

Catholic Peace Action
7 Putney Bridge Road
London SW18 1HX

10 March, 1992

Dear Friend,

It seems a long time since we have written. We hope this finds you in good spirits.

You may not be aware of Dan's imprisonment over Christmas and the New Year. After being found guilty of criminal damage we were also found guilty of contempt of court for refusing to be bound over to keep the peace for two years. Some details of the trial on 22 December and prison reflections are found scattered below. Fortunately, he was able to spend the full 19 days with his co-conspirator, Chris Cole.

But matters are not concluded. We invite you to attend Bow street magistrate's court (nearest tube is Covent Garden) on 21 March, 1:45 pm to offer support to Dan, who is still libel for court costs and compensation to the MoD (\$82.80). The court could give more time to pay, give an immediate prison sentence or order the bailiffs in. It would be good to see you there or receive a message.

The Ash Wednesday and Lenten witness are as timely as ever. The State doesn't know what it is doing in setting the date for the launch of Trident for 4 March, Ash Wednesday. It is as if God is trying once again, ever patient with us, to tell us how wrong it all is. Will the voice of opposition in the churches be louder this year? It doesn't seem so.

Pat, with the Pax Christi group, marked the Building with blessed ash and charcoal; as did a few other people. A good number attended the liturgy and 11 people marked the building. A few actions may occur over Lent. For the last 3 or 4 years there have been no arrests on Ash Wednesday. It appears that the police have been won over to our position,



Remembrance Sunday,
November 1991

however temporarily or pragmatically. The next task for us (all of us in the peace movement) is to claim the whole of Lent!

Ray is off very soon to Africa for two years to offer his doctor skills to the poor. He has hinted that he may leave us with a farewell article. Keep your fingers crossed.

Yours in peace,

CPA

Catholic Peace Action

Dan and Carmel Martin, Pat Gaffney,
Ray Towey, Fr. David Standley

P.S. Thanks to Carmel for the artwork in this issue.

PAYING THE PRICE

(From prison Chris and I sent a note to a few people asking for some reflections on our action in particular and resistance in general. Celia did the sending around and also responded. Dan)

It's harder for me and easier in some ways to reply, having been so close to what we did. I can hardly be objective. So this comes straight from the gut.

I just know it was the right thing to do--especially on the day we did it which I have always felt needs so much more than the overtly patriotic laying and wearing of red poppies. I dug that grave for the children dying in Iraq, for those dying in the bloody war in Yugoslavia, for the thousands of victims of Hiroshima and Nagasaki, for the homeless mothers in our underground stations who are already paying the price of Trident. I don't need to go on.

Dear Dan and Chris, we did good, and I'll be there next year more than ready for what the consequences might be, and knowing that it is something I have to do.

Celia Compton
29 December 1991

REFLECTIONS

Grave digging, it seems, can't be ignored. For five years I have been taking part in nonviolent resistance to the nuclear state had, up to now, escaped relatively unharmed, simply not paying fines and waiting for the courts to act. This time, however, there was to be no long drawn out wait or quietly forgotten stand. Dan and I were imprisoned for three weeks on the day of our trial.

I didn't have to wait to the day of the trial to know that this 'action' was different. I felt it, painfully, on Remembrance Sunday itself. My arresting officer, an inspector, obviously incensed at our shattering of the myth of 'remembrance', took revenge on my right arm and told me later that he wished he'd broken it. Is it not to be expected that some people will react

badly when we break the pretence of peace and expose the war machine?

Going to prison for three weeks ('visiting the prisoner', as Dorothy Day put it) was a blessing. I'm sorry if that sounds trite but that's what it was. We met good people, people who were willing to yell about love out of their cell window!

Again and again I have been asked, 'What did it achieve?' or 'How can going to prison bring peace?' Questions I find very hard to answer, mainly because the people who ask them want concrete answers and certainties, things which I don't have. All I have is a gut feeling, the inspiration of others and, lately, the gospels, none of which my questioners are willing to accept as 'proof'.

I'd like to share part of a poem that someone sent to me whilst I was in:

So, friends, every day do
something that won't
compute.

Love the Lord. Love the
world. Love someone who
does
not deserve it. Work for
nothing. Take all that
you
have and be poor.

As soon as the generals
and politicians can predict
the
motions of your mind, lose
it.

Practice resurrection.

Wendell Berry

Thanks to all who 'remembered' us.

Chris Cole
Valentines Day 1992

P.S. Chris would like us to advertise a new 'Christian Pacifist Magazine' called FLEEING NAKED, edited and produced by himself. (cf. Mk 14 51-52) 'It is not for sale. Anyone who wants a copy can have one. Donations towards the production costs will be appreciated.' 75 Hornsey Park Road, London N8 0JU

MORE REFLECTIONS

The court did not wish to hear the defense, only the facts were important. 'Your arguments don't any hold water', the magistrate said at one point; and I had only just outlined what I wanted to say in my defense.

