

The National Lawyers Guild (NLG) calls for the dismissal of all charges against Bradley Manning. The Army announced on Friday that Manning will face a general court martial for allegedly leaking classified information about U.S. policy and practices relating to, among other things, the wars in Iraq and Afghanistan.

NLG President David Gesspass, said, "Manning's prosecution is calculated to distract us from the real problem, that the U.S. government is once again hiding from the public proof of crimes committed in our name."

Manning is a U.S. Army soldier accused of transferring classified data to his personal computer and sending it to the whistle-blowing website Wikileaks. He faces 22 charges including "aiding the enemy," a capital offense.

Kathleen Gilberd, executive director of the NLG's Military Law Task Force (MLTF) said, "Manning is being prosecuted for patriotic acts akin to the release of the Pentagon Papers in 1971. His prosecution highlights both the way that military proceedings subvert fundamental due process rights and the dangers of government secrecy to a free society."

The potential for prosecutorial abuse stems from the power that commanding officers have as the convening authorities over court martial hearings. The convening authority selects the officer who first investigates a case, recommends charges against the accused, and then selects the members of the court martial, who form the jury. Particularly in a high profile case such as this, where the government has already indicated its determination to convict and punish Manning, the ability of the convening authority to control the process and the outcome is overwhelming.

"The court martial system is fraught from beginning to end with the danger of command influence," noted MLTF Chair James Branum. "It has permeated this case from the beginning and emanated from the Commander-in-Chief on down, making due process impossible. In this situation, dismissal of all charges is the only just option."

The Military Law Task Force grew out of the National Lawyers Guild's Military Law Offices, which provided counsel for GIs in Asia during the Vietnam War. The MLTF includes attorneys, legal workers, law students and "barracks lawyers" interested in draft, military and veterans issues. It is an active committee of the National Lawyers Guild and has been providing representation and advice to service members for decades.

The National Lawyers Guild was founded in 1937 and is the oldest and largest public interest/human rights bar organization in the United States. Its headquarters are in New York and it has chapters in every state.