

The Release of Julian Assange: Plea Deals and Dark Legacies

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*One of the longest sagas of political persecution is coming to its terminus. That is, if you believe in final chapters. Nothing about the fate of **Julian Assange** seems determinative. His accusers and inquisitors will draw some delight at the plea deal reached between the WikiLeaks founder's legal team and the US Department of Justice. Others, such as former US Vice President, **Mike Pence**, [thought](#) it unjustifiably lenient.*

Alleged to have committed 18 offences, 17 novelly linked to the odious Espionage Act, the June 2020 superseding [indictment](#) against Assange was a frontal assault on the freedoms of publishing and discussing classified government information. At this writing, Assange has arrived in Saipan, located in the US commonwealth territory of Northern Mariana Islands in the Western Pacific, to face a [fresh indictment](#). It was one of Assange's conditions that he would not present himself in any court in the United States proper, where, with understandable suspicion, he might legally vanish.

As [correspondence](#) between the US Department of Justice and US District Court **Chief Judge Ramona V. Manglona** reveals, the "proximity of this federal US District Court to the defendant's country of citizenship, Australia, to which we expect he will return at the conclusion of proceedings" was also a factor.

Before the US District Court for the Northern Mariana Islands, he will plead guilty to one count of conspiracy to obtain and disclose national defence information under the Espionage Act of 1917, or section 793(g) (Title 18, USC). The felony carries a fine up to \$10,000 and/or up to 10 years in prison, though Assange's time in Belmarsh Prison, spent on remand for some 62 months, will meet the bar.

The [felony charge sheet](#) alleges that Assange knowingly and unlawfully conspired with US

Army intelligence analyst **Chelsea Manning**, then based at Operating Base Hammer in Iraq, to receive and obtain documents, writings and notes, including those of a secret nature, relating to national defence, wilfully communicated those documents from persons with lawful possession of or access to them to those not entitled to receive them, and do the same from persons unauthorised to possess such documents.

Before turning to the grave implications of this single count and the plea deal, supporters of Assange, including his immediate family, associates and those who had worked with him and drunk from the same well of publishing, had every reason to feel a surreal sense of intoxication. WikiLeaks [announced](#) Assange's departure from London's Belmarsh Prison on the morning of June 24 after a 1,901 day stint, his grant of bail by the High Court in London, and his release at Stansted Airport. Wife Stella regularly updated followers about the course of flight VJ199. In [coverage](#) posted of his arrival at the federal court house in Saipan, she pondered "how overloaded his senses must be, walking through the press scrum after years of sensory deprivation and the four walls" of his Belmarsh cell.

Julian has arrived at the federal court house in Saipan.

I watch this and think how overloaded his senses must be, walking through the press scrum after years of sensory deprivation and the four walls of his high security Belmarsh prison cell.

pic.twitter.com/BzgkpWPXdy

— Stella Assange #FreeAssangeNOW (@Stella_Assange) [June 25, 2024](#)

As for the plea deal itself, it is hard to fault it from the emotional and personal perspective of Assange and his family. He was ailing and being subjected to a slow execution by judicial process. It was also the one hook upon which the DOJ, and the Biden administration, might move on. This being an election year in the US, the last thing President Biden wanted was a haunting reminder of this nasty saga of political persecution hovering over freedom land's virtues.

There was another, rather more sordid angle, and one that the DOJ had to have kept in mind in thinning the charge sheet: a proper Assange trial would have seen the murderous fantasies of the CIA regarding the publisher subject to scrutiny. These included various possible measures: abduction, rendition, even assassination, points [thoroughly explored](#) in a *Yahoo News* contribution in September 2021.

One of the authors of the piece, Zach Dorfman, [posted](#) a salient reminder as news of the plea deal filtered through that many officials during the Trump administration, even harsh critics of Assange, "thought [CIA Director Mike] Pompeo's extraordinary rendition plots foolhardy in the extreme, and probably illegal. They also - critically - thought it might harm Assange's prosecution." Were Pompeo's stratagems to come to light, "it would make the discovery process nightmarish for the prosecution, should Assange ever see trial."

From the perspective of publishers, journalists and scribblers keen to keep the powerful accountable, the plea must be seen as enormously troubling. It ultimately goes to the brutal exercise of US extraterritorial power against any publisher, irrespective of outlet and irrespective of nationality. While the legal freight and prosecutorial heaviness of the

charges was reduced dramatically (62 months seems sweetly less imposing than 175 years), the measure extracts a pound of flesh from the fourth estate. It signals that the United States can and will seek out those who obtain and publish national security information that they would rather keep under wraps under spurious notions of “harm”.

Assange’s conviction also shores up the crude narrative adopted from the moment WikiLeaks began publishing US national security and diplomatic files: such activities could not be seen as journalistic, despite their role in informing press commentary or exposing the venal side of power through leaks.

From the lead prosecuting attorney Gordon Kromberg to such British judges as Vanessa Baraitser; from the national security commentariat lodged in the media stable to any number of politicians, including the late California Democrat Dianne Feinstein to the current President Joe Biden, Assange was not of the fourth estate and deserved his mobbing. He gave the game away. He pilfered and stole the secrets of empire.

To that end, the plea deal makes a mockery of arguments and effusive declarations that the arrangement is somehow a victory for press freedom. It suggests the opposite: that *anyone* publishing US national security information by a leaker or whistleblower is imperilled. While the point was never tested in court, non-US publishers may be unable to avail themselves of the free speech protections of the First Amendment. The Espionage Act, for the first time in history, has been given a global, tentacular reach, made a weapon against publishers outside the United States, paving the way for future prosecutions.

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