

DYLAN RATIGAN, LAW PROFESSORS AND I ALL AGREE: OBAMA NEEDS TO EXPLAIN OR END MANNING'S TREATMENT

On Friday, Dylan Ratigan and I had a podcast chat about the treatment of Bradley Manning. Among other things, we talked about the "Constitutional Law Professor" President's rather bizarre response when DOD told him it was standard procedure to strip an Army man of his clothes because of a trumped up claim that his underwear was a terrible threat to him.

DYLAN: And what does that say to you about our President that he endorses such a ridiculous point of view?

MARCY: I mean for starters it says he's giving the military way too much leeway. They said, "Well, this is standard operating procedure." And as I pointed out today in my blog, what they're doing to Manning, the forced nudity, goes right back to Gitmo and goes right back to the treatment they used with Abu Zubaydah. So him giving – he came in to office and on day 2 said, "We're going to close Gitmo. We're going to end these abusive techniques," and yet when DOD came to him and said, well, you know, it's all standard procedure to take away a man's underwear. The President just said, "Oh, okay."

That's one of the things a bunch of (real, active) law professors had to say in their letter calling on Obama to explain or end the treatment of Bradley Manning.

The Administration has provided no evidence that Manning's treatment

reflects a concern for his own safety or that of other inmates. Unless and until it does so, there is only one reasonable inference: this pattern of degrading treatment aims either to deter future whistleblowers, or to force Manning to implicate Wikileaks founder Julian Assange in a conspiracy, or both.

If Manning is guilty of a crime, let him be tried, convicted, and punished according to law. But his treatment must be consistent with the Constitution and the Bill of Rights. There is no excuse for his degrading and inhumane pre-trial punishment. As the State Department's PJ Crowley put it recently, they are "counterproductive and stupid." And yet Crowley has now been forced to resign for speaking the plain truth.

The Wikileaks disclosures have touched every corner of the world. Now the whole world watches America and observes what it does; not what it says.

President Obama was once a professor of constitutional law, and entered the national stage as an eloquent moral leader. The question now, however, is whether his conduct as Commander in Chief meets fundamental standards of decency. He should not merely assert that Manning's confinement is "appropriate and meet[s] our basic standards," as he did recently. He should require the Pentagon publicly to document the grounds for its extraordinary actions –and immediately end those which cannot withstand the light of day.

Obama cannot be a leader on human rights by refusing to challenge a military that, for years, used forced nudity like they're using with Manning as part of systemic abuse of alleged terrorists.

But that's what he has been doing.