



Written by [Thomas R. Eddlem](#) on April 13, 2011

Bradley Manning's Treatment Worsens as Constitutional Scholars Condemn FedGov

Among the nearly 300 constitutional scholar [signatories](#) condemning the federal government holding Manning in isolation since July is Lawrence Tribe, one of Obama's Harvard Law School professors.

The constitutional scholars [argued](#) that Manning's treatment "violates his person and his liberty without due process of law and in the way it administers cruel and unusual punishment of a sort that cannot be constitutionally inflicted even upon someone convicted of terrible offenses, not to mention someone merely accused of such offenses." The group complained that Manning is kept in solitary confinement under a "Prevention of Injury" regulation that has required forced nudity before male and female guards, procedures that the Obama administration has refused to explain publicly. The constitutional scholars [concluded](#): "In an Orwellian twist, the spokesman for the brig commander refused to explain the forced nudity 'because to discuss the details would be a violation of Manning's privacy.'"



UN Special Rapporteur Mendez [claimed](#) to be "deeply disappointed and frustrated by the prevarication of the US government with regard to my attempts to visit Mr. Manning." The UN Rapporteur was given the option to visit as a "private" visitor, rather than as an "official" visitor, meaning that a guard would have to be present during their questioning. While the U.S. government should not answer the beck and call of the United Nations, [Manning's supporters](#) at the liberal FireDogLake website [noted](#):

President Obama said the Pentagon had reassured [Mendez] that Manning's confinement met "basic standards." If Manning's conditions meets our "basic standards," then why is the government going to such great lengths to keep him from meeting with official visitors? Marine rules clearly state that people "conducting official government business, either on behalf of the prisoner or in the interest of justice," can be allowed "official visits" not subject to monitoring by the brig. That explicitly includes Members of Congress like Rep. Kucinich ... [who] has been trying to visit Manning in prison for more than two months.

The fact that Rep. Dennis Kucinich, a U.S. Congressman, was also denied access to Manning is revealing and indicative of the Obama administration's long retreat from its [promise of transparency](#). The Obama administration capped off its increasing resistance to transparency by receiving an open



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government award from [OpenTheGovernment.org](#) — in secret. "It didn't appear on his publicly-released daily schedule, there's been no official White House readout of the meeting, no photos released and no transcript of the exchange," the March 31 *Washington Post* [reported](#).

Lawrence Tribe and the rest of the constitutional scholars accurately noted that the American legal system is designed to have a trial before punishment. Few Americans familiar with the U.S. Constitution would disagree with the [conclusion](#) of their letter: "If Manning is guilty of a crime, let him be tried, convicted, and punished according to law," the open letter continues. "But his treatment must be consistent with the Constitution and the Bill of Rights. There is no excuse for his degrading and inhumane pretrial punishment."

Photo: AP Images

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