

Lt. Ehren Watada: court-martial for refusing to fight in Iraq

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I would like to bring your attention a story I covered last August about 1st Lt. Ehren Watada. The story covered his decision not to deploy to Iraq and a speech he gave at the Veteran's for Peace National Convention in Seattle last August. The full text of his speech can be read [here](#)

In the weeks following that speech, I was contacted by the prosecuting attorney from his court-martial and informed I was on the witness list. I took up my own legal counsel, and while I remain on the prosecution's witness list, I have not been subpoenaed to testify against him in the trial, which is set for February 5th.

Watada's case is critical for two main reasons.

If he is convicted for his speech charges, it sends a message to other war resisters that they will be penalized for their speech more harshly than even their decision not to deploy to Iraq. In addition, this sends a chilling message to journalists who wish to cover their story - that as a journalist you may be used as an arm of the prosecution to testify against your sources.

This case has the potential to set precedent which would deleteriously affect both free speech rights of service members of the U.S. military, as well as journalists' ability to cover those stories. It is important to note that the Democratically controlled Congress has chosen NOT to take a stand on either of these issues, when they could intervene on both counts.

This, despite public outcry from countless media organizations and mainstream organizations, like Military Reporters and Editors, who wrote this statement:

"Army prosecutors have subpoenaed two journalists, Honolulu Star-Bulletin reporter Gregg Kakesako, and Oakland, Calif., freelancer Sarah Olson, to testify during a January pre-trial hearing at Fort Lewis, Wash., in the case of an Army officer who denounced the war and refused orders to deploy to Iraq."

"Responding to the situation, Military Reporters and Editors President James W. Crawley said, "Trying to force a reporter to testify at a court-martial sends the wrong signal to the media and the military."

"Reporters and photographers who cover the military have developed a level of trust with America's fighting men and women to tell their stories honestly, fairly and completely. Having military prosecutors abuse that trust by forcing them to testify about matters that can be ascertained by other witnesses and

evidence, stifles that trust and relationship between the media and military.”

In addition, the National Press Club has issued this statement of support:

“The National Press Club today announced its opposition to the U.S. Army’s subpoenas of Oakland, Calif., freelance journalist Sarah Olson and Honolulu Star Bulletin reporter Gregg Kakesako.”

“The subpoenas call for the reporters to testify at the Feb. 5 court martial of Army Lt. Ehren Watada, who refused to deploy to Iraq and made several disparaging remarks about the conduct of the war. A petition calling for the dismissal of the subpoena has been posted on the web.”

Supporters of Sarah Olson and myself have set up this [website](#)

I urge you today, one week before the court-martial trial of Lt. Watada begins, to go there and take action by signing the aforementioned [petition](#)

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