

CATHOLIC PEACE ACTION

NEWSLETTER NO 19 (June 1988)

7 PUTNEY BRIDGE RD
LONDON SW 18

Dear *friends*

Greetings to you from CPA during this Pentecost time. We hope that you and those close to you continue to be well and inspired by the spirit and challenge that Pentecost brings to our communities.

LOW WEEK: 72 HOUR VIGIL AND FAST.

This year we spread our wings to cover both Westminster Cathedral and the MoD. Dan and Sarah maintained a presence at the Cathedral while Pat sat it out at the MoD. At both sites we were joined in the fast and vigil by a good number of supporters, many of whom fasted for all or part of the time.

Those at the MoD had quite a number of opportunities to dialogue with workers - during one afternoon two staff members joined us for two hours to discuss why we were there and share understandings of peace. One worker expressed concern that Pat should 'worry her pretty little head' about problems of the third world and nuclear war. The world was being made secure by the work at the MoD. He had fought in the Falklands; carried nuclear weapons on his aircraft and if given the order to use them would do so. Pat shared with him her unease at the burden he was forced to carry - how could she accept security of this kind when it placed such an intolerable burden on him as a person.

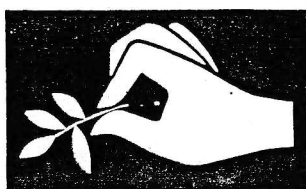
It was this, maybe more than anything else that was shared, that seemed to touch something in him. On the last day of the fast we came together at the MoD to pray and break bread together - a really beautiful way to bring our fast to an end. Then, at lunch time we stayed to offer bread to the workers. Quite a number of rolls were taken although there seemed to be some suspicion about what we were offering. Thanks to all those of you who supported the fast in any way - through prayer, fasting, baking bread or coming to join us. This is a very distinctive and necessary way of witnessing in peacework and we hope that support will grow next year.

RESUME OF COURT CASES FROM ASH WEDNESDAY.

Most of the hearings have now taken place. We attach a number of statements that were made in court as part of the defence procedure of the CPA affinity group. You will see that there is a startling variation in the pattern of sentencing. One person has served a 5 day prison term, another was given a £90 fine while others have been given an absolute discharge. A number of people are still waiting to hear back from the courts about non payment of costs and fines.

HIROSHIMA AND NAGASAKI VIGILS.

This has become another 'annual event' for us - but it can only happen if we know that we can rely on the support of people willing to take part in the vigil. The vigil normally takes the form of a permanent presence at the MoD from 8 am - 7pm, starting on the morning of 6th August till the evening of 9th August.



If we have support we can go ahead again this year. We plan to draw the vigil to a close with a Mass outside the MoD on the final evening. If you would like to take part could you please contact Pat on 01 735 4907 as soon as possible

OCTOBER 1 CHRISTIAN RESISTANCE GATHERING

The four organisations involved in Ash Wednesday 1988 are in the process of evaluating the event. We intend to hold a national meeting for those involved in resistance to help strengthen the Christian network. This will take place at Heythrop College, Deans Mews, Cavendish Square, London from 10.30 - 5.00 on 1 October.

CPA RETREAT

We always wish that we had time to reflect and share more deeply with those who support us in our actions and work. So, our attempt to do something positive about this wish is to invite you to join us for a weekend retreat (21 - 23 October) which will be held in London. We hope that you will give serious consideration to this invitation, the subject of which will be the Gospel basis for non-violent direct action. We need to know as soon as possible whether you will be joining us so that we can look for a suitable venue.

We leave you with a reflection by the American theologian, Walter Brueggemann.

" So, where do we who have been baptised belong? Home is not heaven. It is not life after death. It is not protected church space. Where actions of peacemaking, deeds of love and mercy, decisions of justice and liberation are taken - that is our true home".

In love and peace. *Catholic Peace Action*

Carmel, Dan, Daniel, Sean and Clare Martin.
Sarah Hipperson.

