

By Glenn Greenwald

From Salon.com | Original Article

(updated below)

Bradley Manning, the 22-year-old U.S. Army Private accused of leaking classified documents to WikiLeaks, has never been convicted of that crime, nor of any other crime. Despite that, he has been detained at the U.S. Marine brig in Quantico, Virginia for five months -- and for two months before that in a military jail in Kuwait -- under conditions that constitute cruel and inhumane treatment and, by the standards of many nations, even torture. Interviews with several people directly familiar with the conditions of Manning's detention, ultimately including a Quantico brig official (Lt. Brian Villiard) who confirmed much of what they conveyed, establishes that the accused leaker is subjected to detention conditions likely to create long-term psychological injuries.

Since his arrest in May, Manning has been a model detainee, without any episodes of violence or disciplinary problems. He nonetheless was declared from the start to be a "Maximum Custody Detainee," the highest and most repressive level of military detention, which then became the basis for the series of inhumane measures imposed on him.

From the beginning of his detention, Manning has been held in intensive solitary confinement. For 23 out of 24 hours every day -- for seven straight months and counting -- he sits completely alone in his cell. Even inside his cell, his activities are heavily restricted; he's barred even from exercising and is under constant surveillance to enforce those restrictions. For reasons that appear completely punitive, he's being denied many of the most basic attributes of civilized imprisonment, including even a pillow or sheets for his

bed (he is not and never has been on suicide watch). For the one hour per day when he is freed from this isolation, he is barred from accessing any news or current events programs. Lt. Villiard protested that the conditions are not "like jail movies where someone gets thrown into the hole," but confirmed that he is in solitary confinement, entirely alone in his cell except for the one hour per day he is taken out.

In sum, Manning has been subjected for many months without pause to inhumane, personality-erasing, soul-destroying, insanity-inducing conditions of isolation similar to those perfected at America's Supermax prison in Florence, Colorado: all without so much as having been convicted of anything. And as is true of many prisoners subjected to warped treatment of this sort, the brig's medical personnel now administer regular doses of anti-depressants to Manning to prevent his brain from snapping from the effects of this isolation.

Just by itself, the type of prolonged solitary confinement to which Manning has been subjected for many months is widely viewed around the world as highly injurious, inhumane, punitive, and arguably even a form of torture. In his widely praised March, 2009 New Yorker article -- entitled "Is Long-Term Solitary Confinement Torture?" -- the surgeon and journalist Atul Gawande assembled expert opinion and personal anecdotes to demonstrate that, as he put it, "all human beings experience isolation as torture." By itself, prolonged solitary confinement routinely destroys a person's mind and drives them into insanity. A March, 2010 article in The Journal of the American Academy of Psychiatry and the Law explains that "solitary confinement is recognized as difficult to withstand; indeed, psychological stressors such as isolation can be as clinically distressing as physical torture."

For that reason, many Western nations -- and even some non-Western nations notorious for human rights abuses -- refuse to employ prolonged solitary confinement except in the most extreme cases of prisoner violence. "It's an awful thing, solitary," John McCain wrote of his experience in isolated confinement in Vietnam. "It crushes your spirit." As Gawande documented: "A U.S. military study of almost a hundred and fifty naval

aviators returned from imprisonment in Vietnam . . . reported that they found social isolation to be as torturous and agonizing as any physical abuse they suffered." Gawande explained that America's application of this form of torture to its own citizens is what spawned the torture regime which President Obama vowed to end:

This past year, both the Republican and the Democratic Presidential candidates came out firmly for banning torture and closing the facility in Guantánamo Bay, where hundreds of prisoners have been held in years-long isolation. Neither Barack Obama nor John McCain, however, addressed the question of whether prolonged solitary confinement is torture. . . .

