

Catholic Peace Action
A journal of nonviolent resistance at
The Ministry of 'Defence'
(and other places)

7 Putney Bridge Road
London SW18 1HX

December 1999

Dear Friend,

Ash Wednesday 2000
An Invitation to return to the scene of the Crime

On May 24, a court full of our friends and supporters saw the Magistrate, Mr Breen, first look through the pictures of the damage done to the Ministry of Defence. Then we heard him ask the prosecution about the appropriateness of pursuing the case; 'was it really necessary', he asked, 'to use half a day in court to deal with the matter.'

After consulting with the police witnesses the prosecutor agreed to dismiss the case saying that our arrest and detention will have proved to have had a 'salutary effect' on our behaviour in future.

The future is here, the future is now; well, next Ash Wednesday anyway. Come and join us for actions of continued faithfulness and resistance at the scene of the real crime.

If you would like to join us this Ash Wednesday 2000 in by marking the Ministry of Defence with blessed charcoal and ash please let us know and come to a meeting on January 10 at 7:30 p.m. at 79 Barking Road, Canning Town, London E16. The nearest tube is the new Jubilee line station at Canning Town. A 5 minute walk. RSVP.

Our friends, Chris and Virginia are also vigiling each Monday morning during Advent between 8.15a.m. and 9.15a.m outside the HQ of British Aerospace, 1 Brewers Green Buckingham Gate, Victoria. Contact (0181-655 3026) for further details.

Greenham Common Women's Peace Camp invite all women and men of good will for a final gathering from 31 December to the early hours of the 1st of January. This will be a gathering of commemoration of past efforts and achievements, and hope for the next successful phase of their work which involves the erection of a commemorative and historic site. Ring 01635-269 109.

Contributions to the cost of these periodic mailings would be much appreciated.

In celebration of the peace achieved by our Lord and in hope for the full realisation of that peace, we wish you and yours a happy and holy Christmas.

Yours in Christ,

Catholic Peace Action
Dan and Carmel Martin, Pat Gaffney

A Summary of the Defence

(On Ash Wednesday this year, five Christians marked the walls and pillars of the Ministry of Defence, using blessed charcoal. They attempted to write words of peace and repentance for the crime of nuclear arms planned in that building but they were arrested before they could complete the messages. They were arrested and charged with criminal damage. At their trial on 24 May, the magistrate dismissed the case before the defendants had a chance to open their mouths. Two other aspects of the defence case not summarised below involved, 1) the specifically Biblical and Catholic objections to nuclear weapons and in support of nonviolent resistance; and 2) the clause of criminal damage act of 1967, which allows for actions which cause some damage in order to prevent a greater crime. Below is a summary of what three of the defendants would have said given the chance.)

Roger Morbey, 29, an office administrator from Derby, prepared a defence by International Law.

International law is not just for "over there," foreign law, it applies to all people in every country and is an established part of English law. The UK government recognises that, under the Nuremberg principle, everyone can be held to account for war crimes or crimes against humanity.

The threat and use of Britain's nuclear weapons is a crime under international law.

The most recent, complete and authoritative statement on International law and nuclear weapons was the Advisory Opinion of the International Court of Justice on 8th July 1996.

The International Court of Justice (also known as the World Court) was asked to answer the question "Is the threat or use of nuclear weapons in any circumstance permitted under international law?"

The UK Trident defence system violates international law in three areas:

1. UK government policy is to use weapons to retaliate not just to defend the UK.
2. Trident is a failure to disarm.
3. It does not distinguish between civilian and military targets.

The court only gave 1 technical possibility where the use of nuclear weapons may be lawful, (and this by the narrowest majority) if the very survival of the state is at stake. However the UK and NATO threatens to use nuclear weapons to defend another member state, this is illegal.

The court stated that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament." The UK government is committed to Trident, has no intention of eliminating it and is currently working to update the system.

The court confirmed that "states must never make civilians the object of attack and must consequently never use weapons that are incapable of distinguishing between civilian and military targets," and even the UK government in Sir Nicholas Lyell's submission stated that "a military target must not be attacked if to

do so would cause collateral civilian casualties or damage to civilian property which is excessive in relation to the concrete and direct military advantage anticipated from the attack." However the warheads in the Trident system are 100 kilotons, eight times the power of the Hiroshima bomb, there is no military target conceivable which would not also cause excessive civilian deaths.

