

## Leaking Military Secrets to the Public: Bradley Manning, American Hero

By Prof. Marjorie Cohn

Global Research, September 19, 2010

19 September 2010

Theme: <u>Intelligence</u>, <u>Law and Justice</u>, <u>US</u>
<u>NATO War Agenda</u>

Army Pfc. Bradley Manning is accused of leaking military secrets to the public. This week, his supporters are holding rallies in 21 cities, seeking Manning's release from military custody. Manning is in the brig for allegedly disclosing a classified video depicting U.S. troops shooting civilians from an Apache helicopter in Iraq in July 2007. The video, available at www.collateralmurder.com, was published by WikiLeaks on April 5, 2010. Manning faces 52 years in prison. No charges have been filed against the soldiers in the video.

In October 1969, the most famous whistleblower, Daniel Ellsberg, smuggled out of his office and made public a 7,000 page top secret study of decision making during the Vietnam War. It became known as the Pentagon Papers. Dan risked his future, knowing that he would likely spend life in prison for his expose.

The release of the Pentagon Papers ultimately helped end not only the Nixon presidency, but also the Vietnam War, in which 58,000 Americans and three million Indochinese were killed. Dan's courageous act was essential to holding accountable our leaders who had betrayed American values by starting and perpetuating an illegal and deadly war.

Manning's alleged crimes follow in this tradition. The 2007 video, called "Collateral Murder," has been viewed by millions of people on the Internet. On it, U.S. military Apache helicopter soldiers from Bravo Company 2nd Battalion 16th Infantry Regiment can be seen killing 12 civilians and wounding two children in Iraq. The dead included two employees of the Reuters news agency.

The video shows U.S. forces watching as a van pulled up to evacuate the wounded. They again opened fire from the helicopter, killing more people. During the radio chatter between the helicopter crew members and their supervisors, one crew member gloated after the first shooting, saying, "Oh yeah, look at those dead bastards."

One Iraqi witness told Amy Goodman on Democracy Now! "The helicopter came yesterday from there and hovered around. Then it came right here where a group of people were standing. They didn't have any weapons or arms of any sort. This area doesn't have armed insurgents. They destroyed the place and shot at people, and they didn't let anyone help the wounded."

Another witness said, "They killed all the wounded and drove over their bodies. Everyone witnessed it. And the journalist was among those who was injured, and the armored vehicle drove over his body."

Journalist Rick Rowley reported that the man who they drove over had crawled out of the

van that had been shot and he was still alive when the American tank drove over him and cut him in half.

Commanders decided that the wounded children would not be taken to a U.S. military field hospital. Ethan McCord, one of the soldiers on the scene who picked up one of the children and tried to take him to a military vehicle, was reprimanded for his response.

The U.S. Central Command exonerated the soldiers and refused to reopen the investigation. Reporters Without Borders said, "If this young soldier had not leaked the video, we would have no evidence of what was clearly a serious abuse on the part of the U.S. military."

In fact, the actions depicted in "Collateral Murder" contain evidence of three violations of the laws of war set forth in the Geneva Conventions, which amount to war crimes.

There were civilians standing around, there was no one firing at the American soldiers, and at least two people had cameras. There may have been people armed, as are many in the United States, but this does not create the license to fire on people. That is one violation of the Geneva Conventions – targeting civilians who do not pose a threat, not for military necessity.

The second and third possible violations of the laws of war are evident in the scene on the tape when the van attempts to rescue the wounded, and a later scene of a U.S. tank rolling over a body on the ground. The soldiers shot the rescuer and those in the van, another possible violation of the Geneva Conventions – preventing the rescue. Third, when the wounded or dead man was lying on the ground, a U.S. tank rolled over him, effectively splitting him in two. If he was dead, that amounted to disrespecting a body, another violation of the Geneva Conventions.

Josh Steiber, a former U.S. Army specialist and member of the Bravo Company 2nd Battalion 16th Infantry Regiment, was not with his company when they killed the civilians depicted in Collateral Murder. Steiber told Truthout that such acts were "not isolated incidents" and were "common" during his tour of duty. "After watching the video, I would definitely say that that is, nine times out of 10, the way things ended up," he said.

Steiber explained that during his basic training for the military, "We watched videos celebrating death," and said that his commanders would "pull aside soldiers who'd not deployed, and ask us if somebody open fired on us in a market full of unarmed civilians, would we return fire. And if you didn't say 'yes' instantly, you got yelled at for not being a good soldier. The mindset of military training was one based on fear, and the ability to eliminate any threat."

Manning is also being investigated for allegedly leaking the "Afghan War Diary" documents that were posted on Wiki Leaks in coordination with the New York Times, the U.K. Guardian, and the German magazine Der Spiegel. But President Obama said, "...the fact is, these documents don't reveal any issues that haven't already informed our public debate on Afghanistan."

Those reports expose 20,000 deaths, including thousands of children, according to WikiLeaks founder Julian Assange. Many of them also likely contain evidence of war crimes.

Besides the fact that targeting civilians is illegal, it also makes us less safe. A new study by

the National Bureau of Economic Research, which was released by the New America Foundation, concluded that civilian attacks in Afghanistan make our troops more vulnerable due to retaliation. A typical incident that causes two Afghan civilian deaths provokes six revenge attacks by Taliban and other fighters.

Moreover, Marine Col. David Lapan, a senior Pentagon spokesman, said that so far, there is no evidence that the Taliban has harmed any Afghan civilians as a result of the WikiLeaks publication of the 76,000 logs this past summer.

Over 1,000 Americans and untold numbers of Afghans have been killed in this war which is just as illegal, expensive, and counter-productive as the one in Iraq.

The charges against Bradley Manning end with the language, "such conduct being prejudicial to good order and discipline in the armed forces and being of a nature to bring discredit upon the armed forces." On the contrary, if Manning did what he is suspected of doing, he should be honored as an American hero for exposing war crimes and hopefully, ultimately, helping to end this war.

Marjorie Cohn, a professor at Thomas Jefferson School of Law and past president of the National Lawyers Guild, is the author of "Cowboy Republic: Six Ways the Bush Gang Has Defied the Law" and co-author (with Kathleen Gilberd) of "Rules of Disengagement: The Politics and Honor of Military Dissent." Her new anthology, "The United States and Torture: Interrogation, Incarceration, and Abuse," will be published in December by NYU Press. See <a href="https://www.marjoriecohn.com">www.marjoriecohn.com</a>.

The original source of this article is Global Research Copyright © <a href="Prof. Marjorie Cohn">Prof. Marjorie Cohn</a>, Global Research, 2010

## **Comment on Global Research Articles on our Facebook page**

## **Become a Member of Global Research**

Articles by: Prof. Marjorie

Cohn

**Disclaimer:** The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: <a href="mailto:publications@globalresearch.ca">publications@globalresearch.ca</a>

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries:  $\underline{publications@globalresearch.ca}$