

From [Democracy Now](#) | Original Article

As we broadcast from the Freedom to Connect conference, we look at one whistleblower who used the Internet to reveal the horrors of war: U.S. Army Private Bradley Manning. Military prosecutors have decided to bring the maximum charges against Manning after he admitted during a pretrial hearing last week to the largest leak of state secrets in U.S. history. In a bid to secure a reduced sentence, Manning acknowledged on the stand that he gave classified documents to WikiLeaks in order to show the American public the "true costs of war" and "spark a debate about foreign policy." Manning pleaded guilty to reduced charges on 10 counts, which carry a maximum sentence of 20 years in prison. But instead of accepting that plea, military prosecutors announced Friday they will seek to imprison Manning for life without parole on charges that include aiding the enemy. Manning's court-martial is scheduled to begin in June. We speak with Guardian columnist Glenn Greenwald, who has long covered the case, about what this means for Manning and its broader implications for whistleblowers and the journalists they often approach.

**AMY GOODMAN:** We are broadcasting from Silver Spring, Maryland, at the Freedom to Connect conference. People have gathered here from around the country to discuss how to promote Internet freedom and universal connectivity. We begin today's show looking at the charges now facing one whistleblower who used the Internet to reveal the horrors of war: U.S. Army Private Bradley Manning.

Military prosecutors have decided to bring the maximum charges against Manning after he admitted during a pretrial hearing last week to the largest leak of state secrets in U.S. history. In a bid to secure a reduced sentence, Manning acknowledged on the stand he gave classified documents to WikiLeaks in order to show the American public the "true costs of war" and "spark a debate about foreign policy." Manning pleaded guilty to reduced charges on 10 counts, which carry a maximum sentence of 20 years in prison. But instead of accepting that plea, military prosecutors announced Friday they will seek to imprison Manning for life without parole on charges that include aiding the enemy. Manning's court-martial is scheduled to begin in June.

To discuss what this means for Manning, and its broader implications for whistleblowers and journalists they often approach, we're joined by Glenn Greenwald, columnist and blogger for *The Guardian*

, has covered Bradley Manning and WikiLeaks extensively, also giving this morning's keynote address here at the Freedom to Connect conference.

Glenn, welcome *Democracy Now!*

**GLENN GREENWALD:** Great to be here.

**AMY GOODMAN:** Talk about the significance of what the military prosecutors are pushing for now, life without parole for Bradley Manning, and what he said in court last week, not far from here, just down the road at Fort Meade.

**GLENN GREENWALD:** There are several levels of significance, the first of which is the most obvious, which is that this is a case of extraordinary prosecutorial overkill. The government has never been able to identify any substantial harm that has come from any of the leaks that Bradley Manning is accused of and now admits to being responsible for. Certainly nobody has died as a result of these leaks, even though the government originally said that WikiLeaks and the leaker has blood on their hands. Journalists investigated and found that there was no evidence for that. So, just the very idea that he should spend decades in prison, let alone be faced with life on parole, given what it is that he actually did and the consequences of it, is really remarkable.

But even more specifically, the theory that the government is proceeding on is one that's really quite radical and menacing. That is, that although he never communicated with, quote-unquote, "the enemy," which the government has said is al-Qaeda, although there's no evidence that he intended in any way to benefit al-Qaeda—he could have sold this information, made a great deal of money, had he wanted to. All the evidence indicates that he did it for exactly the reason that he said, with the intent that he said, which was to spark reform and to bring attention to these abuses. The government is proceeding on the theory that simply because the information that's leaked ended up in the hands of al-Qaeda and al-Qaeda had an interest in it, that constitutes aiding and abetting the enemy. And what that essentially does is it converts every form of whistleblowing or leaks into a form of treason. There's evidence that Osama bin Laden was very interested, for example, in Bob Woodward's book—books, which have all sorts of classified information in them at a much higher level of secrecy than anything Bradley Manning

leaked. That would mean that not only the leakers to Woodward, the highest-level members of government, but even Woodward himself, could be depicted as a traitor or be accused of aiding and abetting the enemy. It's an extraordinarily menacing theory to journalism and to whistleblowing and leaking.

**AMY GOODMAN:** The judge in the case, Denise Lind, asked an interesting question of prosecutors. She said, Would you be going after him in the same way if he had given this information to *The New York Times*, as opposed to WikiLeaks?

**GLENN GREENWALD:** Right, and they said, "Absolutely."

**AMY GOODMAN:** They said, "Yes, Ma'am."

**GLENN GREENWALD:** And there's even an indication that you could take this theory and use it to prosecute journalists, as well. Obviously journalists are not subjected to the uniform rules of military justice, but there are theories that the Obama—that the Bush administration has suggested, and that the Obama administration has even played around with, that if journalists are participating in or somehow encouraging leaks of serious classified information, that they, too, could be prosecuted under the Espionage Act for endangering American national security. And so, it isn't just a threat to Bradley Manning, it's not just a threat to whistleblowers, it's really a threat to the very act of investigative journalists. And if you talk to real investigative journalists, even one at establishment newspapers like *The New York Times*, Jim Risen—the most decorated investigative journalist in the country, one of them, the Pulitzer Prize winner, has himself been implicated and drawn into some of these cases—there is an extraordinary chilling effect that has descended, by design, over the entire news-gathering process.