Ray Towey
Pat Gaffney

STOP PRESS STOP PRESS STOP PRESS STOP PRESS STOP PRESS STOP PRESS

Open meetings will begin again on a monthly basis in the Undercroft at St George's Cathedral, Southwark, from 6.30 pm.
Two confirmed meetings: 1 July and 5 August. All welcome.

'Catholic Peace Action is a Christian community who believe that the policy of nuclear deterrence is incompatible with the will of God. In regards to nuclear war preparations, nonviolent civil disobedience is Divine obedience. Since 1983 we have engaged in periodic acts of civil disobedience at the Ministry of Defence in Whitehall, and have communicated our concerns to the MoD workers in a twice monthly leaflet'.

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STATEMENTS FROM COURT: A selection of full and partial statements made by members of the CPA affinity group.

Having spent years of missionary work in Latin America I have been a witness to the agony and crucifixion of many people, especially the Indians.

And I am deeply convinced and I have evidence that Europe, through NATO, through the sale of arms, the economic system of trade and investments, is not at all innocent of that agony and crucifixion.

I am not against the State.
I am against the paranoia and the sickness of the State.
Our generation has been witness of the most pathological forms of arrogance and delirium of the State.

Hiroshima, Dachau, Vietnam, Falkland must not be repeated.

Loyalty to the State shouldn't go too far. The painful story of Kurt Waldheim, after 40 years, brings back to us the tragedy of a generation that was obedient.

Bishop Oscar Romero of S. Salvador was killed the 24th of March 1980 because of his conscientious objection to the military power. On the eve of his assassination he said to the soldiers that they were not obliged to obey an order contrary to the commandments of God and that it was high time for them to recover their conscience.

The marking of the wall was the mark of the primacy of conscience over State.

My conscience doesn't judge me guilty for what I have done, so therefore next Ash Wednesday 1989 I will be again there marking the wall with the cross.

Ezio Roattino
Consolata missionary

"The cost to the nation even now of such diversion of resources is immense. Walking around the MoD on Ash Wednesday, continuing the Liturgy begun at St George's Cathedral, I remembered communities in the north, decimated by unemployment and families I meet struggling to raise children in the squalor of bed and breakfast accommodation. I thought of the homeless on our streets, increasingly these days young people, or patients discharged from mental hospitals into so called 'Community care'. I know at first hand the distress of patients and staff in our present day Health Service. It seems that resources of care for the poor, the weak, the handicapped in our country are never enough, while enormous funds are channelled to the destructive weapons like Trident".

While we rejoice at the beginning of disarmament signalled by the signing of the INF treaty, it seems that as far as Britain is concerned, the situation has become more dangerous. Even as we kept vigil at the MoD our Prime Minister was stridently proclaiming in NATO "Certainly we must improve and modernise our nuclear weapons".!

(Freda was in the CPA affinity group and appeared in court in April. She was given a conditional discharge and cost and compensation to pay)

