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Assange Espionage Act Indictment ‘Imminent’

By Jason Ditz

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The Espionage Act of 1917 may face its first serious charge and by extension serious challenge in years, as lawyers for [Julian Assange say that the US is preparing to indict the whistleblower under the act](#).

The act was originally used to arrest antiwar activists during World War 1, and later to censor criticism of the war during World War 2. The court rulings at the time determined that the act could be used to restrict any political expression that the government considered a “clear and present danger.”

Its post-war application has been all but impossible, however, as attempts to restrict previous coverage of the Pentagon Papers and to charge Daniel Ellsberg under the same act failed in court. Subsequent acts have never been successfully brought to a guilty verdict.

Its Constitutionality now in serious doubt, the Obama Administration is falling back on the nearly century old law primarily for lack of anything better to charge Assange with, as his activities are clearly not illegally under any other laws. But whether the Espionage Act can even be said to apply to a foreign national whose “crime” was committed outside of the US is even less clear, perhaps, than the Pentagon Papers case, which the government lost in 1971.

The Act is a singularly bold attempt by the modern US to severely curb freedom of speech, and its revitalization by the Obama Administration points to the desperation with

which they are attempting to stifle embarrassing criticism. America's suddenly censorship-happy position is being met with serious concern abroad but so far the politically connected seem almost in unison behind the silencing of such unseemly dissent.