

Trump Regime Torture and Abuse of Chelsea Manning

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Region: [USA](#)

Theme: [Law and Justice](#)

In March 2019, Manning was imprisoned for invoking her constitutional right of silence.

She courageously refused to be part of the Trump regime's effort to frame and imprison Julian Assange longterm for the "crime" of truth-telling investigative journalism the way it's supposed to be.

Released in May following expiration of the grand jury she justifiably refused to cooperate with, she was straightaway subpoenaed to testify before a new grand jury — imprisoned again for invoking her right of silence.

Earlier she said the following:

"I will not comply with this, or any grand jury. Imprisoning me for my refusal to answer questions only subjects me to additional punishment for my repeatedly-stated ethical objections to the grand jury system," adding:

"The grand jury's questions pertained to disclosures from nine years ago, and took place six years after an in-depth computer forensics case in which I testified for almost a full day about these events. I stand by my previous public testimony."

"I will not participate in a secret process that I morally (and legally) object to, particularly one that has been historically used to entrap and persecute activists for protected political speech."

"...I resent being forced to endanger myself by participating in this predatory practice."

The hostile US grand jury system "undermine(s) the integrity of public discourse with the aim of punishing those who expose any serious, ongoing, and systemic abuses of power by" officials in Washington.

In response to each question asked, she said the following:

"I object to the question and refuse to answer on the grounds that the question is in violation of my First, Fourth, and Sixth Amendment, and other statutory rights."

Constitutionally protected rights in the US aren't good enough — for her and anyone else dark forces in Washington want framed and imprisoned for political reasons.

Due process and equal protection under law are null and void in the US, state-sponsored

police state repression replacing it.

Manning is one of thousands of abused political prisoners held captive indefinitely in the US gulag prison system.

On December 30, UN special rapporteur on torture Nils Melzer accused the Trump regime of torturing Manning, releasing a letter he wrote in November last year.

Calling her indefinite detention unlawful, he demanded her release, tweeting that her continued captivity “amount(s) to torture & should be discontinued & abolished without delay.”

Last March, her lawyers called her unconstitutional detention “pointless, punitive and cruel,” stressing she won’t change her mind about refusing to participate in state-sponsored crucifixion of Julian Assange.

She’s currently being punitively fined \$1,000 a day for remaining silent.

Her unacceptable detention is “incompatible with the international human rights obligations” the Trump regime is required to obey under international law, said Melzer.

A yearend Manning tweet described her last decade from 2010 - 2019, as follows:

- “- 77.76% in jail
 - 11.05% in solitary confinement
 - 51.23% fighting for gender affirming care
 - 100.00% being true to myself no matter what
 - 0.00% backing down
- #HappyNewYear”

Melzer’s [letter](#) dated November 1 ran six pages. Here’s what he said:

“I have the honor to address you in my capacity as Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolution 34/19.”

“In this connection, I would like to bring to the attention of your Excellency’s Government information I have received regarding the use of civil contempt sanctions to detain and fine, Ms. Chelsea Manning, allegedly to coerce compliance with grand jury procedures.”

“She is currently detained in William G. Truesdale Adult Detention Center in Alexandria, Virginia.”

“Ms. Manning was the subject of an urgent appeal sent by my predecessor on 30 December 2010 (UA 20/2010), with regard to allegations of prolonged solitary confinement during her pre-trial detention, reportedly imposed in an effort to coerce her to testify against her will.”

“In follow-up to the reply by your Excellency’s Government to that letter, and after holding

several discussions with the then Legal Advisor of the Government and key officials from the Departments of Defence and State, a further letter was sent to the Government on 16 June 2011 (AL 8/2011)."

"The letter expressed concern over the refusal by the relevant authorities to allow private, unmonitored and privileged communications in accordance with the terms of reference and working methods of the mandate."

"Furthermore, concern over restrictive conditions for prisons visits and for interviews with inmates was the subject of a press statement by the mandate holder on 12 July 2011."