ST. JOHN VIANNEY PARISH

Telephone: 01-303 1957

21 Heathfield Road,
Bexleyheath,
Kent. DA6 7LU

Wells St Magistrate's Court

5 May 1988

STATEMENT FOR THE DEFENCE

'I am charged under the Metropolitan Police Act 1839 with "marking a wall without the owner's consent".
Yes, I did mark a wall, the Ministry of Defence in Horseguards Avenue. With a cross. It was Ash Wednesday.
But in English law, to be guilty of a crime requires both a prohibited action and a guilty frame of mind.
I admit the prohibited action.
I deny the guilty frame of mind.
On the contrary, my action was done to alert people to the wrongness, madness and unlawfulness of what is being planned in the Ministry of Defence, in our name.
This court has a duty to uphold the law, not just the Metropolitan Police Act, but the more fundamental laws of our country.
It is unlawful to plan the mass murder of innocent people.
It is unlawful to intend to pollute and devastate the earth on a scale that would inevitable follow a nuclear strike.
It is unlawful (and, I submit, criminally negligent) to risk the lives of our own citizens with a defence policy that invites a similar or worse retaliation.
This court, and you Sir, have a choice:
to uphold the letter of the Metropolitan Police Act 1839, or
to uphold the more central principles of law to which I and others were witnessing on Ash Wednesday.
I ask you to reaffirm in this court the great tradition of English law which protects innocent life, cherishes the earth, and refuses to be subservient to passing Government policy.
Does this court want to line up with courts in another country in 1940, which would have found someone guilty for marking a cross (without the owner's consent) on the outside of a truck heading for Dachau?
I am a christian and a priest.
I am charged to proclaim the law and the love of God, and to preach the gospel of Christ.
I am also charged to care for my people.
I am trying to do all these things, and in this court I am asking the law to protect us.
If you choose to see only a mark on a wall, so be it.
And God help us all.'

David Standley

Verdict: CASE PROVED

Sentence: ABSOLUTE DISCHARGE

Same verdict and sentence for two co-defendants: Pauline Condon, a Quaker nurse; and Ezio Roattino, missionary priest.

The court found us technically guilty as charged, but the sentence affirms our action and its moral purpose. A small but famous victory. But we remember the 60 other defendants who received sentences which they are now serving or resisting.

What kind of criminals are we to require such attention and such actions on the part of the State?

I believe there is only one answer.

Despite the fact that you have found me and my friends guilty of contravening a "trivial" Metropolitan Police Act more than a century old (because YOU decided that what matters for YOU is just the "straightforward / trivial" material act apart from any qualifying intentionality attached to it) I KNOW, and I suspect YOU DO AS WELL, that the only reason why I and my friends are here today is because the State understands very clearly the challenge to its immoral policies of death conveyed by our symbolic action, and wants to make sure that nobody else understands it as well, and possibly join us in our pledge to continue challenging the State and the power it exercises by abusing the law (thus depriving it of any authority) whenever this State plans to or actually perpetrates in the secrecy protected by the law deeds of death while claiming to do all this on our behalf. It is a lie: the State in this case abuses power and therefore neither it nor the laws it abuses hold any authority over us. This lie I shall resist, and continue shouting as loudly as I can: NO TO DEATH - YES TO LIFE!

choose life

*so that you
and your children
will live*

John Scudiero. Consolata Missionary. March 1988

EXTRACTS FROM YOUR LETTERS.

"We 'enjoy' your newsletter very much - (the inverted commas are because you deal with such large issues - enjoying seems an inappropriate word) and appreciate being kept in touch. "

With thanks. Liz and Mark.

"Thanks for your note. At present I am involved in handing around Fr Markus OP court statement (Catholic Herald) to clergy and laity and asking for a response. I was arrested yesterday for non-payment of costs and another outstanding fine, taken to court and I now await bailiffs. Worse than prison I find. Cheaper for them. See you lot are in Prolifers for Peace. Great.

All the best. Judith Dawes

"I thought you might be interested in our newsletter BREAD which I have begun to produce with the aim of drawing together to a certain extent the isolated strands of resistance and civil disobedience. The newsletter is aimed primarily at people who are not part of any established group, such as CPA, and yet who have taken part in direct action, or are thinking of doing so. You are welcome to mention BREAD in any newsletter you send out. Please stress that it is free, but donations are welcome".

(If you would like to receive BREAD Contact: Robert Drake, 23 Alexander Rd, Ulverston, Cumbria LA12 0DE)

THE FOLLOWING IS TAKEN FROM PRESS INFORMATION OF A PROTEST AT SPRINGFIELDS NUCLEAR PLANT, NEAR PRESTON IN LANCASHIRE. APRIL 1988.