This is the dark side of American exceptionalism. . . . Our willingness to discard these standards for American prisoners made it easy to discard the Geneva Conventions prohibiting similar treatment of foreign prisoners of war, to the detriment of America's moral stature in the world. In much the same way that a previous generation of Americans countenanced legalized segregation, ours has countenanced legalized torture. And there is no clearer manifestation of this than our routine use of solitary confinement

It's one thing to impose such punitive, barbaric measures on convicts who have proven to be violent when around other prisoners; at the Supermax in Florence, inmates convicted of the most heinous crimes and who pose a threat to prison order and the safety of others are subjected to worse treatment than what Manning experiences. But it's another thing entirely to impose such conditions on individuals, like Manning, who have been convicted of nothing and have never demonstrated an iota of physical threat or disorder.

In 2006, a bipartisan National Commission on America's Prisons was created and it called for the elimination of prolonged solitary confinement. Its Report documented that conditions whereby "prisoners end up locked in their cells 23 hours a day, every day. . . is so severe that people end up completely isolated,

living in what can only be described as torturous conditions." The Report documented numerous psychiatric studies of individuals held in prolonged isolation which demonstrate "a constellation of symptoms that includes overwhelming anxiety, confusion and hallucination, and sudden violent and self-destructive outbursts." The above-referenced article from the Journal of the American Academy of Psychiatry and the Law states: "Psychological effects can include anxiety, depression, anger, cognitive disturbances, perceptual distortions, obsessive thoughts, paranoia, and psychosis."

When one exacerbates the harms of prolonged isolation with the other deprivations to which Manning is being subjected, long-term psychiatric and even physical impairment is likely. Gawande documents that "EEG studies going back to the nineteen-sixties have shown diffuse slowing of brain waves in prisoners after a week or more of solitary confinement." Medical tests conducted in 1992 on Yugoslavian prisoners subjected to an average of six months of isolation -- roughly the amount to which Manning has now been subjected -- "revealed brain abnormalities months afterward; the most severe were found in prisoners who had endured either head trauma sufficient to render them unconscious or, yes, solitary confinement. Without sustained social interaction, the human brain may become as impaired as one that has incurred a traumatic injury." Gawande's article is filled with horrifying stories of individuals subjected to isolation similar to or even less enduring than Manning's who have succumbed to extreme long-term psychological breakdown.

Manning is barred from communicating with any reporters, even indirectly, so nothing he has said can be quoted here. But David House, a 23-year-old MIT researcher who befriended Manning after his detention (and then had his laptops, camera and cellphone seized by Homeland Security when entering the U.S.) is one of the few people to have visited Manning several times at Quantico. He describes palpable changes in Manning's physical appearance and behavior just over the course of the several months that he's been visiting him. Like most individuals held in severe isolation, Manning sleeps much of the day, is particularly frustrated by

the petty, vindictive denial of a pillow or sheets, and suffers from less and less outdoor time as part of his one-hour daily removal from his cage.

This is why the conditions under which Manning is being detained were once recognized in the U.S. -- and are still recognized in many Western nations -- as not only cruel and inhumane, but torture. More than a century ago, U.S. courts understood that solitary confinement was a barbaric punishment that severely harmed the mental and physical health of those subjected to it. The Supreme Court's 1890 decision in *In re Medley* noted that as a result of solitary confinement as practiced in the early days of the United States, many "prisoners fell, after even a short confinement, into a semi-fatuous condition . . . and others became violently insane; others still, committed suicide; while those who stood the ordeal better . . . [often] did not recover sufficient mental activity to be of any subsequent service to the community." And in its 1940 decision in *Chambers v. Florida*, the Court characterized prolonged solitary confinement as "torture" and compared it to "[t]he rack, the thumbscrew, [and] the wheel."

