

# The Espionage Act: British Imperial War Policy as U.S. ‘Law’

by Paul Gallagher

Aug. 25—Former President Donald Trump’s Florida home was searched with a warrant justified under authority of 18 U.S. Code §793, the Espionage Act of 1917.

What does that mean? It does not concern espionage, but rather U.S. engagement in wars—are you for it or against it?—and “materials and information related to national defense.” Whether that information was secret documents, public materials, or even just a citizen’s or official’s public speeches, writings, films, etc., was not material to the Espionage Act in 1917. And it still is not today, although certain court rulings have tried to add the words “closely held” to describe the information the Act refers to.

The use by the Justice Department of the Espionage Act of 1917 against Trump is indicative of the purpose behind the threatened prosecution of him. The Espionage Act was written to justify the British Empire’s constant wars and America’s “dumb giant” support for them. After decades of preparing to draw Germany into war, Great Britain had finally used a Russian mobilization to provoke the German Kaiser into a counter-mobilization which brought on World War I. U.S. President Woodrow Wilson was re-elected in 1916 “to keep us out of war.” In 1917 he dragged America into the War behind the British, and got the Espionage Act passed to vilify and punish any American who opposed that policy.

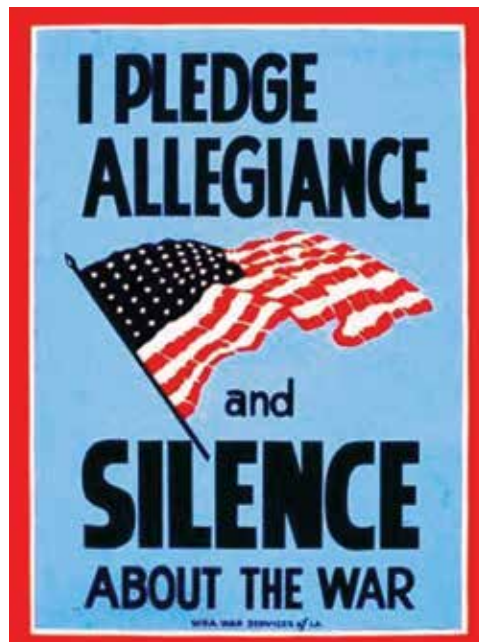
1917 was only half a century after Abraham Lincoln’s administration had demanded, and gotten, *war reparations* from Britain for its support of the slave-

holders’ Confederacy against the United States. But under the Espionage Act, you could not oppose the U.S. “special relationship” with Britain, and you could not oppose fighting on Britain’s side in World War I.

In fact, the Espionage Act was even drawn so as to punish any American who questioned that Great Britain and America had been cultural and strategic allies for centuries. Proof? Movie maker Robert Goldstein was sentenced to 10 years in prison and fined \$5,000 under this Act, solely because his film, *The Spirit of 1776*, opening in theaters just one month after the U.S. entry into World War I, portrayed America’s revolutionary struggle for freedom from the British Empire. The sentencing judge said Goldstein “sought to arouse enmity against Great Britain by seeking to prove that one hundred years ago that nation had been guilty of the same class of atrocities as are now charged against the detestable Huns.” Socialist Eugene V. Debs and the I.W.W.’s Big Bill Haywood were among several

leading persons sent to prison under the Espionage Act, simply for making speeches against the World War I draft. Irish-American Fenian leaders went to prison for organizing resistance to that draft and for making public comments supporting Germany.

None of these personalities possessed or “conveyed” any secret information; their crime under 18 U.S. Code §793 was “conveying” their own leaflets, speeches, newspaper articles, films, etc., which opposed U.S. support for Britain’s world war. Since



WPA War Services of Louisiana

*A poster created between 1941 and 1943.*

roughly the 1970s, the prosecutions and threatened prosecutions under that Act—of Daniel Ellsberg, the late Sen. Mike Gravel, Edward Snowden, Julian Assange, for example—*have* involved “secret” information. But in every case their “conveying” that information consisted in various forms of *public speech* against wars in which the United States, the UK, and NATO were engaged.

The Wilson Administration’s original purpose for this Act was to target an enemies list actually maintained by Wilson. The Act targeted, for example, anarchist Emma Goldman, Socialist Eugene Debs, journalist Victor Berger and even Fenian leader and Wilson 1916 voter, John Devoy, whom the London *Times* called “the most dangerous enemy of this country [Great Britain—ed.] Ireland has produced.” One historian called the Act “an immediate and unprecedented campaign to stifle criticism of the government” upon entry to World War I; it led into the Red Scare and Palmer Raids three years later. Anyone “obstructing the military draft or encouraging disloyalty” was liable. The Postmaster General was authorized by this Act to seize any material going through the mails, reviving slave-state pre-Civil War laws.

The Espionage Act is intended to punish, not possession of secret information, but opposition to any war in which the United States or its allies (the UK and others) are engaged. Therefore, it targets for prosecution (potentially punishable by death), exactly what the Ukrainian government’s Committee for Combating Disinformation is targeting in its hit lists of Americans and other prominent individuals, for vilification, “sanctions,” and potential physical harassment including lethal attack. The Act targets speech, or a threat to speak using information about a war, which does not fully agree with U.S./NATO/Ukraine war policy.

