



TRI-DENTING IT HANDBOOK

An Open Guide to Trident Ploughshares

3rd Edition 2001

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3rd Edition, January 2001

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INTRODUCTION

This Handbook is for anybody who wants to take part in Trident Ploughshares. It provides detailed information on the agreed structure and ground rules of Trident Ploughshares so that people can decide if this is the kind of campaign they wish to join. It also contains the basic documents that activists will be asked to sign and which form the legal background to our actions.

We need hundreds of committed people willing to take part, so we hope you will find this resource empowering. The Handbook has been written in several sections and each section is printed in a different colour for easy use. You should read all of the Handbook but bear in mind that some of it is essential and some is more for background and reference purposes. For instance, it is essential that you understand the nonviolence and safety guidelines in Part 2.3 but you may not be particularly interested in the inventories of nuclear weapons in Part 6.2. If there is any information that you require that for some reason is not in the Handbook then please contact the Core Group who will try to help you.

The most important document in the Handbook is probably the Pledge to Prevent Nuclear Crime. This is the document that every Trident Ploughshares activist signs. These Pledges are sent to the Prime Minister at regular intervals as new people join in. The Pledge can be found in Part 9.1. It is also useful to use in court to prove your intent and motivation.

The contents of this 3rd edition of the Handbook have been agreed by a Core Group of organisers (see Part 2.1.1) and with feedback from a large number of other people who are noted at the end of each section.

The first two editions of this handbook were written and edited by Angie Zelter who shamelessly copied and borrowed from all of the texts referred to at the end of each section. This edition has been revised by her with the addition of several entirely new parts written by other TP pledgers. These sections are credited accordingly. Where there are whole sections not credited, this is because Angie is wholly responsible. The illustrations, photos and cartoons have been reproduced without the permission of the various artists so as to protect them against any possible conspiracy charges. We hope they will not mind. The front illustration, in particular, was 'appropriated' from Emily Johns. The writers and references used are detailed at the end of each section where you will also find some suggestions for further reading where appropriate. Many friends and helpers corrected, edited and helped in various ways.

Thanks to all of them. Especial thanks to Joe Button and Rachel Boyd for their design, desktop publishing, editing and printing help.

The responsibility for the contents of the Handbook lies entirely with Angie. She tried to be as accurate as possible but no doubt errors have slipped in and she and the Core Group apologise in advance for them. Please let them know of any errors so they can be corrected in any future editions. We would also like suggestions on improvements or additions.

Many of the books referred to can be borrowed from the Commonweal Collection or they may be purchased from The Friends Book Centre, or from Housmans Bookshop. Trident Ploughshares also have copies of many of the references listed which can be photocopied. The World Court Project can be contacted for any of the ICJ documents. Addresses are in Section 10.1. Some of the references referred to can be found on our website at: <http://www.gn.apc.org/tp2000/>. The complete Handbook can also be downloaded from the website.

Here is a simple summary of the contents of the various sections of the Handbook

- Part 1 is an overview of Trident Ploughshares within the context of 50 years of peace movement activities;
- Part 2 includes the structure and financing of Trident Ploughshares, the ground rules and how to work and support each other in an affinity group;
- Part 3 gives information about the negotiation and dialogue aspects of the work of Trident Ploughshares;
- Part 4 tells the story so far and gives a summary of the disarmament actions up to September 2000;
- Part 5 gives some practical background information with maps and diagrams of Trident, Faslane, Coulport, Aldermaston and Burghfield with some ideas on how to disarm the Trident system;
- Part 6 gives technical information about nuclear weapons inventories, the effects of nuclear weapons and their legal and ethical standing;
- Part 7 is the legal section with a guide to the kinds of charges you may face, how to defend yourselves in court, advice on how to prepare yourselves for imprisonment and current arrest/fine/imprisonment statistics;
- Part 8 contains a summary of the press coverage we have received so far;
- Part 9 contains the various documents, texts and guidelines referred to throughout the Handbook. There will be separate copies of

these available for you to fill out when appropriate, which you can get from the office or Core Group. We thought it might be useful for you to have permanent copies in the Handbook, which you can photocopy as you wish;

- Part 10 gives some useful addresses and resources.

This Handbook is a guide only. It is bound to contain mistakes, misinterpretations and omissions. Please bear this in mind and use it as an aid not as an authoritative textbook. We hope you will find it useful.



9.10

An Invitation to Join Trident Ploughshares

A mass nuclear ploughshares action focused mainly on Faslane and Coulport in Scotland, and on certain Trident-related sites in the U.K.

A **Ploughshares Action** is one in which we make a commitment to peace and disarmament by nonviolently, openly and accountably disabling a war machine or system so that it can no longer harm people. It is an enactment of the Biblical prophecies to 'beat swords into ploughshares' but is no longer purely a Christian or Jewish movement as it now embraces people from many belief systems. The underlying appeal is the universal call to peace, to abolish war and to find nonviolent ways to resolve our conflicts. It recognises that war is always an abuse of power and that threats to kill are deeply immoral.



The **Trident Ploughshares** project is part of the international peace movement that has been actively engaged in nuclear disarmament work ever since the first use of nuclear weapons in Hiroshima and Nagasaki over 50 years ago. As our part in the attempt to encourage a nuclear weapons free millennium, we will endeavour peacefully, openly and accountably to disarm the British nuclear Trident system. Our acts of disarmament are intended to stop ongoing criminal activity under well recognised principles of international law.

Over 170 international activists, organised into small, independent, support groups called 'affinity groups' of 3 to 15 people, have already signed a '**Pledge to Prevent Nuclear Crime**'. They are referred to as 'Pledgers'. Trident Ploughshares pledgers have publicly committed themselves to peacefully attempting to disarm the British Trident nuclear weapon system.

We first approached the Government in March 1998 asking them peacefully and responsibly to disarm the Trident submarines themselves in accordance with the many international agreements they have made. For instance, Article VI of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) states, "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

We set up a group of independent advisors and formed a **Dialogue and Negotiation Team** who outlined a series of nine feasible and verifiable requests that would commit the government to a practical process of nuclear disarmament. There has been no constructive reply to these requests and we have been refused a meeting. However, the dialogue work will continue throughout the life of Trident Ploughshares.

Liaison with Police and Security has also been ongoing, open and conducted in a friendly manner. The Handbook, Video and the Internet site have been useful in explaining our philosophy and rationale. All of the various authorities have been given a full list of those who have signed the Pledge to Prevent Nuclear Crime which again emphasises our commitment to full openness and accountability for our actions. Updated material with the names of new Pledgers is sent regularly to the Prime Minister and others.

Trident Ploughshares was publicly launched on May 2nd 1998 in London, Edinburgh, Gothenburg, Gent and Hiroshima. Further letters have been sent to government officials and all 16 NATO Heads of State and Foreign Ministers have been approached. We continue the exchange of letters and are keeping the doors open for any dialogue and negotiation. We are making it clear that we would prefer the 'authorities' to disarm Trident and that we are only making our own attempts because they continue to prevaricate.

The first of the **Open Disarmament Actions** started in August 1998 when several hundred people attended the first two-week disarmament camp, which led to around 100 arrests. By the end of the camp nine people from different countries were on remand in Scotland and tens of cases were being heard in the local Helensburgh District Court. Since that time, there have been a number of high-profile courtroom trials which provided the opportunity to present experts in International Law to demonstrate the general illegality of all nuclear weapons. The most successful of these was the ground-breaking trial in Greenock in Scotland, in

October 1999, of the 'Loch Goil Three'. The trial ended when Sheriff Margaret Gimblett found Angie Zelter, Ellen Moxley and Ulla Roder not guilty of malicious damage to a Trident submarine testing station and uttered the immortal words:

"I have heard nothing which would make it seem to me that the accused acted with such criminal intent."

By acquitting them and by recognising that international law applies to Britain's nuclear deterrent, she opened up a huge crack in official complacency about our weapons of mass destruction.

At the trial of the 'Newbury Four' in England, in March 2000, the judge allowed Trident Ploughshares activists to present expert witnesses in their defence but



ultimately found the defendants guilty. The trial of Rosie and Rachel - from the 'Aldermaston Women Trash Trident' affinity group, who boarded and damaged the latest Trident nuclear submarine while it was still at Barrow, resulted in a hung jury in September 2000. Full details of all these trials can be found on the Trident Ploughshares website www.tridentploughshares.org.

Each **Affinity Group** has to take part in a **Nonviolence and Safety Workshop** which is run by people trained by the Quaker-based Turning the Tide programme. This workshop helps individuals and groups to prepare themselves emotionally, physically and legally for their actions as well as clarifying the non-negotiable ground rules for those actions. These ground rules include total nonviolence, safety, openness and accountability. A Core Group member liaises with each group to check progress and give support and to ensure only responsible, totally committed nonviolent activists take part. We are dealing here with extremely dangerous and radioactive nuclear weapon systems and must ensure everyone's safety.

Some affinity groups are also committed to doing 'secret' disarmament actions whereby they do not inform anyone of their exact plans and dates, although they will of course be fully accountable and stand by their actions and explain them and take the consequences. All Trident-related sites can be the target of Ploughshares actions. Affinity groups may well do their follow-up actions and secret disarmament actions at the Trident related sites nearer to their homes, or if they are from abroad, at the NATO sites near them.

Although we have a good defence in law and we believe we are upholding the law, the courts may not agree with us. Each activist must understand that theoretically we may face **possible imprisonment of up to 10 years** if we are ultimately found 'guilty' of actual criminal damage or of conspiracy to commit massive criminal damage. Although the sentences in the Scottish courts have so far proved to be minor (most people have not been charged, and of the 40% of arrestees that have, they have mainly been admonished or given minor fines) we cannot rely on this continuing.

In any case, whether planning our actions for Scotland or England we have to be prepared for the maximum sentence. The maximum is 10 years. The whole moral and political strength of this action is to show just how many ordinary people are willing to make this personal sacrifice in order to disarm nuclear weapons. We must all be willing to face this possibility.

For those not willing to risk imprisonment, there are many essential active support roles that are just as important as the active disarmament roles and each affinity group needs both. There are also very many different disarmament actions with greater or lesser risks of imprisonment attached.

As this project is open and the 'authorities' know who we are and the dates for our open attempts, it is very hard to get near a Trident submarine and disarm it. However, even if we are arrested before we get near the bases - or whilst we are attempting to cut through the fences - we will not have failed because this project is also about disarming the public mind and persuading the Government to respond to popular opinion. It is the attempt and the intent that matters. Maybe hundreds of us, committed to disarming Trident ourselves, will persuade the British Government to do the disarmament themselves.

We have produced the 'Tri-denting It **Handbook** - an Open Guide to Trident Ploughshares'. This Handbook gives a fairly comprehensive overview of the philosophy, background and structure of Trident Ploughshares and also contains useful chapters on nuclear weapons inventories, the legal status of Trident, how groups work and advice on action, court and prison preparation, as well as ideas on how to disarm Trident.



It is advisable to read this thoroughly and also to view the 16 minute **video** entitled 'Tri-denting the Nuclear Conspiracy - Uphold International Law'. which gives a visual tour of Faslane and a summary of the nonviolence and safety ground rules.

Although many people taking part will be giving purely moral defences to their disarmament actions we have a very strong legal defence based upon the **World Court's Advisory Opinion** on the Legality of the Threat or Use of Nuclear Weapons (8th July 1996). There are now several written up examples of such legal defences that have been through the courts and which are available on our website www.tridentploughshares.org/ or from the TP Office, 42-46 Bethel Street, Norwich, NR2 1NR. There is also a permanent **Legal Support Team** able to support all of those appearing before the Scottish courts - and we are currently working on setting up a similar one to cover English court cases - it is stressed however, that each affinity group should be as autonomous and self-supporting as possible so that the campaign does not fall apart if there are mass arrests at any stage in the future.

If you are interested in taking part then please fill out the Response Form (on next page) and return it to the TP office in Norwich. We will then try to help you find an affinity group if you are not already part of a group or have no-one else in your area willing to join with you.

Help Fund Trident Ploughshares

The project is designed to be as financially self-sufficient as possible, which is why each activist is asked to donate £10 to an account called 'Trident Ploughshares'. The public are also being asked to donate funds to us. Even if you decide you do not wish to take an active part we would be grateful for donations.

Response Form for Individual

Please complete this response form, ticking where appropriate and then return to Trident Ploughshares, c/o 42-46 Bethel St, Norwich, Norfolk, NR2 1NR, UK. Please be aware that filling in this form could open you up to charges of conspiracy and if you are worried about this then please contact the core group for a face to face confidential meeting.

1. NAME:

ADDRESS

.....

.....

TEL: FAX: E-MAIL:

2. I am interested in being a Trident Ploughshares activist: YES NO

3. I have my own affinity group YES NO

If YES, this affinity group consists of people who will become Trident Ploughshares activists with me.
put number in group

If NO, I will try and create an affinity group in my locality YES NO

or

I would like you to put me into an affinity group YES NO

4. If you want us to put you in an affinity group then please state anything about your age, sex, interests, or any personal details that you think are relevant to placing you in a suitable affinity group.

.....

.....

5. I would like to volunteer to help in the following ways:-

general mobilisation and outreach YES

press work YES

fund-raising YES

Please specify here any other offers of help you would like to make:

.....

.....

6. I would like to give a donation now of £..... (cheques made out to 'Trident Ploughshares' and sent with this response form). Each activist is asked to donate £10 if they can afford it.

7. I would like you to send me (put number required) leaflets that I will distribute.

8. Please feel free to make any comments or suggestions, in this space, about Trident Ploughshares.

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PART 1: OVERVIEW OF TRIDENT PLOUGHSHARES

1.1 Aims

Trident Ploughshares is taking place within the context of an international peace movement which has been actively engaged in nuclear disarmament work ever since the first use of nuclear weapons in Hiroshima and Nagasaki over 50 years ago.

As global citizens we will endeavour to openly, accountably, safely and peacefully disarm the British nuclear weapon system, which is deployed on Trident submarines. **Our acts of disarmament are intended to stop ongoing criminal activity under well-recognised principles of international law.** We will do this as our part of an international citizens' initiative to encourage a nuclear weapon free world and an international culture of peace and co-operation.

The very many actions and campaigns, of which this is just a small part, may well not succeed in the abolition of all nuclear weapons in the very near future. We must not lose heart if this is the case. All we can do is our very best. Each attempt at disarmament adds to the overall pressure and we will perhaps never know which of the many peace actions finally succeeds in pulling the world back from the brink of a nuclear holocaust. We can be sure however that our acts of disarmament will have an effect and be part of the solution. Trident Ploughshares is a practical way of peacefully disarming some of the horrific nuclear threats to life on earth and is a way of withdrawing our consent for British nuclear weapons and NATO nuclear war planning.

"Nobody made a greater mistake than s/he who did nothing because s/he could only do a little."

Edmund Burke

1.2 Several Good Reasons for Disarming Trident

- To use or threaten to use nuclear weapons of any kind is a crime against humanity and totally immoral.
- Trident is criminal and illegal.
- Trident is a clear breach of Articles I and VI of the Nuclear Non-Proliferation Treaty.
- Trident pollutes the environment with toxic and radioactive waste threatening the future of the planet.
- Trident deployment does not respect international Nuclear Free Zone boundaries and exposes every person on the planet to the risk of a nuclear accident.
- Trident warheads are transported from one end of the UK to another exposing countless communities to the risk of a nuclear accident.
- Scarce global resources and vast sums of British taxpayers' money spent on Trident (currently around £1.5 billion per year) are being diverted from urgent social necessities (eg in health and education) and from programmes that could tackle the underlying causes of international conflict.
- A majority of the world's nations feel threatened by nuclear weapons and want them disarmed. Many poor nations regard them as a terrible threat which is used to protect the interests of the rich nations.
- Trident is anti-democratic. The decision to have nuclear weapons was made in secret without informed public debate. The majority of people in recent polls say it would be best for British security if we do not have nuclear weapons.
- The British Government and NATO are not disarming Trident themselves.
- Global citizens have a right and obligation to uphold international law, to behave ethically and in the interests of the global community, and to disarm Trident themselves.