Just as no person can deny their individual moral or legal responsibility but are obliged by conscience and law to do what is right, this court cannot deny its responsibility to weigh the evidence on international law and decide if the UK Trident nuclear weapon system is legal or illegal. If this system is illegal, as the World Court's opinion implies, we were upholding not breaking the law.

Dan Martin (44, Catholic, married and father of four) prepared a defence based on the Coronation Oath.

In English Law and tradition the Crown is subject to God's law.

According to the Coronation Oath as established in 1688, The Monarch, at the time of coronation promises: 'To maintain the laws of God and the true profession of the Gospel...'

The Coronation Oath is a bringing-together of various oaths and traditions in previous times and is not new to the understanding of the place of law in this country and the role of the Monarch.

As Chief Justice Hobert said in 1612: 'The laws of the Realm do admit of nothing against the law of God.'

This sentiment has been often repeated down through the centuries by many Chief Justices. For example, Lord Denning has said: 'The law which fails to uphold morality does not deserve to be obeyed.'

It can not be the intent of either Parliament or the Crown to stray from God's law. This is not just pious wishful thinking, it is English law.

It is clear from several statutes that Parliament also is under obligation to 'the law of God and the law of the Nations;' and that 'the Government of the land is under God and the Law.'

All this intent is crystallised and affirmed in the Coronation Oath.

It is our belief and understanding that the nuclear war preparations currently engaged in by this country are contrary to the laws of God and the Gospel.

Therefore, non-violent resistance to nuclear war preparations can be understood as an attempt to bring back the laws of the Realm into alignment with, or make them subject once again to, God's law.

Since the early 1950's, the Parliament and Crown have erred in their powers in allowing nuclear war preparations. Our action on Ash Wednesday has simply pointed out this error. This court can do its part and accept our plea of 'not guilty.'

For we have simply acted in the interests of legal conformity to the true laws of the Realm 'which do admit of nothing against the law of God.'

Sister Mary Lampard, 83, Catholic Missionary Sister of Our Lady of Africa, denied the charge of Criminal Damage and had planned to base her defence on grounds of 'honestly held belief.' (A full copy of her statement is available on request.)

I tried to write words of peace on a building of war; I did so as an English woman, a Christian and a Missionary.

As an English woman I love my country profoundly; as a Christian I love Jesus Christ supremely; as a Missionary with 25 years of service in Africa, I love its people dearly and know its poverty first-hand.

When, therefore, I see my country violating the commandments of Christ and robbing the poor, I experience deep distress and a desire to make a gesture, however small, which says NO to nuclear weapons.

Nuclear weapons are morally wrong because the cause horrendous suffering and death and unknown harm to the environment.

They are legally wrong. I was present at the Hague when the World Court was hearing the case on the legality or illegality of nuclear arms. I was especially moved by the evidence of a woman from a small Pacific island, which had been covered with poisonous ash as a result of nuclear testing. She had suffered greatly and had seven miscarriages. She had come to testify from half a world away, so that no other woman would have to suffer what she had endured.

The World Court, in July 1996, gave its Advisory Opinion: they found "no lawful circumstance for any threat, let alone use of nuclear weapons." In spite of this the British Government continues to upgrade Trident and the Prime Minister has even declared that "Trident is at the heart of our defence system."

We believe that we were right to protest; that is our "honestly held belief". "To do a great right" (avert nuclear warfare) we chose to do a little wrong" (some slight charcoal marks on a wall!)

Martin Newall is priest working in Canning Town. Here he offers his 'Penitent's Witness

I acted on what my conscience tells me is the Law and Will of the God of Universal Love. As a Catholic, I am bound both to inform my conscience and act on it. Jesus Christ said "I give you peace, my peace I give you, peace that The World cannot give". The Bishops of the Catholic Church have said, "Every act of warfare, directed to the indiscriminate destruction of whole areas along with their inhabitants, is a crime against God and humanity, which merits firm and unequivocal condemnation. British military doctrine states that these weapons are fully intended for use in certain circumstances. And morally speaking, threat has the same status as use: it "merits firm and unequivocal condemnation" – and removal!

