

Chelsea Manning jailed for refusal to testify against WikiLeaks

By Patrick Martin
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A federal judge ordered Chelsea Manning to prison Friday morning for an indefinite period of time, after the former Army private, jailed for seven years for providing information to WikiLeaks exposing US war crimes in Iraq and Afghanistan, refused on principle to answer any questions before a secret grand jury investigating the media organization and its founder Julian Assange.

“The Socialist Equality Party unequivocally condemns the US government’s vindictive and criminal persecution of Chelsea Manning,” said Joseph Kishore, the national secretary of the Socialist Equality Party (SEP) in the US.

“Chelsea suffered solitary confinement, abuse and torture, and over six years of imprisonment for letting the American and world population know the truth. Yesterday, she once again stood firm to fundamental democratic principle and refused to assist the Trump administration in its vendetta to falsely incriminate WikiLeaks and Julian Assange. She is a heroic figure and she must be defended.

“Working people all over the world will never forget Chelsea’s courageous exposure, at vast personal cost, of the crimes of American imperialism. Amid a growing global strike wave, the Socialist Equality Party will do everything in its power to mobilize the working class to defend Chelsea, and free Julian Assange and all other class war prisoners.”

The Socialist Equality Parties in the UK and Australia are participating in rallies on Sunday, March 10 outside Ecuador’s London embassy and at the State Library in Melbourne, called last month to oppose the continued confinement of Julian Assange at the London embassy, and demanding that the Australian government intervene on his behalf and obtain his release from Britain with the right to return home to Australia. The demonstrations will demand the immediate release of Manning as inseparable from the struggle to free Assange.

James Cogan, national secretary of the SEP in Australia, issued the following statement Friday:

“The Trump administration’s imprisonment of Chelsea Manning for refusing to give false testimony against WikiLeaks and Julian Assange is an outrage. She has suffered more than enough for her courage and service to the truth. American democracy rolls in the gutter and is rapidly descending into the sewer of dictatorship.

“The working class everywhere must come to Chelsea’s defence and take up the demand for the immediate release of Assange and all persecuted class war prisoners. The SEP in Australia will be redoubling our effort to secure Julian’s immediate return to this country with full protection.

And we will be joining all international action to fight for the immediate restoration of Chelsea Manning’s freedom.”

The brief hearing before Judge Claude M. Hilton was the only part of the court proceedings involving Manning that was open to the public. Hilton rejected the argument by Manning’s lawyers that confining her to house arrest would better serve her medical needs. She has received gender reassignment surgery and requires complex medical attention. Hilton said the US Marshals Service would provide adequate care.

“I’ve found you in contempt,” Hilton declared, ordering Manning to jail immediately. The imprisonment in a federal facility in Alexandria, Virginia would continue indefinitely, he said, “either until you purge yourself [agree to testify] or the end of the life of the grand jury.”

The grand jury has been empaneled to bring espionage and conspiracy charges against Julian Assange and WikiLeaks. Manning revealed that the questions she had refused to answer on Thursday all concerned her interaction with the organization, which receives documents delivered to it anonymously and avoids learning the identity of contributors in order not to undermine their security.

Manning provided WikiLeaks more than 500,000 documents which she copied from military and government archives while serving as an intelligence analyst in Iraq during one of the most violent periods of the US military occupation, in 2005-2006. The material showed extensive war crimes in both Iraq and Afghanistan, including the notorious gun-camera video of a US helicopter gunship mowing down unarmed Iraqi civilians, including two Reuters reporters, later published by WikiLeaks under the title “Collateral Murder.”

Manning was convicted in a 2013 trial and sentenced to 35 years in prison, serving a total of seven years before her sentence was commuted by President Barack Obama three days before he left office.

Federal prosecutors subpoenaed Manning to testify before the grand jury and gave her immunity for her testimony, in the

hopes of using it against Assange and WikiLeaks. But Manning has refused on principle to collaborate with the secret grand jury. She answered each question posed to her by invoking her rights under the First, Fourth and Sixth amendments to the US Constitution.

“All of the substantive questions pertained to my disclosures of information to the public in 2010—answers I provided in extensive testimony, during my court-martial in 2013,” she said.

A statement issued by Manning after being sent to prison reads:

“I will not comply with this, or any other 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.

“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.”

The statement concludes with Manning’s courageous declaration that she “will not participate in a secret process that I morally object to, particularly one that has been historically used to entrap and persecute activists for protected political speech.”

Manning’s lawyer, Moira Meltzer-Cohen, told the *World Socialist Web Site* after the decision, “Chelsea’s actions speak for themselves. She is a person of tremendous honor and courage, and this latest struggle is just the most recent in a long series of principled stands she has taken.”

Asked if she is concerned about the conditions Chelsea will face in jail, Meltzer-Cohen said that the government has made assurances that her health needs will be taken care of, but that “we all need to be vigilant that those assurances are made good on.”

Manning’s lawyers said they expected to file an appeal of Hilton’s order jailing Chelsea, citing in particular the fact that jailing for refusal to testify can only be coercive, not punitive. In other words, if they can demonstrate that Manning will never agree to testify, no matter how long she is jailed, the court cannot simply keep her in prison to punish her for her silence.

The jailing of Chelsea Manning is a particularly outrageous attack on democratic rights, carried out by a federal judge who is a byword for reactionary pro-government, pro-police and pro-employer bias, and a longtime collaborator with the national security state.

Hilton was one of a relative handful of federal judges selected by Chief Justice William Rehnquist to serve on the Foreign Intelligence Surveillance Act (FISA) court, the special judicial panel set up to secretly rubber-stamp requests for spying authorizations for the FBI, CIA, NSA and other intelligence agencies. The court is notorious for approving 99.9

percent of such requests. Hilton was on the panel from 2000 to 2007, during the period when the Bush administration set up secret CIA torture camps and enormously escalated the NSA spying on telecommunications and the internet.

Appointed to the bench by Ronald Reagan in 1985, Hilton proved his value to the military-intelligence apparatus early in his career, with a 1989 decision that cleared CIA operative Joseph Fernandez, charged with four criminal counts in the Iran-Contra affair, after the CIA refused to release documents required for the prosecution of the case. In effect, the intelligence apparatus ensured impunity for its own criminal operations by refusing to cooperate with the investigation by Special Counsel Lawrence Walsh, a legal dodge approved by Judge Hilton.

According to the website “The Robing Room,” which allows lawyers and litigants appearing before federal judges to rate their demeanor, legal knowledge, and bias, Hilton routinely incorporates prosecution and government briefs into his legal “opinions,” almost never rules in favor of individuals suing their employers, the police or the government, and frequently sleeps through oral arguments by defense attorneys.

One attorney, posting on the site, called Hilton, “The most prejudiced judge with regard to average and below average income United States citizens that I have ever observed. This judge has no sense whatsoever of the search for Truth and Justice and he clearly avoids any reasonable search for Truth and Justice, especially if a large corporation or the federal government is the defendant!”

The SEP in the United States and its youth movement, the International Youth and Students for Social Equality (IYSSE) will announce a series of meetings and demonstrations to demand the immediate release of Chelsea Manning. The World Socialist Web Site urges all of its readers and supporters to join our mailing list to get meeting announcements and updates on the campaign to free Chelsea.

To contact the WSWWS and the
Socialist Equality Party visit:

<http://www.wsws.org>