"Convicted and sentenced to 35 years of imprisonment in 2013, Ms. Manning's sentence was commuted to 7 years of total confinement in January 2017."

"While I welcome Ms. Manning's subsequent release in May 2017, I am deeply concerned at the new allegations outlined below."

"According to the information received:"

"In March 2019, Ms. Manning was summoned to appear and give testimony before a federal grand jury convened in the Eastern District of Virginia."

"The grand jury was reportedly assembled for the purpose of investigating numerous reporters, national security journalists, domestic and international publishers and freedom of information activists."

"Ms. Manning objected to the subpoena and raised a number of legal challenges to its legitimacy."

"On 8 and 16 May 2019, having unsuccessfully requested the subpoena to be withdrawn or quashed, she was found to be in civil contempt of the court's order to appear before the grand jury."

"Since then, Ms. Manning has been confined at William G. Truesdale Adult Detention Center in Alexandria, Virginia, with the aim of coercing her to testify."

"In addition, she has been subject to a daily fine, for the first thirty days at a rate of USD 500 and thereafter at the rate of USD 1,000 for each day she refuses to give testimony."

"The duration of such coercive detention is reportedly limited to the duration of the grand jury, namely 18 months, but could be perpetuated indefinitely with the subsequent establishment of successive grand juries."

"While I do not wish to prejudge the accuracy of these allegations, I express serious concern at the reported use of coercive measures against Ms. Manning, particularly given the history of her previous conviction and ill-treatment in detention."

"It is my understanding that the practice of coercive deprivation of liberty for civil contempt under the Recalcitrant Witness Statute, 28 U.S.C § 1826, involves the intentional infliction of progressively severe mental and emotional suffering for the purposes of coercion and intimidation at the order of judicial authorities."

“Indeed, victims of prolonged coercive confinement have demonstrated post-traumatic symptoms and other severe and persistent mental and physical health consequences.”

“Based on these elements, I conclude that such deprivation of liberty does not constitute a circumscribed sanction for a specific offense, but an open-ended, progressively severe measure of coercion fulfilling all the constitutive elements of torture or other cruel, inhuman or degrading treatment or punishment.”

“In my view, such measures do not fall under the ‘lawful sanctions’ exception of Article 1 CAT, but are contrary to the absolute, non-derogable and peremptory prohibition of torture and, therefore, should be discontinued and abolished without delay.”

“More specifically, the practice of coercive detention appears to be incompatible with the international human rights obligations of the United States under, inter alia, Articles 1, 2, 15 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), as well as under Articles 2, 7 and 9 of the International Covenant on Civil and Political Rights (ICCPR); ratified by the United States of America in 1994 and 1992 respectively.”

“I would also draw the attention of your Excellency’s Government to paragraph 8a of Human Rights Council Resolution 16/23, which reminds States that ‘Intimidation and coercion, as described in article 1 of the Convention against Torture...can amount to cruel, inhuman or degrading treatment or to torture.’ ”

“In connection with the above alleged facts and concerns, please refer to the Annex on Reference to international human rights law attached to this letter which cites international human rights instruments and standards relevant to these allegations.”

“As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:”

“1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.”

“2. Please provide information concerning the factual and legal grounds for subjecting Ms. Manning to continued deprivation of liberty and daily fines, especially after her categorical and persistent refusal to give testimony demonstrates the lack of their coercive effect.”

“3. Please provide information on how such coercive measures, which do not constitute circumscribed criminal sanctions, but which appear to intentionally inflict progressively severe suffering and financial pressure for the purpose of coercing individuals to testify against their conscience, are compatible with the international human rights obligations of the United States and, most notably, the absolute and non-derogable prohibition of torture and ill-treatment as provided for, inter alia, in the ICCPR and the CAT (Convention Against Torture).”

“4. Please explain what are the legal consequences when it is demonstrated that the contemnor is not coercible and will not testify against his or her conscience, thus defeating the purported purpose of his or her incarceration?”