During our stay in prison we received many visits and messages-- mostly of support but a few questioning our action. In either case both were helpful and necessary to keep up our spirits and remind us that we are part of a community who cares for us and for peacemaking.

It is sad to think that, however deficient we may think our relationships and 'communities' are, I met many prisoners who had literally no one they could write to or trust to do anything for them on the outside.

I don't mind saying that prison was difficult, especially the first week. But then life is difficult for many people because of the injustice of war and consequent misuse of resources. I, at least, had a choice. My wife, Carmel, of course, shared in this choice and burden. Our four children did as well but there did not appear to be any serious problems with my absence.

I have often been asked, 'What was it like?' I hesitate to say much about it because each prisoner's experience will be different and so many others have spent far longer inside than I have. But I will say, like everywhere else, there are good and bad, prisoners as well as prison officers.

The fear of prison should not deter most people from engaging in civil disobedience. Most people survive prison. For the Christian, in such a world as we now have, it should perhaps be considered a place of pilgrimage.

So I may be inside the same month the first British Trident is let loose on the world. A fitting place to be, indeed. The contrast will be there for those with eyes to see: What is the real crime and where is hope found?

Dan Martin

The Courts and the Law

To: the judge who heard cases in Court-room One on the afternoon of Monday 23 December, 1991, and who specifically heard the case of Dan Martin and Chris Cole, charged with turning over the sod of the Ministry of Defence lawn in a manner suggesting the digging of graves.

Your Worship:

I am writing to ask you a question which troubled me very much when I heard your comments to the defendant Dan Martin.

Dan Martin's plea was that he acted for the greater good because his action pointed up the far greater criminality of the British government and armed forces in destroying many thousands of lives in Iraq, in a manner which violated international laws. He cited specifically the Hague Convention (1907).

Your reply to him was 'I don't think that will hold water.' Afterward I felt very puzzled by this brief remark. Is it your view that a British court need not recognise the jurisdiction of international law? Not even to the extent of discussing why a particular law does not apply?

In reading the British Manual of Military Law and the Nuremberg Principles and other conventions, my understanding was that all soldiers and civilians are bound to take international law into account before performing any action and are in fact forbidden to act contrary to international law, and further that they cannot use the authority of any national body, military or civilian, to excuse a breach of international law.

I am very troubled by the violence in the world and feel that a universal rule of law is the only recourse against this violence. Do you agree with me that judges and lawyers must take the lead in challenging national armies and governments to obey international law-- else how am I, as a citizen, to know how I must act?

I submit this question to you very respectfully and not argumentatively, and hope for your reply as to why you

answered as you did--because I truly wish to know how I may help to enforce the law.

Yours sincerely,

Jan van Heurck

(So far, the court has only acknowledged receipt of Jan's letter.)

ASH WEDNESDAY IN SHEPPEY

I had thought that this year I must give it a miss.

For the last six years Ash Wednesday has seen me shuttling from my parish in South London to the Ministry of Defence and back again (with a reserve priest standing by in the evening, just in case...). Both were places I wanted to be on Ash Wednesday, both were communities of people I belonged to, people I wanted to keep faith with. At the MoD it was important that I was witnessing and resisting as a parish priest. At the parish liturgy it was important that people knew where else I was blessing and distributing ashes on that day. The two celebrations at the beginning of Lent were deeply connected.

But now I find myself parish priest on the Isle of Sheppey, floating freely off the north coast of Kent; the nearest bit of seaside to South London. It has a proud military history, with naval dockyard, army garrison and strategic airfield until the mid-fifties. In 1797, the sinking at the Nore, just off Sheerness, shook the nation. All the churches have memorials to heroes and victims of war.

My parish commitments, and the longer distance from London, made it impossible for me to be at the MoD this year. And yet, something might be done...