Catholics have a duty to be responsible citizens. Christians are called to give witness to the peace of Christ, to proclaim His Peaceful Kingdom. To be peacemakers. Civil disobedience is allowed, even becomes a duty, under certain conditions. As Jesus and St Thomas Aquinas taught, God's law is always superior to human law, which is always an imperfect reflection of God's law.

But acts of civil disobedience must respect the general rule of law, for the common good, and so accept the penalties that follow. This acceptance is also a strong statement in itself against the evil, in helping to bring others to a change of heart by persuading them of the sincerity of the act. In this, we admit also our complicity in this Evil and do penance, seeking the pure heart that can see God.

The Fifth Commandment, is "You shall not kill, but we are prepared to kill millions. Even the Just War tradition forbids the destruction of non-combatants, or its threat.

So, our hope is that this action is in the tradition of the Prophets, who acted with symbolic power in standing up to Kings and Rulers whose word was law, when they strayed from God's law. We hope to follow God, as reported in the Book of Daniel, who wrote on the wall to warn King Belshazzar of Babylon the writing is on the wall for the nuclear threat and the Powers that maintain it.

A New Publication

Protest for Peace by Bernadette Meaden.

This book traces the work of individuals and groups who have been actively involved in seeking peace over the past twenty years. It opens with the telling of the stories of those who have challenged nuclear war machinery, from the women at Greenham Common to the work of Catholic Peace Action at the Ministry of Defence. It includes accounts of the more recent ploughshares actions in Britain and resistance to the Gulf War. *"This is a straightforward story of ordinary people whose consciences have driven them, in the cause of peace, to take extraordinary steps of courage. It is both encouraging and humbling"* Bruce Kent

Published by Wild Goose Publications ISBN 1-901557-200. Available from Pax Christi. £9.99 plus postage

An issue that has not gone away by Pat Gaffney

My Advent seasons has begun well. In the course of one week I have been able to take part in prayer vigils outside the offices of British Aerospace, at the Indonesian Embassy and at the Russian Consulate. We have prayed in the words of Isaiah, "Let us come before God and learn God's way of peace". What more appropriate way to begin the season that prepares the way for the Prince of Peace.

This past year has shown us that once again, the nuclear weapons states seem to be doing all they can to unravel negotiations on arms control and nuclear disarmament and so move us further away from God's peace for the world. In the summer we saw the United States failing to ratify the Comprehensive Test Ban Treaty. Then, in November, the United Kingdom, the USA, France and Russia were among thirteen countries that voted against a resolution put forward at the UN Disarmament (First) Committee by the New Agenda Coalition, calling for concrete steps to be taken towards creating a nuclear weapons free world. The United Kingdom said that Coalition resolution was

incompatible with the maintenance of a credible minimum deterrent.

Commenting on the vote, Canadian Senator Douglas Roach, a supporter of the New Agenda Coalition said: *"We have offered logic, law, and morality to government leaders as reasons for them to move forward on nuclear disarmament. We are tempted, at this moment, to despair that we will ever be heard. That is the wrong reaction. We are being heard as never before, and the proponents of the status quo are being forced to invent the most preposterous reasons to justify their slavish adherence to weapons that have justly been called 'the ultimate evil.' We do not have the luxury of despair at this moment. We must continue, with all our growing might, to speak truth to power"*.

A similar plea not to give up the struggle to rid the world of nuclear weapons came from Archbishop Martino in his statement to the UN General Assembly in October of this year. He said *"the Holy See never wavers from what its Delegation has said previously to this Committee: Nuclear weapons are incompatible with the peace we seek for the 21st century. They cannot be justified. They deserve condemnation ... The conscience of humanity must make it strikingly clear that all weapons of mass destruction violate the very principles of peaceful co-existence, collaboration and solidarity among nations and peoples"*.

The persistent slog of challenging the status quo of the British Government will continue by ordinary people who see through the false claims of security offered by the Government. One of psalms we read during the week leading to Christmas says: *Lord, make me know your ways. Lord, teach me your paths. Make me walk in your truth, and teach me; for you are God my saviour.* To me, this seems like a pretty good prayer for peacemakers – we need to discern, we need to act and we need to remember who our Saviour is.