1.3 General Overview of Trident Ploughshares

By January 2001, 175 Ploughshares activists from fifteen different countries, united under an agreed set of nonviolence and safety ground-rules, and organised into supportive affinity groups, had undergone a common preparation in order to attempt to disarm the British nuclear Trident system. Each activist signs the Pledge to Prevent Nuclear Crime (Part 9.1) and a public list of their names is sent to the Government every three months.

Serious and considered dialogue and negotiation is continually offered to the British Government with a set of criteria for nuclear disarmament. Some of the letters and a summary of the dialogue can be seen in Part 3. If promises of serious and meaningful nuclear disarmament are forthcoming then Trident Ploughshares will be able to stop its active and practical disarmament actions, but meanwhile they continue.

Trident Ploughshares was launched on May 2nd 1998 in Edinburgh, Gent, Gothenburg, Hiroshima, and London. In August that year several hundred activists attended the two-week disarmament camp at Faslane and Coulport for the first of the open disarmament actions and there were over 100 arrests. By the end of the camp, nine people were on remand in Scottish prisons and tens of cases were being heard in the local District Court at Helensburgh. The disarmament actions ranged from fence-cutting to blockades to swimming across the loch almost onto a Trident submarine in the dead of night. Since then there have been regular open disarmament camps every three months. Security at the bases is constantly being breached.

By November 2000 the total number of arrests was 775 and the local court system had been so overwhelmed that the majority of first arrests are now seldom pursued through the courts. Most actions are 'minimum' disarmament actions (eg blockades and fence cutting) but there have been eight 'maximum' disarmament actions of which three were successful. Rachel and Rosie disarmed testing equipment on HMS Vengeance at Barrow in February 1999, Ellen, Ulla and Angie disarmed 'Maytime' at Loch Goil in June 1999, and Susan and Martin disarmed a warhead convoy vehicle at RAF Wittering in November 2000.

Trident Ploughshares Pledgers have committed themselves to continual disarmament attempts until the Government commit to disarming Trident themselves.

For a more detailed look at the story so far see Part 4.

1.4 Timetable for Actions

There are four 'open' disarmament events every year, at either Coulport/Faslane or Aldermaston in February, May, August and November. The February and November events are usually over a long weekend; the

May event is a week long; and the August event is a two-week disarmament camp at Coulport. Affinity groups can, and do, plan and carry out their own 'closed' disarmament actions at any of the Trident-related sites at any time of their own choosing.

For up-to-date information on dates and places of disarmament actions please contact 01436 679194 or 01324 880744, or write to the office or look at our website. The TP Newline also gives updated information on upcoming events. (See Part 10 for contact details.)

"Make a distinction between the person and their opinions - opinions are like clothes, a matter of taste and fashion that can be changed at will. Don't mistake them for the essential core."

Mark Somner

1.5 Why Nonviolent Action and why this Action Now?

Why nonviolent action?

Nonviolence has been chosen as the guiding principle for the Trident Ploughshares project for a variety of good reasons:

- Our vision is for a world which is not ruled by violence, but relies instead upon co-operation, tolerance and a willingness to seek creative outcomes to nonviolent conflict. This is how we work in our affinity groups. Trident represents the logical conclusion of a habit of thinking which relies upon domination by force and threat of annihilation. It is an expression of extreme violence. Our methods for opposing Trident must be consistent with our vision of what we would like to see in its place. Part of the aim of Trident Ploughshares is to show that active nonviolence can be more powerful than even the deadliest weapon on earth. It is entirely possible.
- Since Trident is supported by the military, legal and political establishment, we should acknowledge that we are confronting a very violent system. Violence is a common response to a concerted challenge. The system is designed to respond to violent resistance through the use of greater violence, but it doesn't have much expertise in handling nonviolent resistance. We should be prepared for violence and be strong in our calm and peaceful responses. We are trying to bring a new and creative dynamic into a deadlocked situation - violence will not do that.
- Nonviolent intervention is about bringing an inherently violent or unjust situation to wide attention and changing it. We are not trying to

defeat an enemy in a situation of winners and losers; we are instead seeking to transform the situation so that everybody wins.

- Violent conflict seeks to dehumanise the opponent so as to justify harm to them. Nonviolent conflict always looks beyond the title, the uniform or the suit to the person so as to engage on a purely human level. Even if our opponents are aggressive or violent, we will practise techniques to stay calm and try to defuse the situation. Any complete and lasting disarmament needs the support and active participation of everyone. Indeed, some of the very people we are actively confronting in this Ploughshares action will have to complete our disarmament work by making the decisions and actually doing the practical task of decommissioning the warheads. We have to live with one another.



Why this action now?

Campaigning against nuclear weapons has been going on for over 50 years, ie for as long as there have been nuclear weapons. Part 1.7 gives a very brief overview of the national and international attempts to persuade our governments to abolish nuclear weapons. It has involved millions of people all around the world and includes a vast range of different activities. Despite all of this, the nuclear powers still have nuclear weapons, still deploy them and are still researching and developing new models. If nuclear weapon states ignore their treaty obligations to get rid of their nuclear weapons, we cannot expect non-nuclear states to keep their side of the bargain by not developing their own. The testing of nuclear weapons by India and Pakistan in May 1998 is the clearest signal yet of this, and there are more states waiting in the wings to follow their example.

We are now, however, at a time in history when global nuclear disarmament is more achievable. The reason given for the existence of nuclear weapons, to deter a war between superpowers, no longer exists. Trident, like many other weapons, was designed and built from a Cold War perspective, and has no obvious military role today. There is a clear treaty obligation on the part of the nuclear weapons states to negotiate away their nuclear weapons. This was loudly reaffirmed by both nuclear and non-nuclear weapon states at the Nuclear Non-Proliferation Treaty Review Conference of 2000. The United Nations Conference on Disarmament offers a ready-made forum in which they can do it. The Advisory Opinion of the International Court of Justice (World Court) in July 1996 increased the pressure on the nuclear weapons states to fulfil this obligation sooner rather than later. The whole process leading up to the World Court decision galvanised many non-nuclear weapons states into applying further pressure. The Canberra Commission has clearly demonstrated the feasibility of nuclear

disarmament and has done much to address the technical, scientific and political problems cited as obstacles by the nuclear weapons states. Sixty-two generals and admirals around the world have publicly declared their opposition to the continued inclusion of nuclear weapons in military arsenals. One of these, General Lee Butler, was, until his retirement in 1994, Commander-in-Chief of the US Strategic Command, with responsibility for all US Air Force and US Navy strategic nuclear forces. His statement can be seen on our website.

In June 1998 the Foreign Ministers of Brazil, Egypt, Ireland, Mexico, New Zealand/Aotearoa, Slovenia, South Africa and Sweden made a joint declaration calling for decisive action to eliminate nuclear weapons from the earth. They have pledged to “spare no efforts to pursue the objectives of a universal and multilaterally negotiated legally binding process to achieve the goal of a world free from nuclear weapons”. This New Agenda Coalition, as they became known, followed up this declaration by tabling a resolution at the United Nations General Assembly. Voting patterns on these resolutions have revealed; massive support in favour, opposition by the nuclear weapon states, and differences between the member states of NATO.

On the domestic front, public opinion is questioning the expenditure of vast sums of money on nuclear weapons when there is a real problem of funding for public services. In its Strategic Defence Review of 1998, the UK Government took some small unilateral steps to de-alert its Trident missile system, move towards a greater transparency of its nuclear weapons capacity and reduce its Trident warhead numbers. But this is hardly the catalyst that will bring about moves toward global nuclear disarmament, nor is it intended to be. The UK Government has made clear its position that it will not throw its nuclear weapons into disarmament negotiations until the US and Russia have reduced their stocks to a level comparable with the UK's.

We have then, a situation where pressure is being applied at every level, from grassroots to military to diplomatic. The nuclear weapons states are finding it increasingly difficult to justify their position. Education, persuasion and lobbying have been continuous throughout and remain essential to keep the dialogue going. So far, the nuclear weapons states have resisted all of it. Trident Ploughshares is one means of applying extra pressure which may lead to a breakthrough.

In many protest movements, particularly those seeking a far-reaching social or political change, it is often necessary to challenge laws which protect the unjust status quo. Mohandas Gandhi, along with thousands of others in the struggle for Indian independence, broke the law and was imprisoned. In 1955, Rosa Parks broke laws by refusing to give up her bus seat to a white man; this was the catalyst for the US

Civil Rights movement of the 1950s and 60s, during which Martin Luther King and thousands of others broke laws and were imprisoned. Thousands of South Africans broke national and local laws and were imprisoned before the apartheid regime of South Africa was overturned.

There may well be, in some people's minds, some uncertainty about whether our Trident Ploughshares actions are within or outside the law, or some ambiguity about what the law actually says. Trident Ploughshares activists should feel able to justify their disarmament actions simply as an act of love - they do not have to use the legal justifications unless they wish to. Some of us may choose to use the law to show that it is the nuclear weapon states who are the law breakers. Indeed, we have made amazing progress on this front, particularly in the Scottish courts. Please see *The Story so Far* (Part 4), *The Criminality of Trident* (Part 6.7) and the *Outline Skeleton Defence* (Part 7.5).

Others may wish to point to the fact that nonviolent direct action is often undertaken in obedience to a high moral or ethical principle which conflicts with domestic law. When this happens it is important that everybody should openly subject their self to the legal process and conduct their defence on the basis of this higher moral law.

Challenging laws which are unjust or which protect an unjust status quo is not something everybody would choose to do, but it is a focus for the active work of many Ploughshares groups. There are opportunities for those who are not prepared to subject themselves to the court process, to support those who are. The pledge is expressly designed both for those who wish to support and for those free enough to be able to confront the court system.

Openly and responsibly undertaken, legal challenges can be an essential part of the democratic process and are a legitimate method by which ordinary people can create change. Diplomatic pressure and public campaigning sometimes require the added impetus of nonviolent direct action, including civil resistance, to help the process of change along. Nonviolent direct action complements rather than replaces the conventional methods of campaigning and can help those mainstream voices to be better heard.

We are at a time when it is appropriate to use every nonviolent means at our disposal.

1.6 Background History and Philosophy of the Ploughshares Movement to Date

The Ploughshares movement originated in the North American faith-based peace movement. Many priests and nuns in the 1970s began to resist the Vietnam War, thereby connecting with the radical political secular movements. When the war ended, the arms race and nuclear weapons became the focus of resistance. There was a deep sense of urgency.

Ordinary protests did not suffice - the nuclear arms race continued to escalate. People responded by engaging in more confrontative nonviolent resistance. The underlying rationale was that if people were expected to risk their lives for their country in war then we have to be willing to risk something for peace. Catholic Workers, and other communities such as Jonah House in Baltimore, US, became the base of the movement. These communities combined solidarity work for the inner city poor (soup kitchens, shelters etc) and nonviolent resistance to the US war machine.

The first Ploughshares action was carried out in 1980. On September 9th the 'Ploughshares Eight' entered a General Electric plant in King of Prussia, Pennsylvania, US, where the nose cones for the Mark 12A nuclear warheads were manufactured. Enacting the Biblical prophecies of Isaiah (2:4) and Micah (4:3) that people would "beat swords into ploughshares", they hammered on two of the nose cones and poured blood on documents. They were arrested, tried by a jury, convicted and sentenced to prison terms ranging from 1½ to 10 years. After a series of appeals that lasted ten years they were re-sentenced to time they had already served - from several days to 23½ months.

Although the name comes from the Hebrew scripture, the Ploughshares movement is not a Christian or Jewish movement. It includes people of different faiths and philosophies. Actually, in most Ploughshares groups the members adhere to a range of different faiths or philosophies. Some people have seen their action arising out of the Biblical prophecy of Isaiah and as witnessing to the kingdom of God. Others, coming from a secular perspective, have viewed their action as being primarily motivated by a humanist or deeply held conscience commitment to nonviolence and solidarity with the poor. Then again there have been other people with a range of religious, moral or political convictions. What they all have in



common is a striving to abolish war, an engagement in constructive conversion of arms and military related industry into life affirming production, and the development of nonviolent methods for resolving conflicts.

Since the Ploughshares Eight many people have continued the disarmament work. Using simple tools such as household hammers, ordinary people continued disarming weapons in a small but effective way. As of August 1997 over 140 individuals had participated in over 60 Ploughshares actions in Australia, Germany, Holland, Sweden, UK and US. The smallest group of hammerers consisted of one person (who had only one support person) - Harmonic Disarmament for Life, and the largest group of hammerers consisted of nine people and was called Trident Nein.

There have been very many different weapon systems that have been disarmed. There have been components of US first-strike nuclear weapon systems such as the MX, Pershing II, Cruise, Minuteman ICBM's, Trident II missiles, Trident submarines, B-52 bombers, P-3 Orion anti-submarine aircraft, the NAVSTAR system and nuclear capable battleships. Combat aircraft used for military intervention, such as helicopters, the F-111 and F-15E fighter bombers and the Hawk aircraft as well as other weapons including anti-aircraft missile launchers, bazooka grenade throwers and AK-5 automatic rifles, have also been disarmed. Model weapons have also been disarmed at an arms bazaar.

The most common way of disarming weapons in Ploughshares actions is to use a hammer. Ordinary household hammers. Activists have hammered on nosecones, loading mechanisms, breech-sights, barrels, control panels, bomb mountings, bomb pylons, bomb guidance antennae and so on. Hammers are used to begin the process of disarmament. The hammer is used for dismantling as well as creating, and it points to the urgency for conversion of war production to products that enhance life.

There have also been Ploughshares actions where people have disarmed weapons in other ways. The ELF communication system transmitter site near Clam Lake, Wisconsin, US was disarmed by cutting down three ELF poles and cutting some ground wires with a hatchet, saw and other tools - Harmonic Disarmament for Life 1987. The Trident USS Florida at Electric Boat shipyard, Groton, Connecticut was disarmed with a security van. Peter DeMott noticed the empty van with keys in it, got into the van and repeatedly rammed the Trident, denting the rudder - Plowshares Number 2, 1980. Also two Minuteman missile silos were disarmed by the Silo Plowshares in 1986, using sledgehammers to split and disarm the

geared central track used to move the 120-ton missile silo cover at the time of launch. They also cut circuits and used masonry hammers to damage electrical sensor equipment.

People who have been involved in Ploughshares actions have undertaken a process of intense spiritual preparation, nonviolence training and community formation, and have given careful consideration to the risks involved. Extensive care is taken to prevent any violence from occurring during the action. Accepting full responsibility, Ploughshares activists always peacefully await arrest following each act in order to participate in a public conversation about the particular issues which the action raises: nuclear weapons, arms exports to repressive regimes, military defence, democracy, solidarity and so on. The goal is to reach an agreement, a democratic

decision about disarmament.

The backgrounds of Ploughshares activists vary widely. Parents, grandparents, veterans, former lawyers, teachers, artists, musicians, poets, priests, sisters, house-painters, carpenters, writers, health-care workers, students, gardeners, advocates of the poor and homeless - all have participated in Ploughshares actions.

