

Daniel Ellsberg Is Lauded in Death by the Same Media that Lets Assange Rot in Jail

The stark difference in treatment of the two truth-tellers is a measure of how state criminality has now become completely unchecked and unaccountable

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Rightly, there's been an outpouring of tributes to [Daniel Ellsberg](#) following the announcement of his death last Friday, aged 92. His leaking of the Pentagon Papers in 1971 revealed that Washington officials had systematically lied for decades about [US](#) military conduct in Vietnam.

The disclosure of 7,000 pages of documents, and subsequent legal battles to stop further publication by the New York Times and Washington Post, helped to bring the war to a close a few years later.

As an adviser to US Secretary of Defence Robert McNamara in the 1960s, Ellsberg had seen first-hand the Pentagon's brutal military operations that caused mass civilian casualties. Entire villages had been burned, while captured Vietnamese were tortured or executed. Deceptively, the US referred to these as "[pacification programmes](#)".

But most of those today loudly hailing Ellsberg as an "[American hero](#)" have been far more reluctant to champion the Ellsberg of our times: WikiLeaks founder Julian Assange.

For years, Assange has been rotting in a London high-security prison while the Biden administration [seeks his extradition](#) on charges that ludicrously equate his publication of the Afghan and Iraq war logs - a modern Pentagon Papers - with "espionage".

Like Ellsberg, Assange exposed the way western states had been systematically lying while they perpetrated war crimes. Like Ellsberg, he was fraudulently labelled a threat to national security and charged with espionage. Like Ellsberg, if found guilty, he faces more than 100 years in jail. Like Ellsberg, Assange has learned that the US Congress is unwilling to exercise its powers to curb governmental abuses.

But unlike Ellsberg's case, the courts have consistently sided with Assange's persecutors, not with him for shining a light on state criminality. And, in a further contrast, the western media have stayed largely silent as the noose has tightened around Assange's neck.

The similarities in Assange's and Ellsberg's deeds – and the stark differences in outcomes – are hard to ignore. The very journalists and publications now extolling Ellsberg for his historic act of bravery have been enabling, if only through years of muteness, western capitals' moves to demonise Assange for his contemporary act of heroism.

Docile lapdogs

The hypocrisy did not go unnoticed by Ellsberg. He was one of the noisiest defenders of Assange. So noisy, in fact, that most media outlets felt obliged in their obituaries to make [reference to the fact](#), even if in passing.

Ellsberg testified on Assange's behalf at an extradition hearing in London in 2020, observing that the pair's actions [were identical](#). That was not entirely right, however.



Assange published classified documents passed to WikiLeaks by Chelsea Manning, just as the New York Times published the secrets handed to them by Ellsberg. Given that media freedoms are protected by the US First Amendment, whereas whistleblowing by an official is not, Assange's treatment is even more perverse and abusive than Ellsberg's.

In contrast to his case, Ellsberg added, the WikiLeaks founder could never [receive a fair hearing](#) in the US. His trial has already been assigned to a court in the eastern district of Virginia, home to the US intelligence agencies.

Late last year, as Assange's prospects of extradition to the US increased, Ellsberg admitted that he had been secretly given a [backup copy](#) of the leaked Afghan and Iraq war logs, in case WikiLeaks was prevented from making public the details of US and UK criminality.

Ellsberg pointed out that his possession of the documents made him equally culpable with Assange under the justice department's draconian "espionage" charges. During a BBC interview, he demanded that [he be indicted too](#).

If the praise being lavished on Ellsberg in death demonstrates anything, it is the degree to which the self-professed watchdogs of western state power have been tamed over subsequent decades into being the most docile of lapdogs.

In the Assange case, the courts and establishment media have clearly acted as adjuncts of power, not checks on it. And for that reason, if no other, western states are gaining greater and greater control over their citizenry in an age when [mass digital surveillance](#) is easier than ever.

Spied on day and night

For those reluctant to confer on Assange the praise being heaped on Ellsberg, it is worth remembering how similarly each was viewed by US officials in their respective eras.

Henry Kissinger, President Richard Nixon's national security adviser and then secretary of state, called Ellsberg the "[most dangerous man in America](#)".

Mike Pompeo, President Donald Trump's director of the Central Intelligence Agency, declared Assange and WikiLeaks a "non-state, [hostile intelligence service](#)". Pompeo's CIA also secretly plotted ways to [kidnap or assassinate](#) Assange in London.

Both Ellsberg and Assange were illegally surveilled by government agencies.

In Ellsberg's case, Nixon's officials wiretapped his conversations and tried to dig up dirt by stealing files from his [psychiatrist's office](#). The same team carried out the Watergate break-in, famously exposed by the US media, that ultimately brought Nixon down.

In Assange's case, the CIA [spied on him](#) day and night after he was given political asylum in the Ecuadorian embassy, even violating his privileged conversations with his lawyers. Astonishingly, this law-breaking has barely been remarked on by the media, even though it should have been grounds alone for throwing out the extradition case against him.

Nixon officials tried to [rig Ellsberg's trial](#) by offering the judge in his hearings the directorship of the Federal Bureau of Investigation.

In Assange's case, a series of [judicial irregularities](#) and apparent [conflicts of interest](#) have [plagued the proceedings](#), again ignored by the establishment media.

Above the law

But if the modern White House is as hostile to transparency as its predecessors – and armed with more secret tools to surveil critics than ever before – the media and the courts are offering far less remedy than they did in Ellsberg's time.