Garstang architect, Maureen Kelly, who feels particularly strongly said: "I care deeply about jobs in the area and would like to see alternative work for those employed at Springfields . But I cannot remain silent about what I know to be wrong and dangerous. Our actions aim to raise awareness . We feel that many more will come to share our concern when they know what Springfields is for and what could result from the work that goes on there." (Maureen risked arrest at the Plant on Pentecost Sunday)

REFLECTIONS ON A DAY IN COURT BY CLARE SZANTO

I suspect that my arresting officer thought it was all a bit of a lark . We'd both had a good day out, a break from the monotony of our everyday lives I'd made my protest, managed to get home in time to see the ten o'clock news. He claimed that mine was the easiest arrest he'd ever made, and it made a welcome change to rolling around with people in the dirt.

A friendly chap, he greeted me on the day of the hearing with the assurance that it was all going to be relatively painless and over very soon. It's the sort of thing I say to patients before I give them injections.

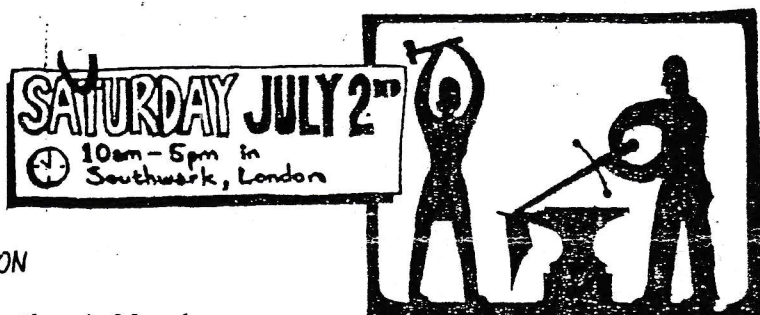
After I had been dealt with by the magistrate , I was sitting in the back of the court when he beckoned me into the foyer. I had made it clear that I did not intend to pay me £10.00 costs and it was this that he wanted to talk about.

"Listen", he said, "I want to explain that you have'nt been punished, you 've just been asked to pay a small contribution towards the costs of the prosecution. It's nothing, just a slight slap on the hand. Only £10.00. You've got what you wanted, you've made your protest, got your publicity, why not pay?". I shook my head. Looking slightly exasperated he continued: "Listen, why put yourself through all this hassle, travelling up and down to court. All for £10.00. For goodness sake, I'll pay it". No, I told him, the money was not the point. And hassle is'nt travelling up and down to court appearing before magistrates. Inconvenient, maybe, time-consuming yes, but hassle, no, and it's my choice.

Real hassle is watching your child die of hunger. It's suffering pain and anguish on the end of some interminable NHS waiting list, sleeping rough on a cold night, shooting junk into your veins to blot out the misery of inner-city squalor. And nobody listens to you. And all you hear is that there's no money for you . But there's 11 billion for Trident. That's hassle. The people in the hassle have no voice, no choice, but I do, so it's up to me to speak out, and name the sin that ruins lives. For this I will accept the consequences, but not acknowledge the guilt.

My policeman was quiet for a moment. He's on the sharp end of hassle every day. He knows . In his eyes there was surprise. It's more than a lark, more than a publicity stunt.

He shrugged. "It's up to you" he said. "It's just that I've got to like you all". And he went out.



NOTICE OF FORTHCOMING EVENTS IN LONDON

A group of CPA friends is organising the following:

Fast, Vigil and Action: outside the Defence Export Service Organisation
26th June - 1 July. (to coincide with the British Army Equipment Exhibition)

Groups and individuals are invited to support.

Swords into Ploughshares Gathering. 2 July, at the Undercroft, St George's
Cathedral, Southwark (10.00 - 5.00)

Anyone interested in the possibility of a Ploughshares action/movement in Britain is invited to join in the day.

For details of either event contact : Jean Dreze, 69c De Laune Street, Kennington.
(01 735 9047)

When the law defies the basis of its authority.