With the exception of the Aegis Ploughshares and the first Australian Ploughshares group, all Ploughshares activists have been prosecuted for their actions. While most Ploughshares activists have pleaded not-guilty and have gone to trial, several Ploughshares and disarmament activists opted to plead 'guilty' or 'no contest' to charges brought against them. All of the trials, except three to date, have ended in convictions. The first exception was the four women in the Seeds of Hope - East Timor Ploughshares in the UK, who disarmed a Hawk fighter plane destined for export to Indonesia. In July 1996 the jury in Liverpool found them not guilty. The second case was in October 1999 at Greenock Sheriff Court in Scotland when three Trident Ploughshares women were acquitted after disarming a Trident research laboratory in the middle of Loch Goil. More recently, Sylvia Boyes and River were arrested when swimming towards Trident, and were charged with Conspiracy to Commit Criminal Damage. A jury at Manchester Crown Court acquitted them in January 2001. Members of the Epiphany Ploughshares were tried an unprecedented five times with mistrials and three trials ending in hung juries.

During trials most of the defendants have represented themselves and have been assisted by legal advisers. Many Ploughshares defendants have attempted to show that their actions were morally and legally justified, and that their intent was to protect life, not commit a crime. Almost all US judges have denied this

"The chief characteristic of the nuclear age is that, for the first time in history, man has acquired the technical capacity to destroy his own species, and to accomplish it, wilfully or accidentally, in a single action. The enormous significance of this situation has not yet sunk in, it seems."

Professor Joseph Rotblat, Nobel Peace Prize winner



testimony and have prohibited the justification/necessity defences, whereas in Europe the situation is different. Some US judges, including those who presided in the trials of the Epiphany Ploughshares and Pax-Christi Spirit of Life Ploughshares, issued gag orders and found defendants in contempt of court for speaking about the truth of their action. Those convicted for Ploughshares actions have received sentences ranging from suspended sentences to 18 years in prison. The average prison sentence has been between one and two years.

Art Laffin of the Dorothy Day Catholic Worker House in Washington, D.C., US, writes, "In my view, the basic hope of the Ploughshares actions is to communicate from the moment of entry into a plant or base - and throughout the court and prison witness - an underlying faith that the power of nonviolent love can overcome the forces of violence; a reverence for the sacredness of all life and creation; a plea for justice for the victims of poverty and the arms race; an acceptance of personal responsibility for the dismantling and the physical conversion of the weapons; and a spiritual conversion of the heart to the way of justice and reconciliation. Thus, Ploughshares participants believe that the physical dismantling of the weapon and the personal disarmament of the heart is a reciprocal process. As Phil Berrigan states, "We try to disarm ourselves by disarming weapons".

People who do Ploughshares actions are ordinary people who, with all their weaknesses, are attempting to respond truthfully to a call of nonviolence. These actions are not to be glamorised or taken lightly. People have taken great risks, experienced the loneliness and dehumanisation of prison, and have had to cope with many difficult personal and family hardships. Building and sustaining an active nonviolent resistance

community takes commitment and is certainly not problem-free. Yet with all their limitations and imperfections, these actions are powerful reminders that we can live in a world without weapons and war if people are willing to begin the process of disarmament, including learning nonviolent ways of dealing with conflicts and literally beating the swords of our time into ploughshares. While these actions usually are deemed criminal by the state, they should be considered a sign of hope in a violent time. Although each Ploughshares action has many similarities to others, in the end each is unique, each is a learning process, each is an experiment in truth.

1.7 Chronology and Succinct Summary of the Anti-nuclear Weapons Campaign to Date

The Anti-nuclear Movement in Britain

Like its counterparts in other countries, British campaigning has employed a range of tactics, including petitions, manifestos, public meetings, conferences, lobbying, demonstrations, peace camps, nonviolent direct actions and legal processes. British groups have often joined with those abroad in international actions and the rise and fall of activity in Britain has paralleled that in other parts of the world. However, the Campaign for Nuclear Disarmament (CND) stands out for its endurance over 40 years.

1945-62. As in the USA, the first organised efforts for nuclear disarmament came from the scientists. Under the inspiration of Joseph Rotblat (winner of the Nobel Peace Prize in 1962) and Kathleen Lonsdale particularly, the Atomic Scientists Association was formed in 1946. In 1950, 100 Cambridge scientists petitioned the government not to develop the hydrogen bomb (see the international section for other activities). During the 50s, the seeds of street protest were sown, with the formation of the Non-Violent Commission set up by the Peace Pledge Union (1949). Some of its members later formed Operation Gandhi, which organised a sit-down outside the Ministry of Defence (MoD) in 1952, and, soon after, demonstrations at Aldermaston, Mildenhall, Harwell and other places. In turn, members of this group played a crucial role in the formation of the Direct Action Committee Against Nuclear War in 1957, which organised the first Aldermaston March (1958), and continued to stage occupations and sit-downs at military bases and atomic establishments. It merged with CND in 1961.

Concern over the H-bomb, radioactive fallout from atmospheric bomb tests and the increasingly dire pressures of the Cold War led to further organising of direct action via the Committee of 100, which was launched by the appeal statement 'Act or Perish' by Bertrand Russell and the Rev. Michael Scott (1960). Its central aim was to create civil disobedience against the Bomb on a mass basis. Their first action involved 5,000 people in a sitdown at the MoD (1961). Later that year there were sitdowns numbering 12,000 in

Trafalgar Square where there were 1,300 arrests and 7,000 people sat down at three US bases and four cities with around 800 arrests. As well as civil disobedience actions, there was an anti-H-bomb petition (1954) which gained one million signatures, calling for a disarmament conference and the strengthening of the UN; also a march and rally organised by the National Campaign Against Nuclear Weapons Testing (NCANWT), in which 2,000 women protested against the (British) Christmas Island H-bomb tests (1957). It was the local groups of NCANWT which contributed greatly to the formation of CND.

CND itself was launched in February 1958 at a London meeting with over 5,000 present. This event (bringing together individuals and more than 100 local groups) and the subsequent Aldermaston March created a grass-roots anti-nuclear campaign of national significance. By 1962 the Hyde Park climax of March involved 150,000.

In Scotland, action centred on Holy Loch, on the Clyde, where US Polaris missile submarines were based. Two sitdowns took place in 1961, one organised by the Direct Action Committee, the other a few months later by the Committee of 100, to coincide with their actions in Trafalgar Square. Many local councils passed resolutions against Polaris. Before this, there was a Scottish Council for the Abolition of Nuclear Weapons Tests formed in Edinburgh (1958) which grew out of an Edinburgh group started in 1957 in protest against the Christmas Island tests. Scottish CND evolved from these groups (and others) and was launched after a march of about 4,000 in Glasgow in May 1959.

1963-1980. The Partial Test Ban Treaty of 1963 came about as a result of the nearly catastrophic Cuban missile crisis and the obvious world-wide concern over atmospheric testing. It reduced anti-nuclear tensions and the levels of protest. But Peter Watson's film 'The War Game', showing the imagined aftermath of a nuclear attack was banned from being shown by the BBC (it was finally shown in the 80s). There were

other films, books and studies dealing with the nuclear issue in the 60s and 70s and some of these began to link the anti-nuclear movements with growing environmental awareness. In 1970 over 40 peace, religious and trade union groups were brought together by CND for conferences and joint activities. In 1978 a petition against the neutron bomb collected a quarter of a million signatures.

1980 to the present. The NATO decision in 1979 to deploy land-based nuclear missiles in Western Europe and Britain, brought on a new generation of protest (see also in the international section that follows). Thousands took part in demonstrations at the planned missile sites of Greenham Common and Molesworth; from 1981 onward there was a permanent peace camp at Greenham Common which became a women's camp in 1982. Very large CND demonstrations were held in London (1981 and 1982 - both up to 250,000 people) and in many other cities. At Bridgend in Wales there was a successful nonviolent direct action to stop nuclear bunkers being built. Manchester was the first city to declare itself a Nuclear Free Zone (1980) and in the next few years some 140 councils followed suit. The Government's civil defence campaign ('Protect and Survive') fell apart under exposure which involved street actions, leafleting, letters to the press and public meetings, in many places in virtual partnership with local authorities. Scientists took an active part in researching and publicising the aftermath of a nuclear war (SCOPE Report, SANA nuclear winter campaign). In 1980 the Alternative Defence Commission was set up as an independent body supported by the Bradford University School of Peace Studies and others, to examine non-nuclear defence and foreign policy alternatives for Britain, publishing two widely discussed reports in 1983 and 1987. Labour, Liberal and other political parties moved strongly towards nuclear disarmament (later this was reversed).



Actions also continued at Greenham with 30,000 women encircling the base in 1982. In 1983, the 24th May was International Women's Day for Disarmament, and women's peace camps were set up at US, NATO and other sites in Britain. Faslane Peace Camp was set up on the Clyde in 1982, at a peppercorn rent and with planning permission from Strathclyde Regional Council. In the late 80s they began doing sea actions as well as holding vigils, blockading the base and breaking in. Their role became heightened when the Trident submarines began to be based there.



The Snowball Campaign began in 1984. The aim was to demonstrate by direct action, the widespread public desire for peace and nuclear disarmament. Campaigners cut a strand of wire at their local nuclear base and gave themselves up for arrest. Nearly 3,000 people took part at 42 different places during three years, and there were 2,419 arrests. During the 80s there were also a number of court proceedings initiated through the International Law Against War (INLAW), Pax Legalis and the Institute for Law and Peace (INLAP) campaigns whose aims included charging members of the Government for conspiracy to incite others to commit Genocide or grave breaches of the Geneva Convention. These 'layings of information' often got local publicity and support but (predictably) got no further as the various courts threw them out on 'public interest' grounds or accused the campaigners of malicious and vexatious litigation! The really successful legal campaign was the World Court Project begun in 1987 (see International section on next page and also Part 6.7).

With the START negotiations between the US and the Soviet Union (later with Russia), the Comprehensive Test Ban Treaty, the renewal of the Non-Proliferation Treaty and above all the ending of the Cold War, it has become more difficult to mobilise public opinion against a nuclear threat perceived as much less dangerous than in the 80s. Nevertheless, CND is still active (with a lower membership than in the early 80s) nationally and in several hundred local groups. Abolition 2000, founded in 1996, aims to draw together all peace and anti-nuclear groups. Greenpeace has taken a high profile action against French nuclear testing in the Pacific, and along with FOE has taken action against radioactive waste dumping. Much attention in recent years has focussed on nuclear power and the plutonium economy. The Nuclear Free Local Authorities are still concerned with issues of nuclear transport, safety, waste and the conversion of arms industries to peaceful jobs. Nukewatch has mobilised hundreds of local campaigners who track every nuclear convoy

travelling the British roads, often stopping them in their tracks, and they also publicise the frequent accidents and the potential for serious nuclear contamination. The Faslane Peace Camp is under threat of eviction with a change in council boundaries but is still battling on.

The continued existence of Trident in a very altered world poses a challenge to all British campaigners as the peace movement gains strength for what we hope will be a final transformation to a Britain that encourages peaceful resolution of conflict rather than nuclear annihilation.

The International Anti-nuclear Movement

Anti-nuclear campaigning at an international level has taken various forms: open letters, petitions, conferences and lobbying from the scientific community; professional and citizens' actions throughout the established channels of the law and Government; and diverse forms of 'street' protest (marches, blockades, direct action, peace camps). Although one or another of these activities has been going on almost continuously since 1945, there have been peaks and troughs associated with particular periods of nuclear development, deployment or crises.

During the first few years after 1945 scientists mainly lead the anti-nuclear movement (although at the diplomatic level a further protocol of the Geneva Convention was added in 1949). The Federation of Atomic Scientists lobbied intensively for civilian control of the US Atomic Energy Commission with some success. As the Cold War deepened, the Einstein-Russell manifesto (with signers including Linus Pauling and Joseph Rotblat) led to the first Pugwash conference (1957), an international gathering of eminent scientists against nuclear weapons, which has continued to meet ever since. At the same time, Pauling initiated a petition against nuclear weapons and testing which gained nearly 10,000

scientists' signatures. The quickening of the arms race, the NATO decision in favour of First Strike and growing public awareness of the dangers of radioactive fallout from atmospheric testing stimulated the first of many street protests in Germany and elsewhere (for CND action see section on Britain).

All these efforts of the late 50s, but probably mainly the implications of the Cuban missiles crisis of 1962, led to the Partial Test Ban Treaty of 1963 between the US, Soviet Union and UK, banning atmospheric testing. (France continued to do atmospheric testing - see below). But anti-nuclear campaigning continued, particularly in Europe: the European Federation Against Nuclear Arms - 12 nations meeting in Copenhagen, 1962; a march of 100,000 in Germany against nuclear weapons on West German territory, and others.

On another level the UN passed a resolution in 1961 declaring the use of nuclear weapons contrary to the spirit, letter and aims of the Charter - the first of many similar resolutions. Between 1959 and 1985 a number of treaties establishing nuclear-free zones in Antarctica, Latin America, Africa and the South Pacific were signed.

In 1973 Australia and New Zealand took France to the International Court of Justice over atmospheric testing in the Pacific. France refused to acknowledge the Court's authority, did two more tests and then announced that she had no further need for atmospheric testing, thus enabling the Court to shelve the case.

Nuclear powers offered Negative Security Agreements to non-nuclear powers in 1978, extending in a fashion the Non-Proliferation Treaty of 1968. These NSAs are of uncertain force. The first UN Special Session on Disarmament (UNSSOD) in New York in 1978 was an occasion for demonstrations there, especially one by international women's groups.

The decision by NATO to deploy land-based missiles (Cruise and Pershing) in Europe in 1974 initiated a new wave of protests. The Soviet Union had earlier deployed SS20s, and after NATO's disproportionately large response they (SU) extended the SS20 zone to include East Germany and Czechoslovakia. In Holland 20,000 plaintiffs took their Government to court to prevent the stationing of Cruise and succeeded only in delaying this. There were anti-neutron bomb protests in Holland and Germany, street protests and lobbying in the US (150,000 people marched in Washington) and a huge rally in New York coinciding with the second UNSSOD (1982). Many women's actions took place world-wide including conferences, marches, direct action and peace camps (for Greenham Common see the British section). Some direct action court cases won acquittals on the 'necessary defence' principle (action to prevent a greater crime) but not many.

It was at this time that E.P. Thompson founded European Nuclear Disarmament (END), intending it to be a grass roots movement to create a nuclear-free group of nations in Europe (east and west). Referring to the declaration of scientists, including Sakharov, and a few non-scientists like Lord Mountbatten and Pope John Paul, he wrote, "Every warning has been disregarded ... (we) cannot get through to the political power".

During the 80s, actions pursuing the legal-political path were taking place: the international group of Nuclear Free Local Authorities, the Nuremburg Tribunal Against First Strike, the Nuclear Warfare Tribunal convened by the International Peace Bureau and other peace groups, and the World Court Project; while Canadians mounted Operation Dismantle, Japan and Belau saw action to defend their nuclear-free constitutions, and New Zealand passed an Act declaring itself nuclear free (1987). On January 12th 1987, 22 Judges blockaded the US base at Mutlangen in West Germany, protesting at the deployment of Pershing. In their statements to their fellow Judges before whom they were tried they explained that they had a special responsibility not to be silent in the face of ever-growing stockpiles of nuclear weaponry. One Judge, Ulf Panzer, stated, "It is our office to serve justice and peace. Nuclear arms do not serve justice or peace. They are the ultimate crime. They hold all humankind as hostages."