Even the Obama administration understood the dangers of targeting Assange. His relationship to Manning was no different from the New York Times' to Ellsberg. Each publicised state wrongdoing after classified documents were divulged to them by a disenchanted official.

Prosecuting Assange was seen as [setting a precedent](#) that could ensnare any publisher or media outlet that made public state secrets, however egregious the crimes being exposed.

For that reason, Obama went [full guns blazing](#) against whistleblowers, locking up more of them than all his predecessors combined. Whistleblowers were denied any right to claim a public-interest defence. State secrecy was sacrosanct, even when it was being abused to shield evidence of criminality from public view.

Asked whether Obama would have pursued him through the courts, as Nixon did, [Ellsberg answered](#): “I’m sure that President Obama would have sought a life sentence in my case.”

It took a reckless Trump administration to go further, casting aside the long-standing legal distinction between an official who leaks classified documents in violation of their employment contract, and a publisher-journalist who exposes those documents in accordance with their duty to hold the powerful to account.

Now Biden has chosen to follow Trump’s lead by continuing Assange’s show trial. The new presumption is that it is illegal for anyone – state official, media outlet, ordinary citizen – to disclose criminal activity by an all-powerful state.

In Assange’s case, the White House is openly manoeuvring to win recognition for itself as officially above the law.

Disappeared from view

In the circumstances, one might have assumed that the courts and media would be rallying to uphold basic democratic rights, such as a free press, and impose accountability on state officials shown to have broken the law.

In the 1970s, however imperfectly, the US media gradually unravelled the threads of the Watergate scandal till they exposed the unconstitutional behaviour of the Nixon administration. At the same time, the liberal press rallied behind Ellsberg, making common cause with him in a fight to hold the executive branch to account.

Nixon’s attorney general, John Mitchell, [charged Ellsberg with espionage](#) and accused the New York Times of the same. Claiming the paper had undermined national security, he threatened it with ruinous legal action. The Times ignored the threats and carried on publishing, forcing the justice department to obtain an injunction.

The courts, meanwhile, took the side of both Ellsberg and the media in their legal battles. In 1973, the federal court in Los Angeles threw out the case against Ellsberg before it could be put to a jury, [accusing the government](#) of gross misconduct and illegal evidence gathering against him.

Meanwhile, the Supreme Court prioritised freedom of the press, denying the government prior restraint. Ultimately, these cases and others forced Nixon from office in disgrace.

The contrast with Assange’s treatment by the media and the courts could not be starker.

The media, even “liberal” outlets he worked with on the Afghan and Iraq logs, including the New York Times and the Guardian, have struggled to show even the most cursory kind of solidarity, preferring instead to distance themselves from him. They have largely conspired in US and UK efforts to suggest Assange is not a “[proper journalist](#)” and therefore does not deserve First Amendment protections.

These media outlets have effectively partnered with Washington in suggesting that their collaboration with Assange in no way [implicates them](#) in his supposed “crimes”.

As a result, the media has barely bothered to cover his hearings or explain how the courts have twisted themselves into knots by ignoring the most glaring legal obstacles to his extradition: such as the specific exclusion in the [UK's 2007 Extradition Treaty](#) with the US of extraditions for political cases.

Unlike Ellsberg, who became a cause celebre, Assange has been disappeared from public view by the states he exposed and largely forgotten by the media that should be championing his cause.

Shortening odds

Ellsberg emerged from his court victory over the Pentagon Papers [to argue](#): “The demystification and de-sanctification of the president has begun. It’s like the defrocking of the Wizard of Oz.”

In this assessment, time has proved him sadly wrong, as he came to recognise.

In recent months, Ellsberg had become an increasingly voluble critic of US conduct [in the Ukraine war](#). He drew parallels with the lies told by four administrations - Truman, Eisenhower, Kennedy and Johnson - to hide the extent of Washington’s involvement in Vietnam before the US went public with its ground war.

Ellsberg warned that the US was waging a similarly undeclared war in Ukraine - a proxy one, using Ukrainians as cannon fodder - to [“weaken the Russians”](#). As in Vietnam, the White House was gradually and secretly escalating US involvement.

And also as in Vietnam, western leaders were concealing the fact that the war had reached a stalemate, with the inevitable result that large numbers of Ukrainians and Russians were losing their lives in fruitless combat.

He called former British Prime Minister Boris Johnson’s hidden, early role in stymying peace talks between Russia and Ukraine [“a crime against humanity”](#).

Referring to history repeating itself, [he observed](#): “It’s an awakening that’s in many ways painful.”

Most of all, Ellsberg feared that the West’s war machine - addicted to Cold War belligerence, obscured under the supposedly “defensive” umbrella of Nato - wanted once again to confront China.

In 2021, as the Biden administration intensified its hostile posturing towards Beijing, Ellsberg revealed that back in 1958 Eisenhower’s officials had drawn up secret plans to attack [China with nuclear weapons](#). That was during an earlier crisis over the Taiwan Strait.

“At this point, I’m much more aware of... how little has changed in these critical aspects of the danger of nuclear war, and how limited the effectiveness has been to curtail what we’ve done,” [he told an interviewer](#) shortly before he died.

What Ellsberg understood most keenly was the desperate need - if humanity was to survive

- both for more whistleblowers to come forward to expose their states' crimes, and for a tenacious, watchdog media to give their full backing.

Watching the media abandon Assange to his persecutors, Ellsberg could draw only one possible conclusion: that humanity's odds were shortening by the day.

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