(an article that appeared in the Catholic Herald, 8th April)

66 CHRISTIANS were arrested on Ash Wednesday this year after a liturgy of repentance which involved marking the walls of the Ministry of Defence with ashes. The call to repentance focussed especially on the sin of our threat to use nuclear weapons.

Most of those arrested have now been tried and convicted, as *Catholic Herald* readers will have noted last week. But though there has been considerable media coverage, it has tended to treat the whole affair in a trivialising and superficial way. It has been reported in terms of "nuns hitching up their skirts", "priests with walky-talkies" and "operations of military precision".

So the *Catholic Herald* appears to have been informed that two Dominican friars (myself included) were "silenced in court", when in fact, far from being silenced, they conducted a defence for two hours. The report stated that the magistrate asked them to "refrain from... making political speeches", while in fact their entire defence began with a statement that they realised that the court was not concerned with "political questions", and was then conducted along strictly legal lines, based on statutory authorities, legal precedents, constitutional law and other persuasive authorities, as well as international law.

The first line of defence was based on the claim that we had "lawful excuse". This defence appears in, for example, the Criminal Damage Act, where it is stated that a person shall be treated as having lawful excuse if he damaged or destroyed property in order to protect property belonging to himself or another.

That lawful excuse is a defence recognised throughout the history of English Law. So Bracton wrote: "What is not otherwise lawful, necessity makes lawful." Lord Justice James in *R v Smith* (1974), remarking that "lawful excuse" predated the Criminal Damage Act, said that "no offence was committed by a person who destroyed or damaged property in the honest... belief that he had a legal right to do the damage." That was exactly our honestly held belief. The law says that it doesn't matter if this

NEWS ANALYSIS

Fr Gilbert Markus OP, one of the priests arrested in last Ash Wednesday's anti-nuclear protests, tackles the legal issues behind his actions

belief is unreasonable or untrue/though we maintain that the belief was both reasonable and true), as long as it is honestly held. If it is honestly held, the defendant is not guilty.

The Magistrate said that he recognised our sincerity in acting and speaking as we did, which is hardly different from an admission that we acted in "honest belief". Yet he did not accept the defence, though neither he nor the prosecutor gave any argument against it.

We next defended the legality of our action on the basis that English Law permits a person to do what would otherwise be unlawful in order to prevent an even greater crime. So it is permitted to use force against someone in order to prevent a serious assault.

The nuclear strategy which our country has adopted involves an intention to use weapons of mass destruction under certain circumstances. It is simply not good enough to say that there is no intention to use them, but only to deter attacks against us. If there was no intention to use them, then they would not act as a deterrent.

Given that there is such an intention, and given that the use of these weapons would constitute a breach of the international laws of war, there is clearly an intention to break the law. This we demonstrated in court, by reference to Hague Conventions, the Judgement of International Military Tribunals, the UN Convention on Genocide, the Geneva Convention and its Protocols. Again, this defence was met with a stony silence, rejection out of hand, without argument by magistrate or prosecution.

Finally, we noted that Christian doctrine, both Biblical and traditional, forbids the taking of innocent life and forbids the contempt for

creation implicit in our threat to use our nuclear arsenal. The reconciliation of all humanity brought about by the death of Christ is also denied by our nuclear sin.

The Christian biblical and traditional doctrine also maintains that the laws of Caesar are always to give way to the laws of God. "We must obey God rather than men," as Peter told the Sanhedrin.

But this was not just a moral-religious exhortation or excuse that we made to the magistrate. It was a *legal* defence. The teaching of the Church is binding on the laws of the realm according to *English Law*. There are several statutes in force which specify that the rule of law is "according to right and reason... and to the honour of God," that rulers must "serve the same eternal God to the uttermost of their power as he has required in his most Holy Word"; that Parliament is under obligation to "the law of God and the law of Nations", and so on. As Hobart, then Chief Justice, said; "The Laws of the Realm do admit of nothing against the Law of God." This is not just pious sentiment. It is not wishful thinking or moral exhortation. It is English Law.