Between 1987 and 1996, when the Advisory opinion was handed down, the World Court Project (WCP) campaigned to get the International Court of Justice to consider the legality of nuclear weapons. Over 4 million 'declarations of public conscience' were collected world-wide, and the International group of Physicians for the Prevention of Nuclear War (IPPNW won the Nobel Peace Prize in 1985 and by then had the support of 140,000 doctors in 34 countries) successfully lobbied the World Health Assembly to refer the issue to the Court. Although the eventual judgement was almost all that could be hoped for the WCP regards it as a beginning only and present actions are under way to convince the nuclear powers to accept it. Meanwhile the Canberra Commission set up by the Australian Government in 1996 is attempting by diplomatic means to achieve agreement on a denuclearisation programme among all the nuclear powers.

A surge of protest against French nuclear testing in the Pacific (1995-6) showed that international action could still be aroused by a specific provocation; however, the French completed their series of tests. A recent statement from 60 naval and military high officers has strongly supported abolition of nuclear weapons. There is also an international network called Abolition 2000 drawing together many peace groups.

The Hague Appeal for Peace brought together many of the international movements for peace and disarmament with its appeal to "commit to initiating



the final steps for abolishing war, for replacing the law of force with the force of law". Trident Ploughshares aligned itself with this international peace movement and joined the Hague Conference in May 1999 and the following walk to NATO Headquarters in Brussels.

With the ending of the Cold War and limited measures of nuclear detente (the Comprehensive Test Ban Treaty, the renewal of the Non-Proliferation Treaty - with all their hedging and possibilities of flouting - and the ongoing START II negotiations) it is possible to see a window of opportunity for abolition. The experience of the last fifty years shows that all methods of achieving this should be pursued at international level as well as at national and local levels.

References and Acknowledgements

1.5 Why nonviolent action and why this action now?

This section was written by Steve Whiting.

From Nuclear Deterrence to Nuclear Abolition - address to the National Press Club, General Lee Butler USAF (RTD), December 4th 1996.

The Movement Action Plan - a strategic framework describing the eight stages of successful social movements, Bill Moyer, Spring 1987.

Turning The Tide - a Quaker programme on nonviolent

social change - various briefing sheets - Quaker Peace & Service.

1.6 Background history and philosophy of the Ploughshares movement to date

This whole section was adapted by Hans Leander, from Art Laffin's article *An introduction to Plowshares-Disarmament Actions* published in the book *Swords into Plowshares* by Art Laffin and Anne Montgomery.

1.7 Chronology and succinct summary of the anti-nuclear weapons campaign to date

This was put together by Davida Higgin and Zina Zelter with inputs from Howard Clark and Michael Randle.

Recommended Further Reading

Civil Disobedience as Christian Obedience - Steven Mackie.

Keeping the Peace - edited by Lynne Jones, The Women's Press Ltd, London, 1983.

Path of Resistance - Per Hergren, New Society Publishers.

Protest and Survive - E. P. Thompson, 1982.

Snowball - The Story of a Nonviolent Civil-disobedience Campaign in Britain - edited by Angie Zelter and Arya Bhardwaj, Gandhi in Action.

Speaking our Peace: Exploring nonviolence and conflict resolution - Quaker Peace Action Caravan, Quaker Peace & Service (London) 1987.

PART 2: STRUCTURE OF TRIDENT PLOUGHSHARES

2.1 Overall Structure

Each individual within Trident Ploughshares is both an **Individual Pledger** (having signed the Pledge to Prevent Nuclear Crime - see Part 9.1 - and the Nonviolence and Safety Pledge - Part 9.2) and part of a **TP Affinity Group**. A full list of current Pledgers can be found at the end of this handbook.

Up to 15 Individual Pledgers also help with the administrative and practical work inevitably needed to implement the project. They call themselves the **Core Group** (see Part 2.1.1). Each TP Affinity Group is encouraged to send one or two representatives to a six-monthly **Representatives Meeting** where decisions are made and any problems sorted out by consensus. These problems include who should or should not be in the Core Group. There is also an **E-mail Discussion** that all Pledgers with e-mailing facilities can subscribe to, free of charge. To do this, send an e-mail request to tp2000@gn.apc.org. This is to enable discussion of what we are doing and how and when; to flag up decisions that need to be made; to raise any problems; and to allow everyone to exchange information and influence each other.

We now also have a regular news-sheet called '**Pledgers Information Sheet**' that goes out after every Core Group meeting to all Pledgers. It contains the minutes of the Core Group meetings and any other information vital for the open communication of what we are all doing within Trident Ploughshares. An irregular Newsletter called '**Speed the Plough**' is sent to a wide network of over 1500 supporters.

As the project developed the Core Group were asked by various Affinity Groups at the first Representatives' Meeting to help for the first two-week disarmament camp at Culpport in August 1998. This was to include overall legal and court support and to provide minimum infrastructure for food, first-aid, information and media work. This has continued and there is now a permanent **Legal Support Team** willing and able to help support all activists going to both Scottish and English courts and to help with legal defence advice. A **Cornton Vale Prison Support Group** helps women doing time at Cornton Vale Prison. The **Press Team** is working well in conjunction with the local press work that affinity groups do in their local areas. As new people volunteer their help, more support and work will get done.

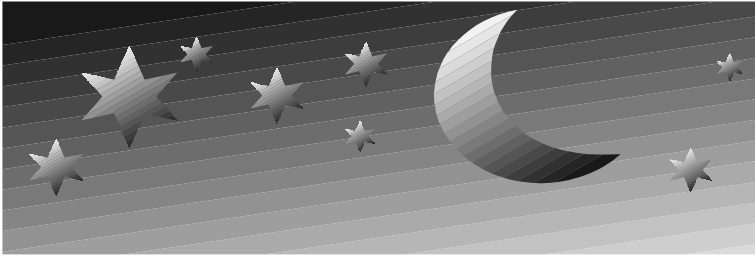
Any individual or affinity group that has suggestions and ideas for Trident Ploughshares as a whole, is encouraged to initiate a discussion and build consensus for the idea by contacting other

individuals and groups, or calling a meeting. So far the Core Group has inevitably made many of the day-to-day decisions about the campaign as a whole. If any TP Pledger or TP Affinity Group is unhappy with the work of any of the members of the Core Group then this can be raised either with the Core Group, or at the six-monthly Representatives Meetings, or directly with all the Individual Pledgers and Affinity Groups. We are working by consensus as much as possible. If there are any major objections to any suggested actions or decisions then the practice to date has been that the Core Group will postpone implementation until consensus has been built. As the overall framework and non-negotiable ground rules were already in place at the start of the project the main discussion has been on how to implement and develop a fairly coherent project. But there are of course some major decisions that can only be made by consensus by all groups working together. For instance, if there is eventually a meeting between the Dialogue and Negotiation Team and the Government, and some of our requests are implemented, then there may have to be a decision about stopping the actions. This decision would be reached by consensus through consultation and feedback from all Pledgers. Similarly there will have to be discussion about if and when to stop the project. The initial date set for this was January 1st 2000 but the Pledgers at that time decided that TP should continue. A review of the decision is now made every year.

2.1.1 Core Group

The Core Group consisted of six people who were originally self-chosen from the Initial Explanatory Briefing that was sent round the peace network in June 1997. In the initial stages, before the public launch of the campaign in May 1998, this Core Group contained the only publicly accountable Trident Ploughshares activists who were willing and able to take the risk of being charged with 'conspiracy to commit criminal damage' or any other charge that the 'authorities' might come up with.

The initial Core Group organised the production of the Handbook, Video, mobilising leaflets, and the setting up of the nonviolence and safety workshops. They worked by consensus and consulted widely with many others in the peace movement. People who subsequently came into Trident Ploughshares were presented with a coherent and fairly well-thought out project. Many of the major decisions had already been made and were not negotiable. The



*"We have no leaders, the stars are in the sky."
Greenham Women's Saying*

initial Handbook set out this overall framework. This new edition shows the development of TP but still within the original framework.

The Core Group now consists of 13 people who feel able to work together on the practical and administrative implementation of the campaign aims. The Core Group makes its decisions by consensus. Any official TP Pledger who is willing to volunteer as a Core Group worker can ask the present group, and they will make a decision on the basis of workability.

The names and emails of present Core Group Workers are as follows:-

Morag Balfour	mo@mbalfour.freemove.co.uk
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Jenny Gaiawyn	mia_kat@yahoo.com
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Andrew Gray	andrew@andrewgray.uklinux.net
Helen Harris	coney@gn.apc.org
David Heller	d.a.heller@geo.hull.ac.uk
Sarah Lasenby	sarahlasenby@breathmail.net
David Mackenzie	davidmc@enterprise.net
Jane Tallents	janejim@gn.apc.org
Brian Quail	bb_lovenest@yahoo.co.uk

Contact David on 01324 880744 for an up-to-date list of addresses and phone numbers.

2.1.2 Co-operation at Camps

It was originally planned that each affinity group would be self-sufficient while attending TP camps as regards to food, camp or media equipment etc. There are now centralised structures for these tasks, freeing people up for their disarmament work. However, this is dependent upon everyone contributing to these tasks.

2.2 Bank Account

An account has been opened called 'Trident Ploughshares' and is administered by the Core Group. No one is paid for their work. Each activist, including the Core Group workers, is asked to contribute £10 sterling when they become a Pledger. Donations are very welcome. The funds go towards the administra-

tion of the campaign and include the cost of printing this Handbook and the Video, as well as telephone and communication costs.

Affinity groups are mainly responsible for their own finances. They need to fund-raise for their own travel and communication costs. For those groups that have difficulty in fund-raising for their own needs we have set up an 'Affinity Group Support Fund' to which affinity groups can apply. We have also now set up a 'Legal Support Fund' and a 'Prisoners Support Fund'. Applications should be made through the office or core group workers.

2.3 Nonviolence and Safety Guidelines

We are working with quite large numbers of people in very tense situations and nonviolence training is essential. Some of the blockades have had 400 or 500 people present. Some of the groups planning maximum disarmament action are attempting to disarm a nuclear armed and powered weapon system which is extremely toxic and radioactive. The safety considerations are therefore very serious.

Everyone formally in Trident Ploughshares has to take part in a two-day Nonviolence and Safety Workshop. Ideally each individual who takes part in this workshop will do so with their affinity group, who apply for the workshop as a group. Everyone must be part of an affinity group and have signed the Pledge to Prevent Nuclear Crime whether they define themselves as active supporters or as active disarmers. While the risks are much less for the supporters in an affinity group it is still advisable for everyone to be prepared. It is also a recognition of the essential nature of support work - we all do what we can and are all involved and responsible for each other - no task is more important than another, we need all the jobs done and need to recognise and respect them all.

The workshops are consistent. Every group covers similar material. Where convenient, several affinity groups are able to take part in the same workshop at the same time. They get advice on further work and preparation they need to do and are able to call the facilitators back to help them if necessary. A member of the Core Group liaises with every affinity group. The Core Group member will make a decision based on talking with the facilitators and the group as to whether the group can be registered as a Trident

Ploughshares affinity group (Part 2.6). This is a very necessary safety measure in order to prevent infiltration by the State Authorities, terrorists or violent, damaged people.

We must take all precautions necessary to ensure that no damage is done to ourselves or others whilst we are disarming Trident. At the same time, although recognising our serious responsibility we must not be disempowered. We are just as capable of setting up structures to ensure responsible disarmament as the military are capable of ensuring responsible crew management. In fact given the research on drug use and military personnel 'flipping their lids' with the stress of living on the brink of nuclear war all the time, we can probably do a better job.

Some of our actions and our camps are open to non-pledgers. This allows new people to explore the possibility of joining or forming an affinity group and to take the training. These people are encouraged to do a shorter, half-day nonviolence and safety workshop and to sign the nonviolence and safety pledge which contain our non-negotiable groundrules.

The seven Nonviolence and Safety Guidelines that follow are the ground-rules for Trident Ploughshares and are not negotiable. They are derived from nonviolent thinking and practice across the world. If you cannot accept them then this project is not for you. All activists should study them carefully and decide whether they are able to sign up to them. Only activists who respect them and sign the Individual Nonviolence and Safety Pledge (Part 9.2) will be able to take part. Each Affinity group may wish to add further ground-rules for themselves. The

characteristics of the Guidelines are respect and care for the opponent and everyone involved - with an absolute refusal to harm, damage or degrade people.

If suffering is inevitable activists are willing to take it on themselves rather than inflict it on others. There is an appeal to the opponent's humanity and a recognition that no-one has a monopoly of truth. There is an understanding that the means are the ends in the making, so the means have to be consistent with the ends.

I would like to give a few examples of the kinds of actions not consistent with our ground-rules. Under no circumstances would arson be acceptable. The manhandling of anyone, for instance rugby tackling a security guard, would also be unacceptable. The damage of equipment and machinery is part of our action but it must not be done in a way that could endanger anyone. Only equipment that is part of the complex Trident nuclear system should be targeted.

Each activist and affinity group should spend sufficient time exploring the likely consequences of their particular disarmament action to ensure safety for everyone. At least one safety access route in and out of the bases, offices, subs (or wherever you are) should be left open to cope with emergencies. Broken glass or cut surfaces should be marked and labelled to inform people that they should take care and any damaged parts should be stable and not likely to stick out or fall off and hurt anyone.

The overriding principle for all our actions is love. This means at the very least that we should harm no living being and should be peaceful and self-controlled at all times.

"Can the Peace movement talk in loving speech, showing the way to peace? I think that will depend on whether people in the peace movement can be peace. We cannot do anything for peace without ourselves being peace."

Thich Nhat Hanh





1 Every activist shall be a member of an affinity group, have signed the Pledges, be registered with the Core Group and have gone through the Nonviolence and Safety Workshop.

2 Our actions are built upon being open and public.

In the democracy of which we are a part and which we are struggling to improve, everyone has the right to question or criticise other people's actions. There must therefore be someone around to answer questions and take responsibility for the actions. We therefore do not use masks for hiding our identity, or run away from the police or engage in totally secret actions. The planning and attempt to disarm may be secret. Nevertheless, as soon as an action has taken place, then the activists will remain by the scene of disarmament to take full responsibility for their action.

3 Our attitude will be one of sincerity and respect toward the people we encounter.

We do not wish to create unnecessary divisions by being moralistic or by verbally harassing the police, defence workers and other people we come in contact with. We will respectfully engage them in dialogue when appropriate. Not only are all human beings of infinite value and therefore of worth equal to our own selves but they are also our allies in the disarmament process. If and when complete nuclear disarmament takes place, then the authorities and their agents, whose current policies and actions we are challenging, may well be the very same people who actually take part in the official disarmament process. They may eventually be the ones to complete the disarmament process that we have begun, by actually taking away the nuclear warheads and putting them in safe storage and returning the missiles to the US and decommissioning the submarines.

4 We will not engage in physical violence or verbal abuse toward any individual.

Violence includes both physical and psychological violence and the phrase 'any individual' also includes ourselves. In tense and pres-

sured situations even the shouting of slogans can appear threatening and aggressive. We must gauge the situation and act accordingly. We will not assume that anyone will use violence against us and will not wear protective equipment. Some people consider destruction of property to be violent, but we do not think that the peaceful and safe destruction and dismantling of inherently violent property is a violent act. Indeed we think it is a peaceful, necessary and responsible act of nonviolence.

5 We will carry no weapons.

Any tools we have with us for disarmament work will not be used in a way which is threatening to any person. For instance it may be appropriate to lay tools down and show open and empty hands if any security personnel come towards us.

6 I will not bring or use alcohol or drugs (other than for medical purposes) to any Trident Ploughshares camp or action. This includes the consumption or use of any of the above off-site while sleeping at a TP camp or planning to take any part in an action.

Note: People who attend events away from the camp which involve the use of alcohol or drugs are asked to sign out of the camp and not to return until clear of the effects of these substances.

