

Julian Assange in US Intel's Company Town

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The American empire is in a deadly spiral of military industrial rule, NATO expansion, and its latest rubric—the New Cold War. See “[Remarks as Prepared for Delivery by Central Intelligence Agency Director Mike Pompeo at the Center for Strategic and International Studies, 04.13.2017](#)” Pompeo, who is now Secretary of State, repeatedly damned Russia, Edward Snowden, and Wikileaks, and I stopped counting how many times he damned Julian Assange.

Last week the Wall Street Journal reported that anonymous “people familiar with the matter” had said that the Justice Department is preparing to prosecute Assange and “[is increasingly optimistic that it will be able to get him into a U.S. courtroom.](#)”

Seamus Hughes, a career national security professional who is currently the Deputy Director of the [Program on Extremism](#) at George Washington University, says that—as he was putting his son to bed—someone texted him the Wall Street Journal report, and it triggered his memory of seeing Assange’s name in a paragraph mistakenly pasted into an Eastern District of Virginia court filing, which he was studying as part of his research on extremism. The paragraph read:

The United States has considered alternatives less drastic than sealing, including, for example, the possibility of redactions, and has determined that none would suffice to protect this investigation. Another procedure short of sealing will not adequately protect the needs of law enforcement at this time because, due to the sophistication of the defendant and the publicity surrounding the case, no other procedure is likely to keep confidential the fact that Assange has been charged.

Hughes went back to his computer, took a screenshot of the paragraph, and tweeted it, thus verifying the claim made by the Wall Street Journal’s anonymous sources.

However unlikely that series of events, the Justice Department has not denied the indictment. And we know that when the Wall Street Journal, New York Times, or Washington Post quote “anonymous sources,” high level government officials are getting the word out. The security state has been circling Assange in the Ecuadorian Embassy, coming closer and closer since US lapdog Lenin Moreno became president of Ecuador, and now they’re closing in. Hopefully not for the kill, although espionage is a federal capital offense. Speaking in Madrid last July, President Moreno reportedly said,

“The death penalty does not exist in Ecuador, and we knew that possibility existed... The only thing we want is a guarantee that his life will not be in danger.”

Former CIA official John Kiriakou, who served two years in prison after exposing the CIA's official use of torture, predicted that Assange would be indicted in the Eastern District of Virginia during a [Unity4J vigil](#):

The rumor here in Washington is that Julian has been secretly indicted in the Eastern District of Virginia. That's here where I live. It's based in Alexandria, Virginia. And they call the Eastern District of Virginia the "espionage court" because almost all national security cases are tried here. And the reason they're tried here is because this is the home of the CIA, of the Pentagon, and of almost every intelligence-related private contractor in the Washington area. So look who's going to be on the jury. It's going to be CIA employees, FBI employees, military employees, or their spouses. Intelligence contractors or their spouses. Julian couldn't possibly get a fair trial in a place like this. So they do it on purpose.

And in addition to that, no national security defendant has ever won a case in the Eastern District of Virginia. It's called venue shopping. Even though no crime was actually physically committed in the Eastern District of Virginia, they know that the judges here are the toughest in America on national security cases, so they would charge him here. You wouldn't charge him in New Mexico or California because he would probably be acquitted.

Jury nullification

No one but the prosecutors know what Assange is charged with, under what law, though the wide expectation seems to be that he'll be tried under the Espionage Act for publishing classified material. Daniel Ellsberg has said he believes that the Justice Department will use Assange's case to set a legal precedent, and Trump has such a hostile relationship with the press that he'd no doubt love to break the knees of the New York Times, the Washington Post, CNN, and the rest with very few exceptions. So would I, though for different reasons.

Because criminal conviction requires a unanimous jury, John Kiriakou said that jury nullification is his best hope for Assange's freedom:

Jury nullification is when a jury hears a case. The person violated the law, and the jury finds that the law is unfair. The law shouldn't be the law, that this is a miscarriage of justice. So even though the government has been able to prove its case, the defendant is found not guilty because the law is wrong and it's unfair. And that's really my hope for Julian.

Most jurors aren't informed that they can nullify charges by concluding that the law is wrong. (Imagine if they were.) However, it will take only one informed and courageous juror in US Intel's company town to say that the law is wrong. Assange would no doubt be retried, but he'd be acquitted each time one courageous juror stepped up.

The [most famous case of jury nullification](#) is that of another journalist, John Peter Zenger, who was charged with seditious libel in the colony of New York in 1735. The jury nullified that case by concluding that Zenger should not be criminally liable for publishing information that was true. Word.

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