

GAWKER COUGHS UP A MISLEADING HAIRBALL ON BRADLEY MANNING

By now you have probably heard of the serious issue regarding the dehumanizing and mentally debilitating conditions of Bradley Manning's pre-trial detention by the US Military. Glenn Greenwald has written on the nature and import of the conditions, our own Dr. Jeff Kaye has described the medical and psychological harm from such tactics, as has Atul Gawande, and the UN Special Rapporteur has announced an investigation.

Into this serious legal, medical and psychiatric topic has stepped, of all sources, Gawker Media and its contributor John Cook with a condescending article titled "Bradley Manning Would Like Softer Blankets, Exercise, and More Television". It is clearly a topic Cook and Gawker ought to leave to better informed and relevantly trained reporters.

Cook goes through several issues that have been noted about Manning's detention including bedding, exercise availability and access to newspapers and television news, and casually dismisses them all individually with trite questions such as "does it sound like torture to you?", "is it that big a deal, all things considered?", and "is it the stuff of a U.N. investigation?".

First off, Cook fails to consider the cumulative effect of those issues. Much more importantly, however, Cook completely ignores and fails to discuss the most important issue in the complaints about Manning's detention conditions, the extreme isolation and sleep deprivation. This, however, is not a cute subject and should not be treated as fluff by Gawker. Dr. Jeff Kaye relates exactly how serious the isolation (which in Manning's case must also be coupled with intentional sleep deprivation) can be on a

subject such as Manning:

Solitary confinement is an assault on the body and psyche of an individual. It deprives him of species-specific forms of physical, sensory and social interaction with the environment and other human beings. Manning reported last weekend he had not seen sunlight in four weeks, nor does he interact with other people but a few hours on the weekend. The human nervous system needs a certain amount of sensory and social stimulation to retain normal brain functioning. The effects of this deprivation on individuals varies, and some people are affected more severely or quickly, while others hold out longer against the boredom and daily grind of dullness that never seems to end.

Over time, isolation produces a particular well-known syndrome which is akin to that of an organic brain disorder, or delirium. The list of possible effects upon a person is quite long, and can include an inability to tolerate ordinary stimuli, sleep and appetite disturbances, primitive forms of thinking and aggressive ruminations, perceptual distortions and hallucinations, agitation, panic attacks, claustrophobia, feelings of loss of control, rage, paranoia, memory loss, lack of concentration, generalized body pain, EEG abnormalities, depression, suicidal ideation and random, self-destructive behavior.

Most telling of the disingenuous and uninformed nature of the Cook/Gawker article is its critical reliance on irrelevant and misleading data from an impertinent study. Cook cites a University of Pennsylvania study on prison isolation:

But the bottom line is that there is

nothing even remotely unusual about the conditions under which Manning is currently confined. There are literally thousands of people—by one estimate as many as 20,000 [pdf]—in this country in solitary confinement right now. It is a distressingly routine technique. To the extent that it is inhumane, illegal, unconstitutional, and violative of international law—which it may be—there are thousands of people in line ahead of Manning awaiting their U.N. investigations.

Gawker describes 20,000 people in solitary confinement in the US and equates them with Manning without noting the source they are citing is describing only prisoners that have *been convicted*, and most all of whom have factual circumstances requiring segregation. Manning is being held *pre-trial*, is presumed innocent and free and should not, according to consistent law, be imposed on or restricted any more than necessary to secure his appearance in court and safety.

In fact, there is statutory authority directly on point to this effect, Article 13, UCMJ, prohibits: (1) intentional imposition of punishment on an accused before his or her guilt is established at trial; and (2) arrest or pretrial confinement conditions that are more rigorous than necessary to ensure the accused's presence at trial (See: *United States v. Crawford*, 62 M.J. 411).

I immediately notified Gawker of this critical error in their article by a response to their Twitter announcement of its publication. Gawker has not seen fit to correct their misleading and scurrilous article. Whether Gawker has the common decency to admit it or not, there is a huge difference, both legally and morally, between presumed innocent citizens being held pre-trial and convicted criminals with needs for specialized segregation or punishment. Bradley Manning is the former, not the latter.