This is a rule for all Trident Ploughshares gatherings. This is so that all participants can feel totally safe. If the police come to visit us they will also be able to trust us all. Ensuring safety and nonviolence is the sole purpose of this aspect of the Pledge. It is not intended to say anything positive or negative about these substances in general or in reference to people's lifestyles.

7 We will respect all the various agreements concerning the actions.

These nonviolence and safety guidelines in the Handbook are the non-negotiable ground-rules for the whole project. However, some decisions and agreements will have to be made as we go along, especially at the Representatives Meetings that are held every six months.



2.4 Joint Responsibility

Often in nonviolent resistance work, the State Authorities try to prevent the success of a campaign by 'taking out' those whom they consider to be leaders or by randomly selecting a few individuals. They may threaten just a few people with very severe legal consequences, which probably will not materialise, although it may take several years before the final outcome is known. In the interim other supporters may be demoralised or scared and this can lead to uncertainty and a loss of morale.

Often in such campaigns information is held by a few individuals. One danger in this is that if certain key people are 'removed' (by being held on remand awaiting trial for instance) important information necessary for the campaign is lost. Also, when information is held by just a few individuals, the other campaigners are not fully involved or engaged and unhealthy power structures can develop.

To help prevent these problems all relevant information will be given to everyone. In any case this is a fully open Ploughshares action, and information-sharing with all participants and with the police, courts and authorities is to be encouraged. We have absolutely nothing to hide - we are upholding international law and trying to be ethical human beings. This Handbook is an example of the sharing of information about structure and decision-making as well as about technical and legal information. All Pledgers have up-to-date lists of names and addresses of everyone in Trident Ploughshares. TP activists include both active supporters and active disarmers. If the Core Group is held on remand for Conspiracy (this is possible, however unlikely) the other activists will be able to contact each other and decide on a new Core Group and go on from there. We have no leaders, only people willing to co-ordinate various necessary items of work. If anyone wants to have any information that is not in this Handbook then please ask one of the current members of the Core Group (Part 2.1.1). We also have a website that is kept updated on a regular basis.

We shall be trying to experiment with what it means to be fully and jointly responsible for each other as fellow global citizens engaged in peaceful disarmament action together. We will, according to our capacities, try to take responsibility for each other and share any personal and legal consequences that result from our peaceful Ploughshares work. Each affinity group will need to explore the concept of joint responsibility and decide for themselves how to interpret it. We will be able to check in with each other at the various Representatives Meetings that are held roughly every six months. Minutes of these meetings are sent to all Pledgers. The overall decisions for TP are made at these meetings, so each group should send a representative - otherwise only the core group is making the decisions, which is not fair on them or you.

The Authorities know that most people get tired quite quickly and do not have much staying power. They will not be used to activists who can keep up their joint protest, support each other and continually go back to their actions however many times they are arrested. Many protesters will stop once they have been arrested. We will hopefully continue until imprisoned. We are serious about disarmament - this is not just a one-off day demonstration but a concerted group attempt to disarm a nuclear system. Individually we have had to come to terms with the possibility (however unlikely) of maybe some years in prison because of our commitment to do this Ploughshares action. This means that as a group we have the possibility of a very unusual and high level of commitment. The Authorities will have to bear this in mind as they discuss how to respond to our actions. We will know that, whatever their decision, we will be doing our bit towards disarmament. Hopefully the picture of possibly several hundred Ploughshares activists in British jails will help galvanise the general public into the final public pressure needed to achieve complete disarmament.

Joint responsibility does need thinking about. Does joint responsibility mean just being morally responsible or are we responsible for helping each other pay fines and compensation orders? How reasonable is it for all groups to be responsible for paying compensation for damages for millions of pounds worth of damage when perhaps most individual affinity groups opted to do minimum damage of only a few hundred pounds worth? Perhaps the most important contribution every group can make is to continue with as many disarmament actions as possible regardless of how few or many of us end up in prison? If a few people are picked off and charged, should the rest go to court and disrupt it by continually getting up and saying we are also guilty of upholding international law so that we all get done for contempt of court? Should we blockade the courts and prisons or should we rather put our efforts into more disarmament acts? Maybe you can ponder all of these options and discuss them with your group? Remember, your group can make its own autonomous decisions as long as they are within the groundrules.

2.5 Ploughshares Activists/ Individual Pledgers

Ploughshares activists are being sought by word of mouth and by the use of leaflets and the Invitation to Join Trident Ploughshares (see Part 9.10). Please feel free to distribute copies wherever you feel appropriate. We will try to place the new Ploughshares activist in an affinity group if they do not have one themselves or cannot form one locally. We are insisting that people work in affinity groups because a small group where people can get to know one another well is much more likely to provide the close support that is needed, we will be less easily infiltrated by agents-provocateurs, and also because

each group is autonomous and should be able to adapt easily to sudden changes in circumstances.

Although a certain amount of overall support will be provided by the Core Group (working out the overall structures, producing the materials, facilitating the mass gatherings, doing the national and international press work, monitoring the police cells and court hearings, acting as a focal point for information sharing for instance), nevertheless there is not the funding nor the resources nor the desire to have a centralised, authoritarian structure. Such a structure could be easily broken up by outsiders and could be very disempowering for participants. Each affinity group is independent and can develop its own particular character. All the Core Group is doing is providing the general framework and facilitating the process so that all of our affinity groups can act powerfully together to disarm the Trident system. Our mindful and considered co-operation within our diversity is our strength. It will be as good as each affinity group makes it. We are all responsible together. If any of the more centralised infrastructure breaks down the 'default position' always remains with the affinity groups who are self-sufficient and autonomous.

The Core Group will have the ultimate responsibility of deciding which individuals and affinity groups may join Trident Ploughshares. They will be advised by each individual, each affinity group and also by the facilitators of the Nonviolence and Safety Workshops who pass on their recommendations to the Core Group after each workshop. At least one Core Group worker will liaise with each affinity group and be their special contact person. This will be an open process with all reasons frankly given and nothing hidden. It is meant as a way of weeding out agent provocateurs and terrorists and of helping affinity groups free themselves of people with whom they feel very uncomfortable. It is not meant to disempower people from taking part but purely as a means of making sure that our action is as responsible and safe as possible.

Individuals and groups will be able to join Trident Ploughshares at any time, but will not be officially recognised and registered as TP activists until all individuals have,

- **completed their Nonviolence and Safety Workshop;**
- **been recommended by the facilitators;**
- **have signed their Individual Nonviolence and Safety Pledge;**
- **and have signed the Pledge to Prevent Nuclear Crime.**

2.6 Affinity Groups

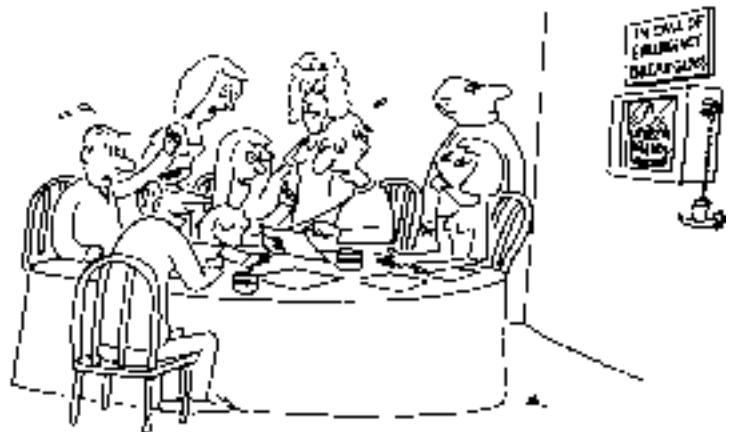
Each affinity group for Trident Ploughshares contains between three and fifteen Ploughshares activists, who have signed the Pledge to Prevent Nuclear Crime and the Nonviolence and Safety

Pledge and engage in the disarmament work. The affinity group is small so that discussions, participation and support can flow more easily. Larger groups tend to be dominated by just a few people and those left out of the discussion often do not have a chance to have their needs met or to contribute equally.

The structure of affinity groups also allows a wide diversity of styles, beliefs and cultures to flower. Each individual should think very carefully about the kind of affinity group that they wish to join or create. There could be special religious/spiritually focussed groups from any or all faiths, mixed nationality, or international affinity groups. There could be theatre and music-centred or circus-trained affinity groups. There could be those based on old friendship circles or purely on geographical convenience. There could be special groups for those with physical disabilities, or for grandmothers, or conscientious objectors, or veterans of past wars, pensioners or scientists, if they wish it. Or there could be country-based groups for those outside the UK or based on specific peace or environment or human rights action groups.

The special nature of your affinity group will influence the way in which you do your Ploughshares action and also what you can offer to the whole campaign. For instance those with entertainment skills may entertain us all and only do their disarmament action after most groups have already been arrested. Those with a spiritual focus may want to provide a prayerful atmosphere for everyone before or whilst doing their action. Those with special circus skills may want to help others gain access to the base!

If some people do not fit comfortably into the affinity group to which they have been assigned or which they have joined, they should contact the Core Group to try to find another one. This is not a failure on the part of the individual or the group. Affinity groups are very personal and some combinations do not bring out the best in the personalities involved. It is best to admit this and find another group. Hopefully everyone will be able to find some people to feel comfortable with and establish their particular niche.



Taking nonviolent action with a group needs thorough preparation including discussing what each of you may consider to be violent. It is often useful to do this with an outside facilitator which is one of the reasons we asked Turning the Tide to help facilitate a two-day workshop to explore nonviolence.

Groups that have been in existence for several years are also encouraged to go deeper and call on facilitators for further exploration of nonviolence. The need for continual thought, reflection and development of group skills is stressed.

2.6.1 Nonviolence and Safety Workshops

Each affinity group attends a two-day workshop, led by two facilitators who themselves will have undergone training. The purpose of these workshops is to explore the nonviolence and safety issues involved in disarming the Trident system and to enable each individual and group to prepare for their involvement. The intention is for all TP activists to have a similar workshop experience. A variety of techniques are offered, including roleplay, and the workshop includes:

- sharing understandings of Trident Ploughshares
- exploration of what we mean by nonviolence
- personal fears and boundaries
- individual and group commitment
- decision-making in the group and group dynamics
- group maintenance and preparation for involvement in Trident Ploughshares

Nonviolence and Safety Workshops will be arranged on the receipt of a Workshop Request Form. To book your Workshop and to help the facilitators to prepare, please fill in the Form in Part 9.3. Further copies are available from Trident Ploughshares, 42-46 Bethel St, Norwich, NR2 1NR.

2.6.2 Process of the Group

The process in the affinity groups should be watched carefully as none of us is perfect! It is advisable to meet regularly and get to know each other well. Maybe a week-end meeting every month or an evening meeting every week will be necessary for you to prepare yourselves at first, although when you get to know each other, meetings need not be so frequent. It may be a good idea to make sure that at every meeting you have different people taking on some of the following roles to watch your process and help raise any problems before they become unmanageable. Taking turns at the various roles helps individuals experience



Undealt-with feelings create out-of-proportion reactions

different facets of the group's behaviour and strengthens the group. Roles could include:-

- A **meeting facilitator** who works out the agenda with the other group members before the meeting and who helps to keep the group focused on the issues in the agenda. A facilitator is different from a chairperson in that s/he actively shares power with the group as a whole - helping the group to find its own will and continually giving control back to the group so that each member shares responsibility for what happens.
- A **vibes watcher** who observes emotional under-currents and reflects them back to the group (brings them out into the open) if they are affecting the group process. For example, the vibes watcher might pick up on conflict and try to mediate it with the group's help or they might note when the group becomes tired and suggest a quick break or a game.
- An **'ism' watcher or oppression watcher** who notes and raises with the group any presence of racism, ageism, sexism or other power games. They also note insufficient care given to people with special needs. For instance, noting that a physical exercise suggested could not be done by someone present with a certain physical disability.
- A **time-keeper** to keep you all on the ball and make sure your agenda is completed. Make sure you always plan in some social time so your meetings are always fun as well as business oriented.
- A **note-taker** who records your decisions and makes sure everyone has a copy so you all know what decisions you have taken!

2.6.3 Consensus Decision Making

Making decisions is crucial and it would be good if every group worked by consensus. Decision making by voting leaves a minority dissatisfied and feeling it has lost: Compromise can leave everyone dissatisfied, because no one gets what s/he wants. Decision-making by consensus, on the other hand, should encourage a synthesis of everyone's ideas, incorporating everyone's best thinking.

"Leadership is best when people say, 'We have done this ourselves'."
Lao Tzu

All participants need to be committed to consensus if it is to work as it can be easily undermined by either passive or dominating behaviour. Strong but neutral facilitation is necessary in order to clarify and synthesise opinions and test areas of agreement. Consensus decision-making is not a recipe for quick or efficient decision-taking; it can be very time-consuming, and the larger the number of people the worse that becomes. It is not therefore suitable for use on all occasions. Affinity groups need to have

agreed other methods to use for those occasions when decisions have to be made very quickly.

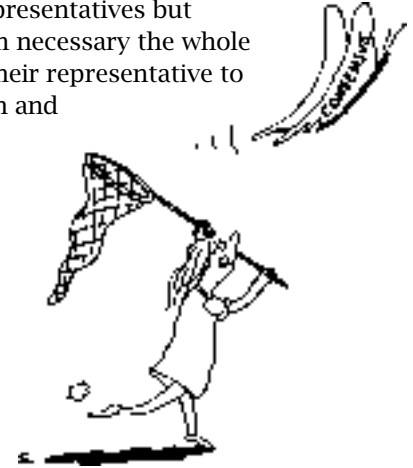
A decision made by consensus only goes ahead if everyone is willing to accept it as right for the group and its members. Any one person can block a decision and this sometimes leads to a much better decision being made in the end. People need to take care to use this 'power of veto' sparingly and responsibly and it is always helpful to try to put forward alternatives when you disagree. Consensus decision-making is especially crucial when individuals in the group are taking the responsibilities and risks involved in a Ploughshares action. No-one should be out-voted on an issue which may lead to them spending years in prison. Everyone in the group must be totally comfortable with the decisions even if it takes a long time. Everyone must also stand by the decisions once they have been made.

'Go-rounds' and 'talking-sticks' (Part 2.6.4) are tools that help consensus decision-making. It is essential to formulate the decision or proposal clearly and in simple language so that everyone is clear what the

consensus involves. Complex decisions should be broken down into simpler, more manageable decisions so that you can find out where the differences and disagreements are.

Sometimes for larger meetings we use the 'fish-bowl' technique for making consensus decisions. Representatives from each affinity group, with their group sitting behind them, sit in a circle. The discussion is only carried out by the representatives but everyone can hear it. When necessary the whole affinity group calls back their representative to discuss or make a decision and then the representative returns to the circle.

The circle works by consensus, as do the affinity groups. There can be several embedded fish-bowls for really large groups.



When not to use consensus

When there is no group mind

A group thinking process cannot work effectively unless the group is cohesive enough to generate shared attitudes and perceptions. When deep divisions exist within a group, or when members don't value the group's bonding over their individual desires, consensus becomes an exercise in frustration.

When there are no good choices.

Consensus process can help a group find the best possible solution to a problem, but it is not an effective way to make an either-or choice between evils, for members will never be able to agree which is worse. If the group has to choose between being shot and hung, flip a coin.

When a group gets bogged down trying to make a decision, stop for a moment and consider: "Are we blocked because we are given an intolerable situation? Are we being given the illusion, but not the reality, of choice? Might our most empowering act be to refuse to participate in this farce?"

When they can see the whites of your eyes.

In emergencies, in situations where urgent and immediate action is necessary, appointing a temporary leader may be the wisest course of action.

When the issue is trivial.