### The Espionage Act and Trump

This makes it clearer why Mar-a-Lago was raided, and some of former President Trump’s presidential ma-

terials seized, under a warrant justified in significant part by the Espionage Act.

The raid was a highly unusual proceeding, since presidents at least since Dwight D. Eisenhower and John F. Kennedy have taken presidential documents, including strategic communications, with them on leaving the White House; have set up presidential libraries; and have negotiated with the National Archives in Washington, D.C. about storing documents there. That the National Archives wanted documents Trump had at Mar-a-Lago, and has gotten most of the



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WEF/Jakob Polacsek

*The warrant for the FBI to seize documents from former President Donald Trump’s home was justified in significant part by the Espionage Act of 1917, which has been used to punish—not possession or conveying of secret information—but opposition to any war in which the U.S. or its allies were engaged.*

documents it requested, is not unusual. What is notable, is that the Biden Justice Department had consistently demanded the Archives turn over Trump’s documents *to the FBI*; and that President Biden has personally intervened to remove Trump’s right to assert presidential privilege over some documents as previous presidents have. When the Justice Department and FBI then shoved the National Archives aside and raided Mar-a-Lago on Aug. 8 to seize Trump presidential documents directly, this merely made a public anti-Trump spectacle out of the FBI’s “seizures” from the National Archives which had been underway for months.

Trump was targeted early in his administration by a

British Ambassador, Sir Kim Darroch, who admitted in an interview he was organizing massive pressure operations on Trump to force his support of British geopolitical policies, especially against Russia and China. The British House of Lords, in a 2018 report on British foreign policy, warned that a second Trump term would be a disaster for the UK, and attacked all three major powers Trump was then trying to cooperate with: Russia, India and China.

Trump opposed the wars in which American troops were deployed when he entered office. Among the presidential papers at Mar-a-Lago likely targeted by the FBI raid, are document trails of Trump's orders to withdraw troops from Afghanistan, Syria and Somalia; the rejection and defiance of Trump's orders by Joint Chiefs of Staff Chairman Gen. Mark Milley in particular; and Trump's last-ditch efforts to appoint officials who could carry them out.

The "declassification" orders of Trump's final months in office are secondary to this targeting of him over British geopolitical war policy. He was trying to declassify documents showing the origins of "Russiagate" and his impeachments, which were in the service of war policy against Russia. These declassification fights were led for Trump by his aide in a number of positions, Kashyap ("Kash") Patel, who himself wrote some of the reports to Congress and to Trump about Russiagate which intelligence agencies plunged into the deepest classification. Patel was also, in November-December 2020 and January 2021, in the center of attempts to get the Pentagon and Milley to obey Trump's troop-withdrawal orders. And now, quite naturally, Patel has been Trump's liaison to the National Archives over the documents at Mar-a-Lago.

Thus, we can forget the breathless coverage in the NATO-compliant media about all the many hundreds of pages of allegedly "secret," "classified," "top secret," etc. documents "recovered" or "found" at Mar-a-Lago. (A prime [example](#) was *Politico's* completely dishonest and deceptive "report" of Aug. 23.) Most of these documents had actually been given by Trump to the National Archives long before the Aug. 8 raid; so the National Archives "found" them after receiving them from Trump!

The real issues were two: First, Trump was speaking to political rallies around the country this Summer, and was attacking the Biden Administration's endless

weapons and money going into war against Russia; second, the Justice Department wanted *all* of Trump's presidential documents to go, not to the Archives, but to the FBI, so as to build an outrageous prosecution under the Espionage Act *of a president* for "possessing or conveying information relating to the national defense" (the wording from that Act).

### **The Schiller Institute's Bigger Fight**

The Schiller Institute has exposed the drive by the Zelensky government in Ukraine to use its Center for Combating Disinformation (CCD) to devise hit-lists of prominent people in the West who oppose NATO's war and sanctions policy. This CCD is funded, and its staff paid, with funds provided primarily by the United States; trained and advised by British intelligence services; and it called those on its July 14-issued hit-list "war criminals." Americans are on that list, including present and former Members of Congress and state elected officials, candidates for Federal office in 2022, and other prominent individuals. The same is true of targeted individuals from Denmark, Germany, Italy, France, and India. A senior Ukrainian official told media that Ukraine wanted the 72 individuals on the list "sanctioned" and subject to "military lustration" (purged).

This is—on a worldwide scale, with more at stake, and with greater personal danger to the targeted individuals—the same strategy of targeting those opposing British war policy, as has been threatened in U.S. law for more than a century in the Espionage Act. And again, British and U.S. agencies organized the July 14 event where the Ukrainian CCD issued the hit-list, and the U.S. Congress is funding it.

It was found that the entire first half of the hit-list, some 31 individuals, had been speakers in recent conferences of the Schiller Institute, topped by Schiller Institute founder Helga Zepp-LaRouche.

Thus the Institute—which is organizing for a "new Bretton Woods" credit and development architecture *among the major nuclear powers*, as the alternative to end this escalating world war—is the particular target of this Ukraine government hit squad acting for NATO. And it is the Schiller Institute which has rallied a large number of the public individuals on that hit-list to [demand investigation](#) by multiple committees of the Congress and European parliaments, and the shut-down of the Ukrainian CCD itself.