It is this Christian legitimisation of the law that is enshrined in the Coronation rite in which the monarch swears to "maintain the laws of God and the true profession of the Gospel." When the servants of the Crown — Parliament, the Government, the courts, the armed forces — act contrary to the laws of God, they are acting not only sinfully but illegally. The servants of the Crown are already engaged in abusing the law by enacting our common nuclear sin. Their illegality is only compounded by the bringing to trial of those who, like us, want to see the *true* laws of England enforced.

In our trial, no attempt was made to show that our defence was flawed. No arguments were adduced against us. No attempt was made to show that we actually *had* acted illegally. We were simply found "guilty" as charged. Under these circumstances, where the law defies the moral and legal basis of its own authority, it brings itself into disrepute. It ceases to be the exercise of authoritative law, and becomes the mere exercise of power.

Review

SWORDS INTO PLOWSHARES:
Nonviolent Direct Action for
Disarmament.

Arthur Laffin and
Anne Montgomery, editors

I am hard to please. "What!" you say. "Oh no, not you!" you say. Well yes, or should I qualify: when it comes to the written word, I am hard to please. After a few dreadful encounters, I ceased granting interviews, became considerably exercised at the proposal of a TV movie and once even threatened to sue Amnesty International if they didn't leave me alone.

All this stems from my fervent belief that if folks are going to address issues, they ought, at the minimum, recognize what those issues are. The issues are not the demeanor of judges, the nature or length of sentences, the recreational proclivities of prisoners, the sweet children at home or Juicy Fruit gum. The issues are the Bomb, personal responsibility and disarmament. We had better hope that these are the issues -- publicly, because it's a matter of life and death; privately, because if not, a whole bunch of us have made some serious and costly mistakes.

And so it is that after 7 years of "Plowshares" disarmament actions, I have finally read something on the subject that pleases me. Anne Montgomery and Art Laffin have studiously avoided sensationalism, the cult of personality and fluff, focusing instead on the truth in a resistance primer which manages, at the same time, to be the final word (my humble opinion).

Need concise information on U. S. first-strike policy? Wonder about the legal basis of resistance? Curious about the diverse spiritual underpinnings of "Plowshares" actions and serious campaigns of nonviolence? Desire a better understanding of the prison witness? Want a list of communities, organizations and

resources to further your inquiry and involvement? It's all here, as are action statements, legal briefs, poetry, reflections and photographs beautifully blended by the skillful editing.

Oh yes, there is a chronology and profile of the 18 "Plowshares" actions and 66 participants (Sept., 1980 - March, 1986; 4 more have occurred since). It's brief and accurate, and after you read it, you won't have the slightest idea what we eat for breakfast. Isn't that wonderful! Notice I have not named the more than 25 contributors who run the gamut from famous to obscure. I would even omit reference to Laffin and Montgomery who, depending upon the circles in which you travel, are famous or obscure, but you couldn't find the book if I did. My point is that if you're attracted chiefly by high visibility, you need to refocus, but if you're interested in a serious reflection on resistance by those living it, this is the book to buy.

I would be happy if no one ever again wrote a word about "Plowshares." Someone undoubtedly will, but I won't ask you to read it. I am asking that you spend a few hours with "Swords into Plowshares." Thanks, Anne and Art! You've pleased the toughest critic.

Helen Dery Woodson
Shakopee Women's Prison
Shakopee, MN

Published by Harper & Row, San Francisco, CA, 1987. \$8.95. Order through Plowshares/New York: 225 Lafayette St.; New York, NY 10012. Or call Harper & Row, toll free 1-800 638-3030.

*This book is available
from C.P.A.
Price £7.00 (inc postage)*

*Helen Woodson is at
present serving a
17 year prison term.*