crimes in Iraq and Afghanistan, and Washington's global meddling operations. Manning was convicted in 2013 and held in prison until 2017, during which time she was subjected to treatment deemed as torture by United Nations experts and international rights organisations.

On March 8, 2019, Manning was held in contempt of court and sent to jail for refusing to participate in grand jury hearings aimed at concocting charges against Assange. She was released on May 9, when that grand jury's term expired, but was immediately issued with a new subpoena and cruelly imprisoned a week later.

In a statement accompanying last week's legal filing, Manning explained that, "The government, and maybe the general public, think that I have access to resources just because I am a public figure but that's just not true. Making money has never been my priority."

She defiantly concluded: "I do the work I do for the same reason I do everything: because I want to make a difference. Now, my work has been totally interrupted by my incarceration. I definitely feel the costs of these sanctions, but I never expected to have a comfortable life, and I would rather be in debt forever than betray my principles."

According to the *Sparrow Project*, Manning's lawyers will argue in future hearings over the financial penalties that she will be unable to pay the fines, because they are far greater than her current or potential net worth. They will also note that "it is unheard of for

an individual to be hit with such heavy fines, particularly where the underlying matter involves no financial misconduct.”

Manning’s legal team will reportedly also argue that the fines, along with her imprisonment, are unlawful, because they will not coerce her to cooperate with the grand jury process.

Under existing anti-democratic legislation, fines and terms of imprisonment can only be imposed if there is a reasonable prospect that they will force a witness to testify. If there is not, they are deemed a punitive form of illegitimate punishment.

Last week’s legal challenge follows mounting questions over why Manning remains in prison, given that the US Justice Department has already unveiled its indictment against Assange.

Under existing British and US laws, individuals who are extradited from the UK to the US cannot be charged with additional crimes other than those included in the formal extradition request, or that were allegedly committed after the application had been issued.

In response to a motion by Manning’s legal team earlier this month for sanctions against her to be reconsidered, the US Justice Department stated on June 14 that “Manning’s testimony remains relevant and essential to an ongoing, investigation into charges or targets that are not included in the superseding indictment.”

The “superseding indictment” contains the publicly unveiled charges against Assange.

The response raises the prospect that the US is seeking to impose even further charges against Assange, other than those it has already revealed. Further counts against Assange could potentially carry a sentence of the death penalty. US authorities would have an interest in concealing such charges, to get around provisions banning extraditions from the UK on charges with a maximum sentence of capital punishment.

The response is also a warning that the US government may be preparing a broader legal assault on WikiLeaks, and those alleged to have assisted it, both in the United States and internationally.

The possibility that the Justice Department is preparing additional indictments targeting WikiLeaks collaborators was indicated by a report in the Associated Press on June 16. It revealed that US

investigators had received permission from the Ecuadorian government to question Ola Bini, a Swedish programmer and personal friend of Assange, who was arrested on April 11 by the Ecuadorian regime of Lenin Moreno.

Bini was held for almost two months without charge or any evidence that he had committed a crime. He was released from prison last week but remains under investigation. US officials will reportedly seek to interrogate him in Quito this Thursday. Bini has stated that he has never been a member of WikiLeaks.

The WSWS International Editorial Board last week issued a statement calling for a Global Defence Committee to coordinate a worldwide campaign to prevent Assange’s extradition to the US, and to secure his and Manning’s complete freedom.

As part of this crucial struggle, the Socialist Equality Parties around the world have called meetings and rallies, including a series of protests in Australia beginning this Saturday.

The demonstrations, in Sydney, Melbourne and Brisbane, will demand that the Australian government use its diplomatic and legal powers to block Assange’s dispatch to the US and ensure his return to Australia, with a guarantee against further political persecution.



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