The inhumane treatment of Manning may have international implications as well. There are multiple proceedings now pending in the European Union Human Rights Court, brought by "War on Terror" detainees contesting their extradition to the U.S. on the ground that the conditions under which they likely will be held -- particularly prolonged solitary confinement -- violate the European Convention on Human Rights, which (along with the Convention Against Torture) bars EU states from extraditing anyone to any nation where there is a real risk of inhumane and degrading treatment. The European Court of Human Rights has in the past found detention conditions violative of those rights (in Bulgaria) where "the [detainee] spent 23 hours a day alone in his cell; had limited interaction with other prisoners; and was only allowed two visits per month." From the Journal article referenced above:

International treaty bodies and human rights experts, including the Human Rights Committee, the Committee against Torture, and the U.N. Special

Rapporteur on Torture, have concluded that solitary confinement may amount to cruel, inhuman, or degrading treatment in violation of the International Covenant on Civil and Political Rights and the Convention against Torture and other Cruel, Inhuman, and Degrading Treatment or Punishment. They have specifically criticized supermax confinement in the United States because of the mental suffering it inflicts.

Subjecting a detainee like Manning to this level of prolonged cruel and inhumane detention can thus jeopardize the ability of the U.S. to secure extradition for other prisoners, as these conditions are viewed in much of the civilized world as barbaric. Moreover, because Manning holds dual American and U.K. citizenship (his mother is British), it is possible for British agencies and human rights organizations to assert his consular rights against these oppressive conditions. At least some preliminary efforts are underway in Britain to explore that mechanism as a means of securing more humane treatment for Manning. Whatever else is true, all of this illustrates what a profound departure from international norms is the treatment to which the U.S. Government is subjecting him.

* * * * *

The plight of Manning has largely been overshadowed by the intense media fixation on WikiLeaks, so it's worth underscoring what it is that he's accused of doing and what he said in his own reputed words about these acts. If one believes the authenticity of the highly edited chat logs of Manning's online conversations with Adrian Lamo that have been released by Wired (that magazine inexcusably continues to conceal large portions of those logs), Manning clearly believed that he was a whistle-blower acting with the noblest of motives, and probably was exactly that. If, for instance, he really is the leaker of the Apache helicopter attack video -- a video which sparked very rare and much-needed realization about the visceral truth of what American wars actually entail -- as well as the war and diplomatic cables revealing substantial government deceit, brutality, illegality and corruption, then he's

quite similar to Daniel Ellsberg. Indeed, Ellsberg himself said the very same thing about Manning in June on Democracy Now in explaining why he considers the Army Private to be a "hero":

The fact is that what Lamo reports Manning is saying has a very familiar and persuasive ring to me. He reports Manning as having said that what he had read and what he was passing on were horrible -- evidence of horrible machinations by the US backdoor dealings throughout the Middle East and, in many cases, as he put it, almost crimes. And let me guess that -- he's not a lawyer, but I'll guess that what looked to him like crimes are crimes, that he was putting out. We know that he put out, or at least it's very plausible that he put out, the videos that he claimed to Lamo. And that's enough to go on to get them interested in pursuing both him and the other.

And so, what it comes down, to me, is -- and I say throwing caution to the winds here -- is that what I've heard so far of Assange and Manning -- and I haven't met either of them -- is that they are two new heroes of mine.

To see why that's so, just recall some of what Manning purportedly said about why he chose to leak, at least as reflected in the edited chat logs published by Wired:

Lamo: what's your endgame plan, then? . . .

Manning: well, it was forwarded to [WikiLeaks] - and god knows what happens now - hopefully worldwide discussion, debates, and reforms - if not, than [sic] we're doomed - as a species - i will officially give up on the society we have if nothing happens - the reaction to the video gave me immense hope; CNN's iReport was overwhelmed; Twitter exploded - people who saw, knew there was something wrong . . . Washington Post sat on the video. David Finkel acquired a copy while embedded out here. . . . - i want people to see the truth. regardless of who they are. because without information, you cannot make informed decisions as

a public.

if i knew then, what i knew now - kind of thing, or maybe im just young, naive, and stupid . . . im hoping for the former - it cant be the latter - because if it is. were fucking screwed (as a society) - and i dont want to believe that we're screwed.