“5. Please provide information on the measures taken to ensure the physical and mental

integrity of Ms. Manning, as required under ICCPR and CAT.”

“I would welcome receiving clarification to these questions at your earliest convenience, as the allegations described in this letter warrant urgent attention, and may have serious adverse consequences for Ms. Manning’s rights and integrity.”

“This communication and any response received from your Excellency’s Government will be made public via the communications reporting website within 60 days.”

“They will also subsequently be made available in the usual report to be presented to the Human Rights Council.”

“While awaiting a reply, I recommend that Ms. Manning’s current deprivation of liberty be promptly reviewed in light of the United States’ international human rights obligations.”

“Should my assessment regarding its purely coercive purpose be accurate, I recommend that Ms. Manning be released without further delay, and that any fines disproportionate to the gravity of any offense she may have committed be cancelled or reimbursed.”

“I intend to publicly express my concerns in the near future as, in my view, the information upon which my concerns are based is sufficiently reliable to indicate a matter warranting prompt attention.”

“I also believe that the wider public should be alerted to the potential human rights implications of these allegations.”

“Any public expression of concern on my part will indicate that I have been in contact with your Excellency’s Government’s to clarify the issue/s in question.”

“Please accept, Excellency, the assurances of my highest consideration.”

Nils Melzer

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

The letter includes an annex with information on relevant international laws, norms and standards, explaining the Trump regime’s breach of its international and constitutional obligations.

Manning and countless others are political prisoners in America, languishing longterm under cruel and inhumane conditions — enduring solitary confinement, poor medical care, and other forms of abuse.

Howard Zinn called dissent “the highest form of patriotism,” adding:

“(I)f patriotism means being true to the principles for which your country is supposed to stand, then certainly the right to dissent is one of those principles.”

“And if we’re exercising that right to dissent, it’s a patriotic act.”

“One of the great mistakes (about) patriotism...is to think (it) means support for your government, (ignoring America’s Declaration of Independence principle that says) when

governments have become destructive (of life, liberty and equality). it is the right of the people...to alter or abolish" them.

Former political prisoner Marilyn Buck called prisons warehouses to "disappear the unacceptable, depriv(ing) captives of their liberties, their human agency, and to punish (and) stigmatize prisoners through moralistic denunciations and indictment based on bad genes – skin color (ethnicity, or other characteristics) as a crime," adding:

Countless thousands in the US aren't imprisoned because they're "criminals, but because they've been accused of breaking (a law) designed to exert tighter social control and state repression," scapegoating, demonizing, and criminalizing them for their beliefs and activism.

Police state brutality locks them in cages for advocating peace over war, for courageously resisting injustice, defending freedom, equality, and human rights, and believing another world isn't just possible but essential for a world safe and fit to live in.

Post-9/11, it's increasingly harsh and unjust. Imprisonment for political views in the US resembles how Dante's Inferno described hell, saying:

"Abandon hope all ye who enter here," the fate of political prisoners in the US gulag prison system at home and abroad.

Suffering from late-stage uterine cancer, Buck was released in mid-July 2010, perishing three weeks later.

Human rights lawyer Lynne Stewart was released from political imprisonment on New Year's day 2014 after being given months to live because of terminal breast cancer.

On March 8, 2017, she died from cancer and complications from a massive stroke days earlier, followed by mini-strokes.

I knew Lynne and wrote the following on her passing:

She was a people's lawyer, a human and civil rights champion, a justice warrior, framed by the Bush/Cheney regime for doing the right things.

Never backing off from or shunning controversy, she championed the rights of the poor, underprivileged, and others rarely afforded due process unless lucky to have an advocate like her.

Practicing human rights law for 30 years, she knew the risks, yet courageously took them.

The US notoriously honors its worst and punishes its best, the fate of Lynne, Marilyn, Julian, Chelsea, and countless others less well known.

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