**AMY GOODMAN:** I just wanted to go to some of Bradley Manning's quotes. Testifying before a military court Thursday, U.S. Army Private Bradley Manning said of his motivation to leak classified documents, quote, "I believed that if the general public, especially the American public, had access to the information ... this could spark a domestic debate on the role of the military and our foreign policy in general." He added, quote, "I believed that these cables would not damage the United States. However, I believed these cables would be embarrassing." He said he took the information to WikiLeaks only after he was rebuffed by *The Washington Post*

and

*The New York Times*

. It was interesting. He said he had gone to

*The New York Times*

and

*The Washington Post*

first.

**GLENN GREENWALD:** Right. Well, what's really interesting about that statement—obviously he's making the statement in court when he's facing a prospect of life in prison, and so some people might call the sincerity of those statements into question. The interesting thing to me, though, is that in the chat logs that were published over a year ago with the government informant who turned him in, he said very much the same thing while he thought he was speaking in complete confidence, to somebody who had promised him confidentiality, about what led him on this path, that he had become disillusioned first about the Iraq war when he discovered that people they were detaining weren't really insurgents but were simply opponents of the Maliki government, and he brought it to his superiors, and they ignored him. He then looked at documents that showed extreme amounts of criminality and deceit and violence, that he could no longer in good conscience participate in concealing. It was really an act of conscience, pure conscience and heroism, that he did, knowing he was sacrificing his liberty. And what's so persuasive to me isn't just this extremely deliberative, thought-out statement that he gave in court, but how closely it tracks to what he thought was a private conversation explaining his behavior, as well.

**AMY GOODMAN:** Can you talk about who is covering this trial?

**GLENN GREENWALD:** Well, what's really fascinating is that there have been several individuals who have been covering every single step of the trial, and almost none of them works for a major media outlet. There are independent journalists—like Kevin Gosztola, who writes for Firedoglake, the liberal blog; there is Alexa O'Brien, who is simply an independent journalist who writes on the Internet and covers her own expenses and operates independently—who are the real sources for the coverage of the Manning trial.

*The Guardian*, the newspaper for which I write, has actually done a very good job, as well, of sending a reporter most of the time and covering the proceedings, but for a long time

*The New York Times*

simply ignored the trial. The newspaper that battled the Nixon administration over the Pentagon Papers, that was a beneficiary not only of Daniel Ellsberg's leaks but also Bradley Manning's

leaks, simply ignored it and had to be shamed into finally sending somebody by those independent journalists, who kept banging on the table, saying, "Why isn't *The New York Times* here?" And then, finally, their own public editor said it's actually disgraceful that *The New York Times* hasn't done more—or done anything—to cover this trial.

And I know, as somebody who writes about this case a lot, who has an extreme amount of interest in it, that I get my news from Kevin Gosztola, Alexa O'Brien, independent journalists who are at the trial, from *The Guardian*, as well. But in general, American establishment media outlets—I don't think the name Bradley Manning has been mentioned on MSNBC once in the last two years, except maybe on a weekend morning show. He just doesn't exist there. He doesn't exist on CNN. It just has been blacked out.

**AMY GOODMAN:** What about the transcripts of decisions, of what's going on in court?

**GLENN GREENWALD:** Well, the irony of this proceeding is that what led Bradley Manning to do what he did was that virtually everything the U.S. government does is cloaked in secrecy, everything it does of any significance, and that whistleblowing and leaks, unauthorized leaks, is the only way we find out about what our government is doing. And a perfect microcosm illustrating how true that is is the Manning proceeding itself. There is more secrecy at this proceeding than there is even at Guantánamo military proceedings under George Bush. The docket is often classified and kept secret. Court orders are kept secret. There is no transcript available, so Alexa O'Brien had to transcribe his statement, Bradley Manning's statement, using whatever instruments that she could. It really is a mockery of justice, what has taken place, and it really reflects the motivations that led Manning to do this in the first place.

**AMY GOODMAN:** The decision that came down from the Supreme Court on surveillance, you see it in some ways tying into this.

**GLENN GREENWALD:** I see it completely connected. That decision last week—in 2008, the Democratic-led Congress passed a law essentially authorizing massive new surveillance powers, allowing the U.S. government to surveil and eavesdrop on the conversation of

American citizens without warrants. And instantly, the ACLU filed a lawsuit saying that this law, this major new eavesdropping law, is unconstitutional. And they got all kind of journalists and activists and human rights groups to say that the mere existence of this eavesdropping power severely harms them. Five years later, the Supreme Court said, because this eavesdropping program is shrouded in secrecy, nobody can prove that they're being subjected to the eavesdropping, and therefore nobody has standing to sue; we won't even allow the law to be tested in court about whether it violates the Constitution.

So, this has happened over and over. The government has insulated its conduct from what are supposed to be the legitimate means of accountability and transparency—judicial proceedings, media coverage, FOIA requests—and has really erected this impenetrable wall of secrecy, using what are supposed to be the institutions designed to prevent that. That is what makes whistleblowing all the more imperative. It really is the only remaining avenue that we have to learn about what the government is doing. And that is why the government is so intent on waging this war against whistleblowers, because it's the only thing left that shines light on what they were doing. And those who want to stigmatize whistleblowing as illegal would have a much better case if there were legitimate institutions that were functioning that allow the kind of transparency that we're supposed to have. But those have been all shut down, which is what makes whistleblowing all the more imperative and the war on whistleblowing all the more odious.

**AMY GOODMAN:** We're talking to Glenn Greenwald. He's a columnist and blogger for *The Guardian*

. He's author of

*With Liberty and Justice for Some: How the Law Is Used to Destroy Equality and Protect the Powerful*

. And he is a constitutional lawyer. When we come back, Glenn Greenwald will be joined by a guest who is heading a new foundation to support whistleblowing, to support the releasing of leaks. Stay with us.