I have known groups to devote half an hour to decide by consensus whether to spend forty minutes or a full hour at lunch. Remember, consensus is a thinking process - where there is nothing to think about, flip a coin.

When the group has insufficient information.

When you're lost in the hills, and no-one knows the way home, you cannot figure out how to get there by consensus. Send out scouts, ask: "Do we have the information we need to solve this problem? Can we get it?"

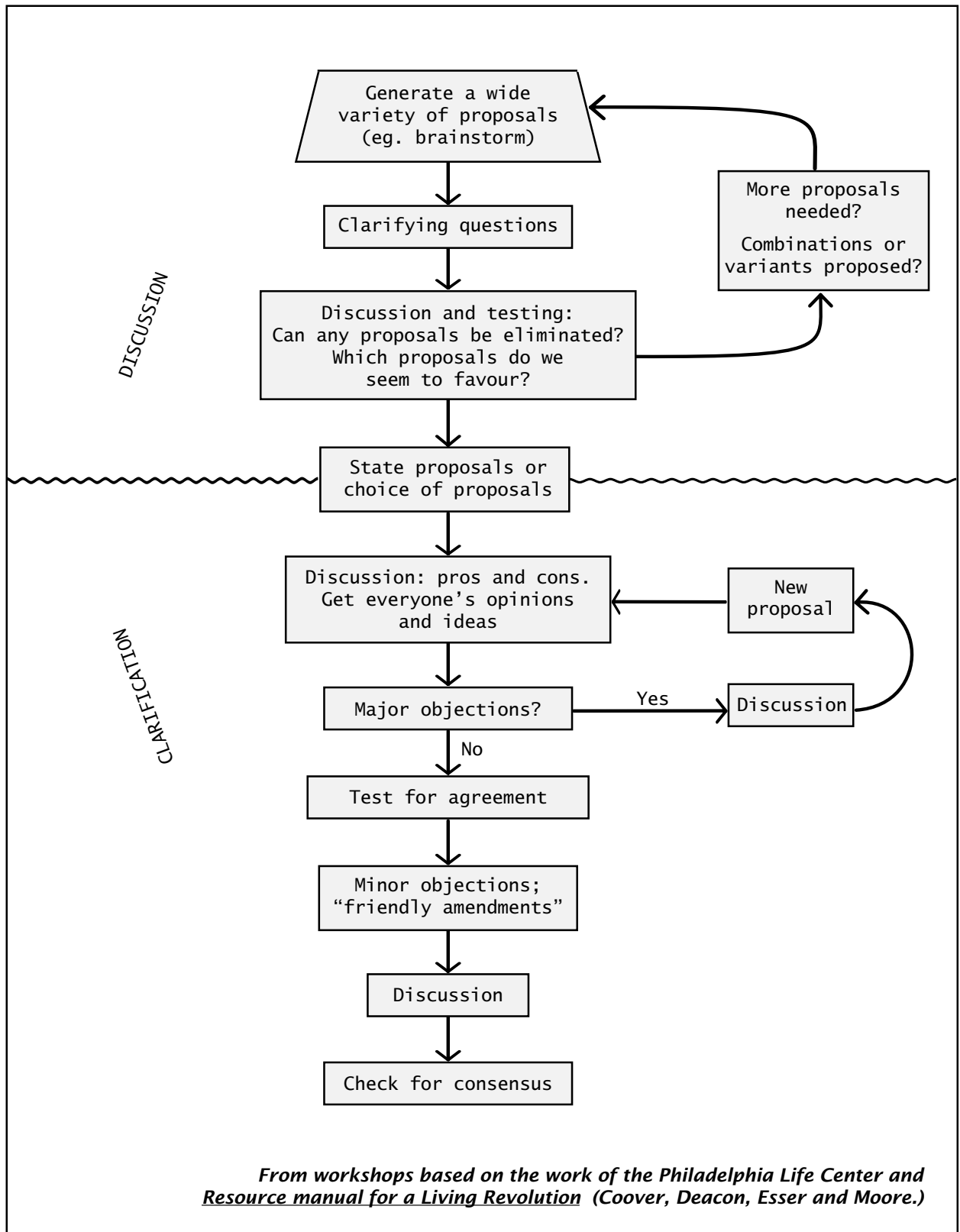
From Starhawk's Truth or Dare

Alternatives to the veto/block

Vetoing/blocking a proposal that has enjoyed a lot of discussion and synthesis is a serious act. It should be done thoughtfully, and on the basis of principled argument - about ethics, facts, likely consequences, relevant strong emotions - rather than on the basis of minor preferences or egotistical impulses. When the decision-making process has looped a couple of times, taking different opinions into account, creating modifications, and still you disagree with what's on offer, you might consider other forms of objection which don't hold up the group's process:

- Non-support: - "I don't see the need for this but I'll go along with it."
- Reservations (recorded in the minutes if so desired):- "I think this may be a mistake but I can live with it."
- Standing aside:- "I personally can't do this, but I won't stop others from doing it."
- Withdrawing from the group.

A process for consensus decision-making



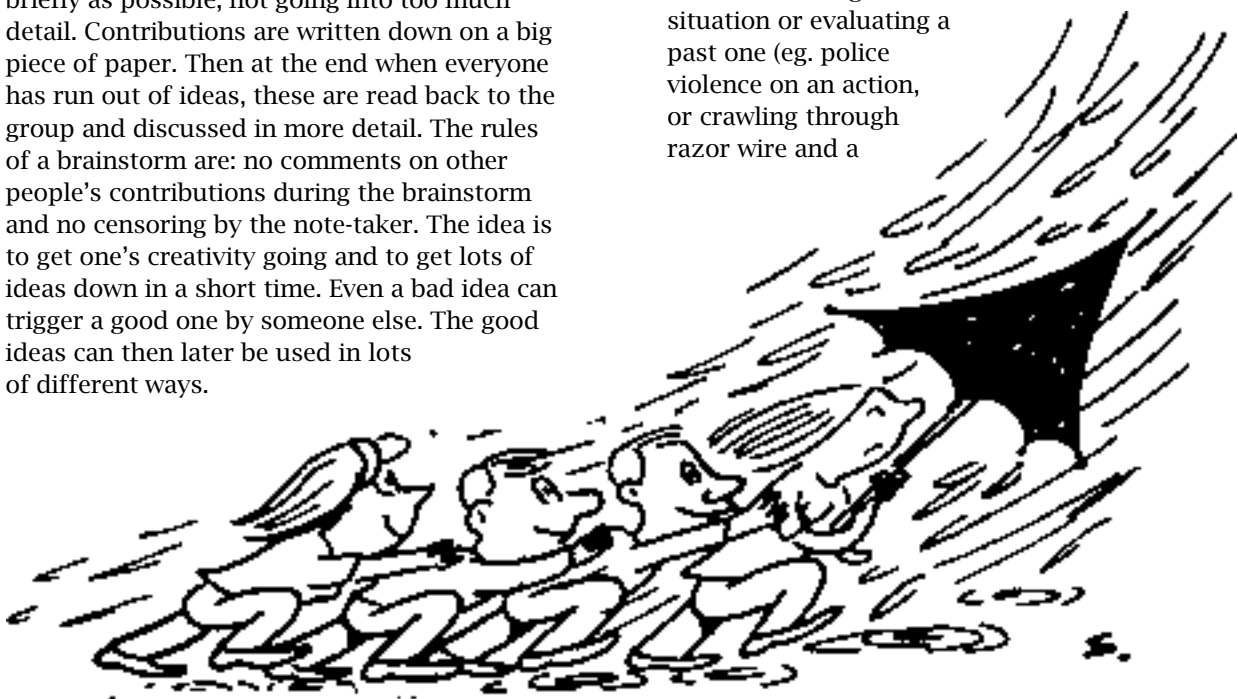
The kinds of decisions you will be making by consensus within your affinity group include what kind of disarmament action you will be doing and how, what roles you will each take, who will be your affinity group representative, what your affinity group name is, what your group commitment (Part 2.6.6) will be and when and how you will do your follow-up actions.

2.6.4 Tools for Small Group Work

Games, breaks and good food are always useful tools for groups!

- **Agenda.** It is a good idea to prepare and distribute an agenda in advance so that people can prepare their presentations and think through their opinions. Items should be prioritised and each session timed so that everything important does get done. It is important to vary the pace and mood by moving from serious to light, long to short, practical to theoretical. It is also helpful to leave some 'overflow time' between items. If you are seriously over-running, the facilitator will need to negotiate how best to proceed. The following tools are for encouraging positive participation and discussion.
- **Presentations.** It can help having a person who prepares an introduction to a particular topic and who then presents it to the group. This person can also try to sum up at the end or help the group formulate any proposals or decisions that have to be made relating to the topic. It is a good idea if each topic on the agenda is presented by a different person so that the responsibility is shared.
- **Brainstorm.** This is a tool for generating lots of creative and imaginative ideas on a given subject within a tight time-limit of 5-10 minutes. Everyone is invited to make specific suggestions about a chosen subject but as briefly as possible, not going into too much detail. Contributions are written down on a big piece of paper. Then at the end when everyone has run out of ideas, these are read back to the group and discussed in more detail. The rules of a brainstorm are: no comments on other people's contributions during the brainstorm and no censoring by the note-taker. The idea is to get one's creativity going and to get lots of ideas down in a short time. Even a bad idea can trigger a good one by someone else. The good ideas can then later be used in lots of different ways.

- **Go-round.** This is where each person in turn has the opportunity to say something on a given subject. If you do not want to say anything then, just pass onto the person next to you. A variation on this is the Feelings Go-round where everyone says how they are feeling.
- **Talking stick.** A stick, feather or some other object is used by whoever is speaking and whilst they are holding it no-one can interrupt. When they have finished they place it in a central spot and whoever feels they want to speak next takes it and so on.
- **Silence.** Don't forget to say how long the silence is for, unless the group can feel how long is needed.
- **Pair-work.** After discussing things in pairs, everyone comes back together again to summarise what they have been talking about.
- **Readings.** If it is longer than a few sentences bring along photocopies so that everyone can follow it.
- **Free-discussion.** Hopefully a time when everyone is given a fairly equal opportunity to contribute.
- **Videos.** Can be useful as discussion stimulators or for sharing information.
- **Evaluations.** To give feed-back to the facilitator. Evaluations are also a way to develop democracy in the group and encourage continual improvements. You can use many tools to evaluate. One suggestion is a go-round saying one good thing and one bad thing about the meeting or session or asking for suggested improvements.
- **Role-plays.** Several people enact a particular situation. They take on roles as a preparation for encountering a similar situation or evaluating a past one (eg. police violence on an action, or crawling through razor wire and a



police dog being let loose, or being interviewed by the security after arrest). It is important to make the scenarios and the roles involved quite specific and clear. Give people a bit of time to prepare and get into role and tell them how long the role-play will run. When you finish the role-play or interrupt it to allow people to change roles. The participants will need time to get out of role, perhaps by saying goodbye to their role-play character or by introducing themselves to the group again with their own name. You can try the scenario several times, trying out different reactions. Then everyone, including the 'actors' and 'spectators', discusses the role-play and reflects on what they have observed, felt or thought. There should be plenty of time for the discussion after the role-play - at least twice as long as the running time of the role-play itself. Be careful when role-playing stressful situations, as people can get carried away and deep emotions can surface. Check out the advice on role-play in some of the manuals listed at the end of the section if you are serious about using this powerful technique well.

2.6.5 Outline Programme for Affinity Groups

Taking nonviolent action can be difficult because we are challenging our own obedience which constrains our beliefs about what is possible. Get to know each other. Talk about how you got involved, the steps which led you this far, your hopes and fears, best and worst case scenarios. Use your time to build up trust and friendship within the group. Discuss your concerns and worries - of doing the action, of possibly getting arrested, being injunctioned, being in the media limelight. Talk about how to cope with the responsibility that comes with becoming more powerful. Start making practical preparations where possible. Establish how much time each person has to contribute. It is important to be realistic and honest about what you can offer so that the group can look for more people if necessary. Be aware that your commitment may be needed for quite some time before, during and after the action with varying levels of intensity.

Each affinity group will work out its own plan of study and preparation, but may well wish to include some of the following topics in their preparations:

Working through the video and Handbook;

Getting to know each other and building your group:

- sharing life-histories and personal backgrounds
- naming your affinity group
- deciding on a particular focus or role for your group
- exploring long-term availability of each member
- exploring limits to each person's involvement
- deciding on the group pledge of commitment and how to sustain action over several years
- exploring your fears about prison and working out strategies for coping
- sharing experience of arrest and imprisonment
- role-playing possibilities;

Planning the group's disarmament action(s):

- deciding what actions you wish to do and what actions you do not
- deciding the when, where and how of your actions
- deciding whether you will work together or as several smaller groups
- working out your action/access equipment needs
- role-playing various action scenarios
- working through the legal briefings;

Practicalities:

- choosing a liaison person who will communicate with the Core Group and will represent you at the Representatives meeting
- applying for the two-day nonviolence and safety 'empowering' workshop and arranging it
- deciding if you want further help or support from the facilitators or Core Group
- finding other local people willing to act in support roles
- fund-raising
- deciding who will be the e-mail contact for the group and contribute to the discussion forum
- finding a local solicitor who will give free legal advice
- getting in contact with the legal support group and getting the legal updates;

Practice:

- writing letters to your Head of State
- trying out negotiation and dialogue by lobbying your local MP
- local press work to explain your group's actions.
- do lots of disarmament actions

2.6.6 Affinity Group Commitment

Ideally we would like every TP Pledger to:

- come to every three monthly open disarmament gathering which may be at Faslane/Coulport or Aldermaston, and make continual disarmament attempts;
- do a secret maximum damage disarmament action at Faslane or Coulport;
- do secret and open disarmament actions at another Trident related site.

However, you will be glad to know that we appreciate that this is too much to ask of most of you! Therefore we would like you realistically to assess your commitments and convey them to the Core Group who will then have a good idea of what will be happening and be in a position to advise and deal with press and contingency plans.

References and Acknowledgements

2.3 Nonviolence and Safety Guidelines

Advice from the Swedish Ploughshares movement was useful here.

Turning The Tide - a Quaker programme on nonviolent social change - various briefing sheets - Quaker Peace & Service.

Safe in Our Hands, Royal Navy Ammunition Depot Coulport - Faslane Peace Camp and Scottish CND, July 1993.

2.5 Ploughshares Activists/Individual Pledgers

Turning The Tide - a Quaker programme on nonviolent social change - various briefing sheets - Quaker Peace & Service.

Hope and Resistance Handbook, May 1997, Volzendorf, Germany - Stephen Hancock.

Resource Manual for a Living Revolution - Cooper, Deacon, Esser and Moore. New Society Publishers (USA), 1981.

Recommended Further Reading

A Resource Manual For a Living Revolution - Virginia Coover, Charles Esser, Ellen Deacon and Christopher Moore, New Society Publishers, Philadelphia, USA, 1981.

Co-operative and Community Group Dynamics or your meetings needn't be so appalling - Rosemary Rendell and John Southgate. Barefoot Books (London), 1981.

Defence in the Nuclear Age - Stephen King-Hall, Gollanz, London, 1958.

Despair and Personal Power in the Nuclear Age - Joanna Macy, New Society Publishers (USA) 1983.

Manual for Action - Martin Jelfs (revised by Sandy Merritt), Action Resources Group, 1982.

The Tyranny of Structurelessness - Jo Freeman, 1984, in *Untying the Knot*, Dark Star Press and Rebel Press, London.

War Resisters League and Organisers Manual - Ed Hedeman, War Resisters League, New York, 1981.

