

WHAT CHANGES DID OBAMA JUST MAKE TO COURTS MARTIAL?

In 30 days, changes to Part II (Rules) and IV (Punitive Articles) of the Courts Martial Manual will go into effect. Only, we don't know what those changes are because the annex that describes them appears to be classified.

All we get is this Executive Order noting the change—and explaining that nothing in yesterday's order affects acts or legal actions that took place before the EO goes into effect in 30 days.

(a) Nothing in these amendments shall be construed to make punishable any act done or omitted prior to the effective date of this order that was not punishable when done or omitted.

(b) Nothing in these amendments shall be construed to invalidate any nonjudicial punishment proceedings, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to the effective date of this order, and any such nonjudicial punishment, restraint, investigation, referral of charges, trial, or other action may proceed in the same manner and with the same effect as if these amendments had not been prescribed.

I'm particularly interested in this because of two recent high profile events: the Nidal Hasan attack—the report on which DOD just released—and Bradley Manning's arrest. Both might precipitate some changes in the handling of courts martial, charges, and the handing of charges.

But it's not clear how.