

Bradley Manning: Prisoner of Conscience

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Since the terrorist attacks of September 11, 2001, the peoples of the world have witnessed successive governments in the United States that have demonstrated little if any respect for fundamental considerations of international law, human rights, and the United States Constitution itself. Instead, the world has watched a comprehensive and malicious assault upon the integrity of the international and domestic legal orders by groups of men and women who are thoroughly Machiavellian in their perception of international relations and in their conduct of both foreign affairs and American domestic policy.

Even more seriously, in many instances specific components of the U.S. government's foreign policies constitute ongoing criminal activity under well recognized principles of both international law and United States domestic law, and in particular the Nuremberg Charter, the Nuremberg Judgment, and the Nuremberg Principles, as well as the Pentagon's own U.S. Army Field Manual 27-10 on The Law of Land Warfare (1956), which applies to the President as Commander-in-Chief of United States Armed Forces under Article II, Section 2 of the United States Constitution.

Depending on the substantive issues involved, these international and domestic crimes typically include but are not limited to numerous Nuremberg offences of "crimes against peace."

Their criminal responsibility also concerns Nuremberg "crimes against humanity" and war crimes as well as grave breaches of the Four Geneva Conventions of 1949 and the 1907 Hague Regulations on land warfare. Furthermore, various officials of the United States government have committed numerous inchoate crimes incidental to these substantive offences that under the Nuremberg Charter, Judgment, and Principles as well as U.S. Army Field Manual 27-10 (1956) are international crimes in their own right: planning and preparation, solicitation, incitement, conspiracy, complicity, attempt, aiding and abetting.

Of course the terrible irony of today's situation is that over six decades ago at Nuremberg the U.S. government participated in the prosecution, punishment, and execution of Nazi government officials for committing some of the same types of heinous international crimes that these officials of the United States government have inflicted upon people all over the world. To be sure, I personally oppose the imposition of capital punishment upon any human being for any reason no matter how monstrous their crimes.

According to basic principles of international criminal law set forth in paragraph 501 of U.S. Army Field Manual 27-10, all high level civilian officials and military officers in the U.S. government who either knew or should have known that soldiers or civilians under their control (such as the C.I.A. or mercenary contractors), committed or were about to commit

international crimes and failed to take the measures necessary to stop them, or to punish them, or both, are likewise personally responsible for the commission of international crimes.

This category of officialdom who actually knew or should have known of the commission of these international crimes under their jurisdiction and failed to do anything about them include at the very top of America's criminal chain-of-command the President, the Vice-President, the U.S. Secretary of Defense, Secretary of State, Director of National Intelligence, the C.I.A. Director, National Security Advisor and the Pentagon's Joint Chiefs of Staff along with the appropriate Regional Commanders-in-Chief, especially for U.S. Central Command (CENTCOM). These U.S. government officials and their immediate subordinates are responsible for the commission of crimes against peace, crimes against humanity, and war crimes as specified by the Nuremberg Charter, Judgment, and Principles as well as by U.S. Army Field Manual 27-10 of 1956.

One generation ago the peoples of the world asked themselves: Where were the "good" Germans? Well, there were some good Germans. The Lutheran theologian and pastor Dietrich Bonhoeffer was the foremost exemplar of someone who led a life of principled opposition to the Nazi-terror state even unto death.

Today the peoples of the world are likewise asking themselves: Where are the "good" Americans? Well, there are some good Americans. They are getting prosecuted for protesting against and resisting illegal U.S. military interventions and war crimes around the world. Private Bradley Manning is America's equivalent to Dietrich Bonhoeffer, Vaclav Havel, Andrei Sakharov, Wei Jingsheng, Aung San Suu Kyi, and others. He is the archetypal American Hero whom we should be bringing into our schools and teaching our children to emulate, not those wholesale purveyors of gratuitous violence and bloodshed adulated by the U.S. government, America's financial power elite, the mainstream corporate news media, and its interlocked entertainment industry.

Today in international legal terms, the United States government itself should now be viewed as constituting an ongoing criminal conspiracy under international criminal law in violation of the Nuremberg Charter, the Nuremberg Judgment, and the Nuremberg Principles, because of its formulation and undertaking of serial wars of aggression, crimes against peace, crimes against humanity, and war crimes that are legally akin to those perpetrated by the former Nazi regime in Germany.

As a consequence, American citizens and soldiers such as Bradley Manning possess the basic right under international law and United States domestic law, including the U.S. Constitution, to engage in acts of civil resistance designed to prevent, impede, thwart, or terminate ongoing criminal activities perpetrated by U.S. government officials in their conduct of foreign affairs policies and military operations purported to relate to defense and counter-terrorism. If not so restrained, the United States government could very well precipitate a Third World War.

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