Manning described the incident which first made him seriously question the U.S. Government: when he was instructed to work on the case of Iraqi "insurgents" who had been detained for distributing so-called "insurgent" literature which, when Manning had it translated, turned out to be nothing more than "a scholarly critique against PM Maliki":

i had an interpreter read it for me. and when i found out that it was a benign political critique titled "Where did the money go?" and following the corruption trail within the PM's cabinet. i immediately took that information and *ran* to the officer to explain what was going on. he didn't want to hear any of it. he told me to shut up and explain how we could assist the FPs in finding *MORE* detainees.

i had always questioned the things worked, and investigated to find the truth. but that was a point where i was a *part* of something. i was actively involved in something that i was completely against.

And Manning explained why he never considered the thought of selling this classified information to a foreign nation for substantial profit or even just secretly transmitting it to foreign powers, as he easily could have done:

Manning: i mean what if i were someone more malicious- i could've sold to russia or china, and made bank?

Lamo: why didn't you?

Manning: because it's public data

Lamo: i mean, the cables

Manning: it belongs in the public domain - information should be free - it belongs in the public domain - because another state would just take advantage of the information. try and get some edge - if its out in the open. it should be a public good.

That's a whistleblower in the purest and most noble form: discovering government secrets of criminal and corrupt acts and then publicizing them to the world not for profit, not to give other nations an edge, but to trigger "worldwide discussion, debates, and reforms." Given how much Manning has been demonized -- at the same time that he's been rendered silent by the ban on his communication with any media -- it's worthwhile to keep all of that in mind.

But ultimately, what one thinks of Manning's alleged acts is irrelevant to the issue here. The U.S. ought at least to abide by minimal standards of humane treatment in how it detains him. That's true for every prisoner, at all times. But departures from such standards are particularly egregious where, as here, the detainee has merely been accused, but never convicted, of wrongdoing. These inhumane conditions make a mockery of Barack Obama's repeated pledge to end detainee abuse and torture, as prolonged isolation -- exacerbated by these other deprivations -- is at least as damaging, as violative of international legal standards, and almost as reviled around the world, as the waterboard, hypothermia and other Bush-era tactics that caused so much controversy.

What all of this achieves is clear. Having it known that the U.S. could and would disappear people at will to "black sites," assassinate them with unseen drones, imprison them for years without a shred of due process even while knowing they were innocent, torture them mercilessly, and in general acts as a lawless and rogue imperial power created a climate of severe intimidation and fear. Who would want to challenge the U.S. Government in any way -- even in legitimate ways -- knowing that it could and would engage in such lawless, violent conduct without any restraints or

repercussions?

That is plainly what is going on here. Anyone remotely affiliated with WikiLeaks, including American citizens (and plenty of other government critics), has their property seized and communications stored at the border without so much as a warrant. Julian Assange -- despite never having been charged with, let alone convicted of, any crime -- has now spent more than a week in solitary confinement with severe restrictions under what his lawyer calls "Dickensian conditions." But Bradley Manning has suffered much worse, and not for a week, but for seven months, with no end in sight. If you became aware of secret information revealing serious wrongdoing, deceit and/or criminality on the part of the U.S. Government, would you -- knowing that you could and likely would be imprisoned under these kinds of repressive, torturous conditions for months on end without so much as a trial: just locked away by yourself 23 hours a day without recourse -- be willing to expose it? That's the climate of fear and intimidation which these inhumane detention conditions are intended to create.

* * * * *

Those wishing to contribute to Bradley Manning's defense fund can do so here. All of those means are reputable, but everyone should carefully read the various options presented in order to decide which one seems best.

UPDATE: I was contacted by Lt. Villiard, who claims there is one factual inaccuracy in what I wrote: specifically, he claims that Manning is not restricted from accessing news or current events during the prescribed time he is permitted to watch television. That is squarely inconsistent with reports from those with first-hand knowledge of Manning's detention, but it's a fairly minor dispute in the scheme of things.