

Unsealed documents shed light on state conspiracy against Chelsea Manning

By Kevin Reed
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On Wednesday, the U.S. Eastern District Court of Virginia unsealed several filings concerning Chelsea Manning's legal challenge to the subpoena attempting to force her to testify before a grand jury involved in fabricating charges against WikiLeaks publisher Julian Assange.

Among the unsealed documents is Manning's legal motion of March 1 to have the subpoena thrown out on the grounds that it violates her First and Fifth Amendment rights, that it is an abuse of the grand jury process and that it is the product of illegal electronic surveillance by the government.

The documents include the government's response to Manning's motion and other filings related to unsealing the documents as well as a transcript of a March 5 hearing before US District Judge Claude Hilton on these matters.

Chelsea Manning—who has taken a brave and principled stand against the attempt to frame up Assange—was jailed on March 8 on civil contempt charges for refusing to testify before the secret grand jury. Judge Hilton cruelly sentenced her to jail indefinitely knowing full-well that she had already served seven years in prison—including long stretches in solitary confinement—even though she is recognized throughout the world as a courageous whistleblower and defender of the truth.

The unsealed documents shine a light on the desperate measures to which the US government has resorted in pursuing a legal pretext to prosecute Julian Assange. It also exposes the fact that Chelsea Manning has been the target of an endless campaign of intimidation and conspiracy in violation of her democratic rights.

In Manning's legal filing of March 1, "Omnibus Motion to Quash Grand Jury Subpoena," it is

explained, for example, that a primary objective of the grand jury questioning is to prove that she made "false or mistaken" statements during her 2013 court-martial trial.

The document states, "Given the prosecutor's unwillingness to disclose information to Ms. Manning that would help her evaluate the risks of testifying, she must assume that the grand jury is a 'perjury trap' or even worse, a subterfuge for another military prosecution." Such an entrapment, the motion argues, would violate her Fifth Amendment rights against self-incrimination.

The document also elaborates further on the First Amendment basis for Manning's refusal to answer questions before the grand jury. Manning's lawyers write, "First, there is a likelihood that this grand jury to be used expressly to disrupt the integrity of the journalistic process by exposing journalists to a kind of accessorial liability for leaks attributable to independently-acting journalistic sources. This administration has been quite publicly hostile to the press, and there is reason to believe that this grand jury may function to interfere profoundly with the operation of a free press."

In other words, the Trump administration intends to make examples of both Manning and Assange and threaten any future journalists who report the truth about the crimes of American imperialism and its criminal military and intelligence operations around the world.

Manning's motion also exposes the fact that federal prosecutors are using the grand jury mechanism in a wholly unconstitutional manner. They write, "Furthermore, it is possible that this subpoena represents an effort on the part of the FBI or another investigative agency in collaboration with government

prosecutors to compel by grand jury process testimony that would otherwise be inaccessible.”

In violation of her legal rights, the FBI attempted unsuccessfully to question Chelsea Manning in 2010 while she was at the Quantico military brig in Virginia. Federal authorities are now attempting to use their power to compel testimony that was otherwise off limits to them.

Finally, and most significantly, Manning’s motion to quash the grand jury subpoena exposes the fact that she has been subjected to massive unlawful electronic surveillance in violation of her First Amendment rights.

The legal team writes, “There can be little doubt that local police, federal agencies, and possibly the military have been involved in surveilling and communicating about Ms. Manning, people with whom she is lawfully associated, and the entirely lawful activities in which they engage. Likewise, there is reason to believe that non-state actors may have enabled the state to circumvent legal constraints on electronic surveillance, by surveilling Ms. Manning, and then conveying their intelligence to state actors.”

Furthermore, the document explains, “... Ms. Manning has encountered at least one individual who appeared to tape her while attempting to goad her into conversations about unlawful uses of technology, she reasonably fears that this or something similar is happening to her.”

Considerable public criticism emerged after Manning was sent to jail, which no doubt contributed to the decision of the US government attorneys to also support Manning’s motion to unseal the documents. The *World Socialist Web Site* and International Youth and Students for Social Equality have called a series of rallies and meetings to demand Manning’s immediate release from jail.

Media reports on the unsealed documents have focused exclusively on the federal prosecutor’s assertion that Manning gave “false or mistaken” statements in her 2010 court martial trial. That this fact was exposed by Manning’s legal team as the means through which the prosecutors wish to entrap her is buried in coverage.

Given the well-documented record of US government spying and surveillance of political opponents over many decades, combined with Manning’s own declarations, the record of harassment and intimidation

and attacks on her democratic rights must be understood as a threat to the entire working class.

The information contained in these unsealed documents confirms that the imprisonment of Chelsea Manning is part and parcel of a US government conspiracy to punish her, Julian Assange and WikiLeaks for telling the world the truth about the crimes of US imperialism.

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