

US Army Charges Bradley Manning With Capital Offense

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The United States Army late Wednesday notified Private First Class Bradley Manning, whom it suspects of being WikiLeaks's source for thousands of classified military reports and embassy cables, that it was filing an additional 22 charges against him.

The new charges in Manning's court martial process include "aiding the enemy," a capital offense. A news release from the Army said the prosecution team has "notified the defense that the prosecution will not recommend the death penalty." However, it is up to the commander overseeing the case to make the final decision about imposing the death penalty.

This means that Manning, who has already suffered through ten months of solitary confinement in a brig at the Marine base in Quantico, Virginia, now has the possibility of execution hanging over his head. His alleged "crime" is facilitating the publication of documents and videos that expose war crimes committed by the United States in Iraq and Afghanistan and some of the diplomatic conspiracies carried out by the US government.

Manning, who was serving as an intelligence specialist in Iraq, was first charged in May with 12 counts of downloading without authorization a secret video of US attack helicopters shooting down civilians in Baghdad (posted last April by WikiLeaks) as well as military and diplomatic files, and sharing them.

The military has held him since then under abusive conditions that amount to torture, even though he has been convicted of no offense and has no history of violence. He is confined to his cell 23 hours a day, allowed out but one hour for exercise, not permitted to sleep during the day, and severely restricted in the use of his glasses and his access to reading material.

Amnesty International, among other human rights groups, has denounced his treatment as "inhumane," and the United Nations is investigating whether it constitutes torture.

The "aiding the enemy" charge involves "giving intelligence to the enemy," which is defined as "organized opposing forces in time of war but also other hostile body that our forces may be opposing such as a rebellious mob or a band of renegades." Under this definition the enemy could be civilian or military.

The charge sheet does not mention by name the alleged enemy. It could refer to anti-occupation insurgents in Afghanistan or Iraq, or to WikiLeaks, which Secretary of State Hillary Clinton has accused of launching an "attack on America."

The new charges also include the use of unauthorized software on official computers for obtaining secret information. This offense is also punishable by death under the US Uniform Code of Military Justice.

The initial 12 charges carried a possible prison sentence of 52 years.

According to Manning's defense attorney, David Coombs, the 22 new charges were preferred by Manning's commanding officer after he made his own judgment of possible offenses in the case. Under the court martial procedure, a provisional hearing, known as an Article 32, is to be held in late May or early June, when final charges are to be laid.

At that stage it will be known for certain whether Manning will face a possible death sentence.

David House, a researcher at the Massachusetts Institute of Technology, is one of the few people to have visited Manning in prison. Alluding to President Nixon's charge that Pentagon Papers whistleblower Daniel Ellsberg was "providing aid and comfort to the enemy," he said, "Today we see the Obama administration continuing the legacy Nixon started by declaring whistleblowers as enemies of the state. It is a sad and dangerous day for transparency advocates everywhere."

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