“Until one is committed there is hesitancy, the chance to draw back, always ineffectiveness. Concerning all acts of initiative there is one elementary truth the ignorance of which kills countless ideas and splendid plans: that the moment one definitely commits oneself then providence moves too ... whatever you can do or dream you can begin it. Boldness has genius and magic in it. Begin it now.”

Goethe

PART 3:

DIALOGUE WITH THE STATE

3.1 Why Dialogue?

Dialogue and negotiation with the Government and other state institutions, such as the police and the judiciary, is seen as a very necessary part of the TP campaign. If there is any willingness at all, on the part of the British Government, to actually fulfil their international and humanitarian obligations by disarming Trident themselves, then we will not have to undertake this work ourselves and can stop our ploughshares actions.

We need to have dialogue to make sure that we are listening to the Government and state institutions and continually checking that our aims, objectives and actions remain appropriate within the changing circumstances.

We also need to apply the pressure of rational, logical discussion, to ask awkward questions, show up inconsistencies and hypocrisies, all the abuses which eventually develop in those holding power.

The dialogue of regular letters and contact backs up our active, practical disarmament work and keeps it alive and potent. We use the statistics of our growing support from Parliamentarians, Bishops, Professors and Organisations along with the growing number of TP Pledgers and their arrests and imprisonments to show our determination for nuclear disarmament.

The letters are often slow to be answered so we ask supporting MPs to write on our behalf to get decent replies, so our questions are not ignored. This keeps the MPs up to date with the arguments too. Often our questions are still unanswered, especially the really critical one of how exactly can a 100 kiloton warhead be used in a way capable of discriminating between a military target and civilians. We then get our MPs to ask questions in the House of Commons. These have yielded interesting replies (see Part 3.4).

Dialogue and resistance go hand in hand in order to create social and political change.

Trident Ploughshares Requests the British Government to Commit to a Process of Nuclear Disarmament

- i) The British Trident submarine system must immediately be taken off 24 hour patrols.
- ii) No new Trident missiles are to be purchased from the United States.
- iii) All British nuclear warheads must be removed from their delivery systems and stored separately.
- iv) No further deployment of US nuclear weapons in Britain. Britain should work with its NATO allies for withdrawal of all nuclear weapons from Europe and for establishment of a policy not to use nuclear weapons first or against non-nuclear-armed adversaries in any circumstances.
- v) Trident missiles are to be returned to the United States and the warheads to be returned to AWE Aldermaston/Burghfield by an agreed date.
- vi) Commitment to a timetable for the decommissioning of British nuclear weapons as fast as is feasible and safe, with a target date for completion of 2010 at the latest.
- vii) Pledge not to replace Trident or seek to acquire nuclear weapons again.
- viii) Conversion of Britain's nuclear weapon facilities from research and development for the maintenance and production of the nuclear arsenal towards the decommissioning of nuclear weapons and facilities, safe management and disposal of nuclear materials under strict and effective national and international safeguards and controls, and the enhanced verification of international agreements on weapons of mass destruction.
- ix) Active and constructive British involvement in the determined pursuit by the nuclear-weapon states of systematic and progressive efforts to reduce nuclear weapons globally, with the goal of negotiating interim agreements leading to a nuclear weapons convention as early as possible. The genuineness and constructiveness of this commitment will be gauged from the positions taken by Britain in United Nations General Assembly resolutions, the Non-Proliferation treaty review process, the Conference on Disarmament, five-power talks, NATO, and other related fora.

3.2 Summary of Dialogue with the Government and the Military

A group of independent advisors were consulted in the pre-launch months between February and May 1998. They helped us outline our strategy and draft the initial letter to Tony Blair. They remain in the wings ready to help us in any meetings and negotiations that may start in the future, and sometimes give advice. We agreed that we would be open for negotiation and dialogue throughout the whole project; that all disarmament actions would proceed as planned unless we received, from a person in authority, a written document agreeing to the complete disarmament of the Trident system. The basic trade-off being that the Government does the disarmament or we do it. All Pledgers would be involved in deciding whether to accept any agreement that the Dialogue and Negotiation team managed to facilitate but the agreement would have to be within the spirit of the criteria set out in the box.

Approaches were made to Government officials and MPs and a meeting sought without success. On the 18th March 1998 a letter was sent to Prime Minister Tony Blair. It was the first in a long ongoing series of letters. A summary of this correspondence is printed below and some of the letters have been reproduced in full. The website keeps copies and is updated every few months.

1

Included in full opposite.

Date: 18/3/98

From: Sylvia Boyes, Tracy Hart, Ellen Moxley, Brian Quail, Helen Steven and Angie Zelter (Core Group of TP2000 at that time).

To: Tony Blair, P.M., U.K.

Copies of letter sent to HM Queen Elizabeth; Sec. of State for Foreign and Commonwealth Affairs; Secretary for Defence; Attorney General; Lord Advocate, Chief of Naval Staff and First Sea Lord Admiral, all Captains of the Trident Submarines and rear Admirals of FOSNNI and FOSM.

Contents: Letter outlined the need for immediate nuclear disarmament by the UK in compliance with international law and the ICJ Advisory Opinion of 8th July 1996; the aims and objectives of TP2000 including nine visible and verifiable elements of nuclear disarmament; a request for a meeting to discuss the necessity to take these immediate steps towards disarming British nuclear weapons in compliance with Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

One thousand copies of this letter were printed and distributed widely under the title *"Respect the Law: Dismantle Trident - An Open Letter to UK Prime Minister Tony Blair from Global Citizens of Ploughshares 2000"*.

2

Date: 20/3/98

From: Mrs. Janice Richards, Assistant Private Secretary at 10 Downing Street

To: Ms. Zelter.

Contents: Brief thanks and acknowledgement of 18/3/98 letter saying a reply would be sent soon.

3

Date: 25/3/98

From: Sylvia Boyes, Tracy Hart, Ellen Moxley, Brian Quail, Helen Steven, Ian Thomson and Angie Zelter (Core Group of TP2000 at that time).
To: 100 probably sympathetic MPs.

Contents: Enclosing a brief outline of TP2000 and the Open Letter to Tony Blair we requested help in "finding appropriate avenues of access to discussions with HM Government and would welcome any advice or suggestions of contacts".

4

Date: 3/4/98

From: Philip Barton, Private Secretary at 10 Downing Street.

To: Ms. Zelter.

Contents: Refused a meeting, stated that the Government had been elected on a Manifesto commitment to retain Trident, that the "Government does not believe that the International Court of Justice's (ICJ) Advisory Opinion requires a change in the United Kingdom's entirely defensive nuclear deterrent posture".

5

Date: 2/5/98

From: Sylvia Boyes, Tracy Hart, Ellen Moxley, Brian Quail, Helen Steven and Angie Zelter (Core Group of TP2000 at that time).

To: Tony Blair, P.M., U.K.

Contents: Expressing sorrow that a meeting had not been arranged; disturbed to find that there had been no considered response to the substantive arguments in our previous letter; asking again for a meeting; stating we had publicly launched TP2000 that day in Hiroshima, Gothenburg, Gent, London and Edinburgh; including a list of 62 global citizens who had signed the Pledge and were ready to actively disarm the Trident system.

6

Date: 8/5/98

From: Mrs. Janice Richards, Assistant Private Secretary at 10 Downing Street.

To: Ms. Zelter.

Contents: Brief thank-you for letter of 2/5/98 and saying a reply would be sent soon.

Prime Minister,
Tony Blair MP
10 Downing St,
London,
SW1A 2AA

18/3/98

Dear Tony Blair,

Ref.: Request for Meeting with Prime Minister to discuss the requests of the Trident Ploughshares 2000 project.

Like all of us who have grown up in the modern era, you know the danger and the threat of nuclear weapons and you undoubtedly share the fear that they will by mischance or stupidity destroy much of modern civilisation and possibly most species on the planet, including the human race. We want evidence that you are moving swiftly to meet the challenge of nuclear weapons in the new millennium, but we see no sign of this.

We are writing to you as the head of the government and because “any decision on use of the United Kingdom’s nuclear weapons would be taken by the Prime Minister” [Ref 1] to request a meeting as soon as possible to discuss measures which we believe must now be implemented, in accordance with the views of a large proportion of the British electorate maintained over several decades and the international obligations and legal and humanitarian norms which apply to this country.

The Labour Party’s election manifesto clearly stated your opposition to the proliferation of weapons of mass destruction and commitment to the goal of “the global elimination of nuclear weapons”. Britain’s own actions, as revealed in recent voting records at the United Nations and other international fora, do not appear to be consistent with genuine efforts to achieve this goal. We welcomed the ratification by your government in January 1998 of the two Additional Protocols of 1977 to the 1949 Geneva Conventions but are dismayed that you re-asserted the caveat that “the rules so introduced do not have any effect on, and do not regulate or prohibit the use of nuclear weapons”. [Ref. 2]

Our hopes had been raised when the Secretary of State for Foreign and Commonwealth Affairs, Robin Cook, stated that your government would be pursuing an ‘ethical foreign policy’. Yet on repeated occasions in the following months, spokespeople from both the Foreign Office and the Ministry of Defence have stated their determination to retain nuclear weapons and continue a policy of nuclear ‘deterrence’. However, nuclear weapons that threaten mass destruction, are hardly consistent with an ethical foreign policy nor is nuclear ‘deterrence’ a feasible or credible defence policy. Because of the policy of nuclear ‘deterrence’ developed during the Cold War by the two super-powers, the nuclear arms race mounted to the level where each side had the capacity to annihilate the world many times over. Nuclear war games scenarios are disconnected from any sense of scientific or military reality. It was, and is, reckless proliferation. The retention of nuclear weapons is now being rationalised as a way to combat other weapons of mass destruction. By continuing to embrace this contradictory and dangerous policy the UK gives rise to exactly what it wants to prevent. The British government sends a message round the world that nuclear weapons are somehow necessary for defence and for achieving military and political objectives. We believe there is an urgent requirement to engage in immediate nuclear disarmament. The intellectual argument has been won, the geopolitical climate makes it possible at the moment, and this window of opportunity will be lost if we do not act now.

We also refer you to the Advisory Opinion of the International Court of Justice (ICJ), which held that the threat or use of nuclear weapons is generally contrary to international humanitarian law and that states are under an obligation to bring to a conclusion negotiations on nuclear disarmament in all its aspects [Ref. 3]. We further refer you to the decisions taken without a vote by 175 States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1995, particularly the Principles and Objectives for Nuclear Non-Proliferation and Disarmament, including the “determined pursuit by the nuclear weapon states of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control”. [Ref. 4]. Britain participated fully in these decisions.

It is the opinion of Trident Ploughshares 2000 and many other global citizen-based organisations that the ICJ effectively delegitimised nuclear deterrence postures. Threats of first use to defend ‘vital interests’ in conflicts with non-nuclear weapon states, as well as threats of first use in response to conventional attack by a non-nuclear weapon state would be unlawful. Threats of massive retaliation against nuclear attack are ruled out as well. We are aware of attempts to construct a post-Cold War ‘sub-strategic’ mission for Trident but regard such proposed use as mistaken, incoherent and incompatible with international humanitarian law. We believe that the possession of nuclear weapons is also totally incompatible with any

common global ethics. Furthermore, we believe that the deployment of Trident misuses resources that should be devoted to the real security challenges facing us in the new millennium: from systemic poverty to widespread environmental degradation, to proliferation and international terrorism, among others. We believe in the power of love and justice to resolve our conflicts. This is not the same as excusing power abuses or allowing atrocities to be inflicted, but it is a recognition that the means we use to solve our conflicts must be consistent with our deepest morality.

Many individuals involved in the Trident Ploughshares 2000 project have written to you about the continued illegality of the Trident nuclear system. They have written throughout the last 10 months since your government was elected to represent us. In almost every response to our concerns, you have replied along the lines that you “do not believe that the Court’s opinion requires a change in the United Kingdom’s entirely defensive nuclear policy” [Ref. 5]. You have also stated, “The government remains confident that its nuclear deterrent posture is entirely consistent with international law”. [Ref. 6]. We are most concerned about your interpretation of the Advisory Opinion and your continuing reliance on nuclear weapons. [For an analysis of the key elements of the Court’s Opinion, please see Appendix 1].

In requesting a meeting with you, we also wish to inform you openly and respectfully of the proposed plans and organisation of the Trident Ploughshares 2000 project. We are helping citizens to attempt peaceful, safe and accountable practical disarmament of the British Trident-based nuclear weapons system, in accordance with international law and our responsibilities as global citizens. In the absence of clear commitment by the government to disarm British nuclear weapons and implement a non-nuclear security policy and in view of the urgency of the task, we intend to start carrying out this nonviolent and responsible work on 11 August 1998 at Faslane. We would prefer to engage in dialogue with you in the hope that you will be able to reassure us that we do not need to begin this work ourselves.

After much consideration, we have decided on the following criteria for halting Trident Ploughshares:

Trident Ploughshares 2000 will halt its activities if the Prime Minister, Secretary of State for Foreign and Commonwealth Affairs, or Secretary of State for Defence, gives us a written undertaking or makes a statement in the House of Commons to the effect that all British nuclear weapons will be disarmed by 1 January 2000 and that the government is committed to implementing a non-nuclear security policy.

We recognise that such an undertaking would be a process consisting both of operational changes, which the government could direct the Ministry of Defence to implement immediately without reference to any other governments or negotiations, and policy changes that will require consultations with foreign suppliers and allies and international negotiations.

Trident Ploughshares 2000 will be prepared to halt our direct activities as long as we are satisfied that genuine progress towards disarming Britain’s nuclear capability is being made, but we will resume if undertakings are reversed or unreasonably drawn out or postponed. We regard the following visible and verifiable elements as indispensable to genuine commitment by the government to a process of de-nuclearising Britain.

- i) The British Trident submarine system must immediately be taken off 24-hour patrols.
- ii) No new Trident missiles are to be purchased from the United States.
- iii) All British nuclear warheads must be removed from their delivery systems and stored separately by 1 January 2000.
- iv) No further deployment of US nuclear weapons in Britain. Britain should work with its NATO allies for withdrawal of all tactical nuclear weapons from Europe and for establishment of a policy not to use nuclear weapons first or against non-nuclear-armed adversaries in any circumstances.
- v) Trident missiles are to be returned to the United States and the warheads to be returned to AWE Aldermaston/Burghfield by an agreed date.
- vi) Commitment to a timetable for the decommissioning of British nuclear weapons as fast as is feasible and safe, with a target date for completion of 2010 at the latest.
- vii) Pledge not to replace Trident or seek to acquire nuclear weapons again.
- viii) Conversion of Britain’s nuclear weapon facilities from research and development for the maintenance and production of the nuclear arsenal towards the decommissioning of nuclear weapons and facilities, safe management and disposal of nuclear materials under strict and effective national and international safeguards and controls, and the enhanced verification of international agreements on weapons of mass destruction.
- ix) Active and constructive British involvement in the determined pursuit by the nuclear-weapon states of systematic and progressive efforts to reduce nuclear weapons globally, with the goal of negotiating interim agreements leading to a nuclear weapons convention as early as possible. The genuineness and constructiveness of this commitment will be gauged from the positions taken by Britain in United Nations General Assembly resolutions, the Non-Proliferation Treaty review process, the Conference on Disarmament, five-power talks, NATO, and other related fora.

We are not publicly launching this project until 2 May, 1998, and will not begin our attempts at disarmament until 11 August, 1998, as we wish there to be time for dialogue with you about these criteria and your security concerns and defence policies, as well as our planned actions, which we believe to be ethical, humane, open, nonviolent and lawful. We have enclosed a copy of our Handbook containing a fairly comprehensive overview of our project, which we hope you will find useful. You will see from this that on 2 May we will be giving a list of all the names and addresses of people who have signed the Pledge to Prevent Nuclear Crime and who are willing to take part in the disarmament work. These lists will be updated from time to time as new people join in the project.