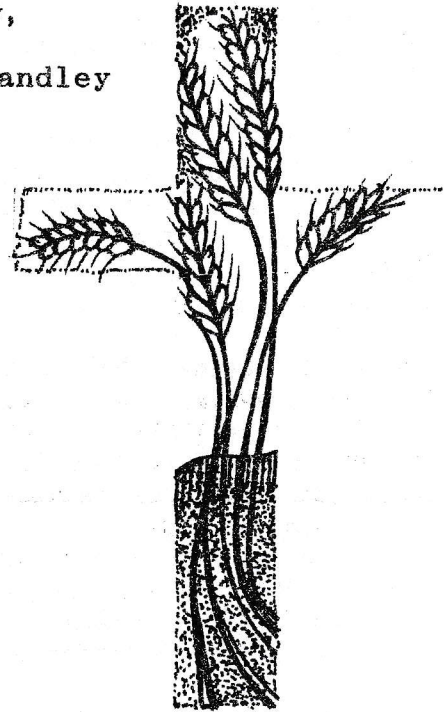
The central choice of Ash Wednesday for the roll out/launch of the first British Trident submarine was too much to let pass. So Robin Murch, Anglican Vicar of Queensborough, and I arranged a prayer vigil at the local war memorial in Sheerness, to make the connections between Ash Wednesday and the launch of Trident. We wrote to the local paper, we were interviewed by Radio Kent. We invited parishioners. About a dozen came. We leafleted passers-by. We drew both flak and support from all sides.

We noticed that most of the names on the war memorial were people, more than a thousand, both military and civilian, who had been killed in a major explosion on munitions ships in Sheerness harbour during the First World War, largely hushed up at the time. The war machine devours its own.

It was small, peaceful, non-violent and strong. A surfacing of resistance in an unexpected place. And we prayed for and with you at the MoD.

Solidarity,

David Standley



A Defense for Grave Digging

(Below is the letter I shared with those who attended our court case, 23-12-91.)

Dear Friend,

Thank you for coming today.

For the Court to find us not guilty today it must make a judgement on either the facts of the case or the argument of 'lawful excuse'. The charge against us is that we, 1. damaged the grass and, 2. we did so without 'lawful excuse'. Since none of the defendants dispute the fact that we dug the 'graves', our defense will rest on the argument that we had 'lawful excuse'. Under 'lawful excuse' the two strands of argument for me are: I. The law of God and, II. International law.

I. THE LAW OF GOD

- A. The way of Jesus includes the loving of enemies (Mt. 5:44). Love means many things for different people but for me it means that at least we must not kill. At a minimum we must not permit, without protest and resistance, the continuing policy of nuclear war preparations.
- B. For 300 years after the resurrection of Jesus, the Church believed that its members should not kill. St. Cyprian (248): 'If murder is committed privately, it is a crime, but if it happens with State authority, it is called courage.'
- C. Since the compromise with State-sanctioned violence (e.g. war) the institutional church has sought to limit that violence. With the advent of nuclear weapons more and more churches have seen that nuclear weapons violate many of the principles of what would constitute a legitimate use of lethal force. The clearest and only condemnation from the Roman Catholic Church which came out of the Second Vatican Council stated:
- 'Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself (sic). It merits unequivocal and unhesitating condemnation.'

D. The Scottish Bishops once remarked: 'If it is immoral to use these weapons it is immoral to threaten their use.'

II. INTERNATIONAL LAW

A. 'English law permits a person to do what would otherwise be unlawful, in order to prevent a greater crime.' (Fr. Gilbert Markus, OP) Sec 3 Criminal Law Act 1977. The 'greater crime' is what is happening at the MoD in its constant preparation to use weapons of massive, indiscriminate destruction

B. International Conventions/Protocols

1. The Hague Convention (1907) forbids, the employment of 'arms, projectiles or material

calculated to cause unnecessary suffering...'

2. The Gas protocol (1925) condemns 'the use in war of asphyxiating, poisonous or other gases...'
3. The Geneva Conventions (1949) confirms previous conventions and protocols and adds many other prohibitions, e.g. 'indiscriminate attacks', 'a means of combat the effects of which cannot be limited', 'attacks against the civilian population or civilians by way of reprisals...'
4. The United Nations General Assembly (1961): 'Any State using nuclear or thermo-nuclear weapons is to be considered as violating the Charter of the United Nations, as acting contrary to the law of humanity and as committing a crime against mankind (sic) and civilisation.'
- C. The use of Nuclear Weapons would be illegal because their destructive capacity is indiscriminate, unlimited and poisonous. The deaths caused by the atomic bombs on Hiroshima and Nagasaki are still continuing. There is also evidence that second and third generations are affected.
- D. To paraphrase the Scottish Bishops: 'If it is illegal to use these weapons it is illegal to threaten their use.'

END OF THE COLD WAR?

We read more these days that there is no danger of nuclear war. So what is the fuss about? For me the danger is still there but that is not the point. The mere existence of these weapons, with the publicly stated intent to use them, is a moral poison which affects the nation. The theft from the poor and disregard for the environment are part of that poisoning.

'Take no part in the unfruitful works of darkness, but instead expose them.' (Eph 5:11) The exposure continues today in court. Again, thanks for coming.

Love and peace,

Dan Martin