We have assembled a team consisting of Trident Ploughshares Core Group members and independent experts and mediators, from which a small group of four to six people will be drawn for meetings with you and your representatives. We hope that you will find a convenient time as soon as possible for urgent discussions regarding the necessity to take immediate steps towards disarming British nuclear weapons and moving towards a non-nuclear defence policy.

Yours sincerely,

Sylvia Boyes, Tracy Hart, Ellen Moxley, Brian Quail, Helen Steven, Ian Thomson, and Angie Zelter.

Enclosures:- Trident Ploughshares 2000 Handbook and list of references.

7

Date: 19/5/98

From: Sylvia Boyes, Tracy Hart, Ellen Moxley, Brian Quail, Helen Steven and Angie Zelter (Core Group of TP2000 at that time).

To: Sec.of State for Foreign and Commonwealth Affairs, Robin Cook and Sec.of State for Defence, George Robertson.

Contents: Expressing our disappointment with the P.M.'s reply to our 18th March letter and urging a meeting to discuss the issues of immediate nuclear disarmament with them or one of their colleagues.

given no evidence whatsoever that the use of Trident would not harm non-combatants, would not infringe neutral rights, would not contaminate the environment and would not harm the genetic health of future generations of humans and other species"; that as members of NATO they were "also responsible for what is done in the name of NATO"; urged them to "persuade the British Government to disarm the Trident system by January 1st 2000"; asked for urgent talks with them and asked what they "will be able to do to support nuclear disarmament within NATO".

8

Date: 30/6/98

From: David Mackenzie (TP2000 Core Group member).

To: Rear Admiral Mike Gregory, FOSNNI Commander of Faslane Naval Base.

Contents: Informing the Faslane Base Commander that TP2000 would start its peaceful, safe and accountable disarmament of the British Trident system at Faslane on 11th August unless there was a clear commitment from the UK Government to undertake the disarmament itself; pointed out the legal implications of the Nuremburg Principles and asked him not to collude further with systems of mass destruction; asked for a meeting.

Date: 6/7/98

From: J.R.M.Harbour, Commander Royal Navy, Sec.FOSNNI.

To: Mr. Mackenzie.

Contents: The contents of the letter of 30/6/98 had been noted by FOSNNI and been forwarded to the appropriate MOD Department for answering.

10

11

Date: 6/7/98

From: Brian Quail (on behalf of TP2000)

To: All SNP MP's

Contents: After outlining TP2000 and enclosing the Open Letter to Tony Blair, asked for their views on the matter.

9

Date: 1/7/98

From: Angie Zelter (on behalf of Trident Ploughshares 2000)

To: All Heads of State, Foreign Ministers and Defence Ministers of all 16 NATO countries

Contents: Headed as "Illegality of Nuclear Weapons, Global Citizen's Response with TP2000 and a request to all NATO Heads of State and Ministers to Stop Nuclear Crime" the letter encloses a copy of the 18th March Open Letter to Tony Blair; a meeting was denied; "have been

12

Date: 9/7/98

From: Woodwoses affinity group of Trident Ploughshares 2000

To: Rt.Hon. John Morris, Q.C., M.P., Attorney General

Contents: TP2000 wrote on 18th March 1998 to the Prime Minister Tony Blair... amongst others. We outlined the reasons for the necessity of immediately disarming and decommissioning all British weapons of mass destruction. These facts present you, as senior law officers, with a simple

choice. You are compelled either to take the view that the signatories to the Ploughshares Pledge are involved in a conspiracy to break the law without justification, or that HMG is in breach of international and humanitarian law.

13

Date: 15/7/98

From: P. Hofman, Auswartiges Amt, Bonn

To: Ms Zelter

Contents: Thanks for the letter of 1/7/98 to Dr. Klaus Kinkel; the German Government has long promoted continuous nuclear reduction but that "existing international instruments and fora should be used to pursue this objective" most important of which is the ratification of START II and the Cut-off for fissile materials for weapons productions.

14

Date: 1/8/98

From: Morag Balfour, Sylvia Boyes, David Mackenzie, Ellen Moxley, Brian Quail, Ian Thomson, Rachel Wenham, Helen Steven and Angie Zelter (Core Group of TP2000 at that time).

To: Tony Blair, P.M., U.K.

Contents: This letter was headed "Final Appeal before the August 11th Disarmament Actions at Faslane and Coulport" stating that we still hoped to receive a detailed reply to our 18th March letter; the Strategic Defence Review did not indicate sufficient and genuine progress towards nuclear disarmament and therefore we would not be halting our direct disarmament actions; no currently deployed nuclear weapon on Trident could possibly be used without substantially breaching international law; passing on the names of 97 global citizens pledged to disarm the British Trident system and that any damage they would do would be legally justifiable, totally proportionate and done in our own self-defence, as a matter of last resort.

15

Date: 5/8/98

From: Simon Gillespie, Commander Royal Navy, Military Assistant, Minister of State for the Armed Forces.

To: Ms. Zelter.

Contents: Thanks for the letter of 19/5/98 to George Robertson; stating that the Government is committed to the global elimination of nuclear weapons but does not believe in setting arbitrary dates; while large nuclear arsenals and risks of proliferation remain the UK's minimum deterrent would remain; that "Trident Ploughshares has stated publicly, and on a number of occasions, intentions to commit criminal acts" and that until TP2000 "is prepared to confine itself to legitimate methods of protest and not encourage military personnel to refuse their legitimate duties, it will not be possible to arrange the meeting".

16

Date: 7/8/98

From: Stephen Willmer, Assistant Director, Proliferation and Arms Control Secretariat, Ministry of Defence.

To: Mr. Mackenzie.

Contents: Thanks for letter of 30/6/98 to Rear Admiral Gregory; stating that the "direct encouragement of service personnel to refuse to carry out their legal duties" is "totally unacceptable" and that the UK's entirely defensive deterrent posture is "consistent with international law" and "there is no question of those personnel engaged in its support or operation acting illegally under the Nuremburg Principles"; mentioned the START process, the convention banning the production of fissile material, the ratification of the CNTBT as progress in arms control; the retention of British nuclear weapons is a "necessary element of our security" and in any case the UK's nuclear forces are now "maintained at a reduced readiness" and "all the Trident missiles are detargeted".

17

Date: 10/8/98

From: Mrs. Janice Richards, Assistant Private Secretary at 10 Downing Street.

To: Ms. Zelter.

Contents: Brief thank-you for letter of 1/8/98 and saying a reply would be sent soon.

18

Date: 17/8/98

From: A.Burton, Security Policy Department, Foreign and Commonwealth Office.

To: Ms. Zelter.

Contents: Thank-you for letter of 19/5/98; citing the Strategic Defence Review measures for progress on arms control it states that the Government does not agree with "setting arbitrary deadlines for the elimination of nuclear weapons"; re-iterates what previous letters have stated about the criminal activity of TP2000 being totally unacceptable and that "unless Trident Ploughshares 2000 is prepared to confine itself to legitimate methods of protest... it will not be possible to arrange the meeting".

19

Date: 24/8/98

From: Arthur C. Eggleton, Minister of National Defence, Ottawa, Canada.

To: Ms. Zelter.

Contents: Thanks for letter of 1/8/98 saying would not be appropriate to comment on specific elements of British defence policy but that "Canada views Britain as a valued and trusted NATO ally"; that "NATO has radically reduced its reliance on nuclear forces. Its role is political, that is, to preserve peace and prevent conflict of any kind"; "Alliance nuclear forces make an

important contribution to overall deterrence and the stability of the Euro-Atlantic region”; “as a non-nuclear weapons state, Canada is a strong supporter of nuclear non-proliferation and disarmament efforts”; “Canada welcomed the Court’s reaffirmation of support for Article Six of the Non-Proliferation Treaty”; strongly condemned the Indian and Pakistani nuclear tests; his schedule precluded a meeting but hoped his letter had been helpful in response to our concerns.

20

Date: 1/9/98

From: Theodoros Pangalos, Minister for Foreign Affairs, Athens, Greece

To: Ms. Zelter.

Contents: Thanks for letter; “Greece has always supported gradual disarmament of nuclear weapons”; “we believe that every effort should be undertaken to decrease the production and eliminate the proliferation of weapons of mass destruction”; “We, therefore, hope that a global understanding on nuclear disarmament will be reached soon”.

21

Date: 4/9/98

From: Fiona J.Hope, Assistant Private Secretary, Minister of State for the Armed Forces.

To: Ms. Zelter.

Contents: Thanks for the letter of 1/8/98 to the P.M. and passed on by him; stating that cannot add to the reply by Cdr Simon Gillespie; the Government is confident that Trident is not illegal, is committed to “the goal of the global elimination of nuclear weapons”, is working to that end but meanwhile needs to retain Trident as “a necessary element of British security”.

22

Included in full overleaf.

Date: 1/11/98

From: Morag Balfour, Sylvia Boyes, Clare Fearnley, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, Ian Thomson, Rachel Wenham and Angie Zelter (Core Group of TP2000 at that time).

To: Tony Blair, P.M., U.K.

Contents: Letter asking for a concrete example of how a 100 kiloton nuclear weapon could be used lawfully; asks for assurance that Yulyamy is not on the target list; asking for a full legal audit of Trident; stating that it’s not us but the UK that has “stated publicly, and on a number of occasions, intentions to commit criminal acts”; restating that it is the UK Government that are being misleading on international law and that service personnel must never obey or carry out unlawful orders; requesting a face to face meeting; enclosing current list of pledgers.

23

Date: 14/11/98

From: Mrs. Janice Richards, Assistant Private Secretary to 10 Downing St.

To: Ms. Zelter.

Contents: Letter saying a reply to the 1/11/98 letter would be sent as soon as possible.

24

Date: 11/2/99

From: Morag Balfour, Sylvia Boyes, Clare Fearnley, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, Rachel Wenham and Angie Zelter (Core Group of TP2000 at that time).

To: Tony Blair, P.M., U.K.

Contents: Letter headed “No substantive reply to our concerns on the illegality and immorality of threatening mass murder”. Asked for the promised reply to our 1st November letter; mentioned the 1st February Vengeance disarmament action saying such easy access highlights once again that “nuclear weapons are not really about defending British people from attack but are increasingly dangerous, anachronistic status symbols”; sent current list of 111 Pledgers.

25

Date: 19/2/99

From: Mrs. Janice Richards, Assistant Private Secretary at 10 Downing Street.

To: Ms. Zelter.

Contents: Thank-you for letter of 11th February, apologies for us not receiving reply yet and assuring us of reply shortly.

26

Date: 23/3/99

From: Morag Balfour, Sylvia Boyes, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, Ian Thomson, Rachel Wenham, and Angie Zelter.

To: Tony Blair, P.M.

Contents: The 2nd published Open Letter to the Prime Minister and copied to Queen, Foreign Secretary, Defence Secretary, Attorney General, Lord Advocate, Chief of Naval Staff and all Captains of Trident submarines. Letter requests that the Government take over our disarmament work and decommission all British nuclear weapons. Summarises the work of TP2000 to date and the major questions that still remain unanswered by the Government and which TP2000 still await a reasoned response to.

Prime Minister,
 Tony Blair MP
 10 Downing St,
 London,
 SW1A 2AA

1/11/98

Dear Tony Blair,

Thank-you for your reply of 4/9/98, referring to the letter of 5/8/98 from Cdr Simon Gillespie. There are several new points that have come up in these replies that we would like to address.

1. The Government may be confident that Trident is not illegal but we believe that confidence is misplaced. If Trident is not illegal then why can the Government not furnish us with even one detailed example of how and where and when a 100 kiloton nuclear warhead could be used lawfully? **We await an example.**

We have not been assured that a full legal audit has been done on the many targets that are held ready for insertion into the computers that control and guide your Trident missiles. The International Court of Justice concluded its Advisory Opinion on the legal status of nuclear weapons by stating that even in an extreme case of a nation's survival, the use of nuclear weapons would have to comply with international humanitarian law. Thus, any use of a weapon which would inevitably cause widespread civilian casualties would fail to pass this test.

One probable target is Yulyamy, a town in Northern Russia, close to the border with Norway. It has a population of over 28,000 and it is close to several Russian Navy shipyards which are used to repair nuclear powered submarines. A Trident warhead exploding in the air above the shipyard would create a fireball 870 metres across. The town would be completely flattened. Around 90% of the population would be killed by a combination of radiation, extreme heat and collapsing buildings. The death toll would probably include around 7000 children. The explosion would destroy schools, hospitals and churches - as at Hiroshima and Nagasaki. The few survivors would all be seriously injured. Even 4.5 km from the explosion, anyone in the open would suffer from third degree burns. There would be extensive blast damage and hundreds of casualties in the town of Severomorsk, 10 km away. All this is to say nothing of the extensive secondary radiation which would effect the inhabitants of Norway. On any interpretation of international law it is perplexing to see how this could be legal. **Can you assure us that Yulyamy, or any similar places are not on your target lists?**

What is needed is a full legal audit of Trident whereby the Law Officers consider details of the current nuclear weapons themselves, their targets, and their likely effects on civilian populations, as well as their long-term environmental effects. These should then be matched with the restrictions imposed by international law. This audit should then be subjected to open public debate, both inside and outside Parliament. **Will you institute such a legal audit of Trident?**

2. You say that you are "*committed to the goal of the global elimination of nuclear weapons*" but that in the "*current security environment the Government has concluded that the minimum nuclear deterrent remains a necessary element of British security*".

In the Strategic Defence Review, the Government stated "*The end of the Cold War has transformed our security environment. The world does not live in the shadow of World War. There is no longer a direct threat to Western Europe or the United Kingdom as we used to know it, and we face no significant threat to any of our Overseas Territories*". As the survival of the UK is not presently under threat, the present threat by the UK to use nuclear weapons, represented by its deployment of Trident, is unlawful. If the Government were to counter this by arguing that a direct threat to British survival might re-emerge at some future date, it would be in effect arguing that it could never agree to eliminate its nuclear weapons - a clear violation of its NPT undertakings.

3. "*The Government does not believe that setting arbitrary deadlines for the elimination of nuclear weapons without reference to the broader security environment represents a realistic or practical approach.*" However, in our opinion it is eminently realistic and practical to set deadlines of some kind other wise we may have to wait forever. The failure of the NPT, after so many decades, to complete global disarmament, is a prime example of the problems associated with not setting deadlines. If you consider our deadline as arbitrary then please come up with your own but at least make some real and practical commitment.

4. Cdr Gillespie states that "*Trident Ploughshares has stated publicly, and on a number of occasions, intentions to commit criminal acts*". We totally refute that we are engaged in any criminal acts whatsoever.

We are merely trying to uphold international law and prevent the Government from continuing to engage in what we believe are criminal acts on a massive scale. Customary international law has evolved over centuries to protect neutral countries, innocent bystanders, and the environment from the worst excesses of war. These laws were the basic legal premises used to condemn those Nazis responsible for the holocaust. These laws are now being applied at the War Crimes Tribunals in the Hague where leaders and officials implicated in the atrocities in Rwanda and the former Yugoslavia are being prosecuted. The **British Government** is right to condemn those who violate these basic norms and standards of humane behaviour, but **it has still to accept its own culpability** under them and to apply these same norms and standards to its deployment of weapons capable of annihilating millions of people and destroying entire eco-systems.

5. It has been stated in several communications from the Government that it is “*totally unacceptable*” to directly encourage “*service personnel to refuse to carry out their legal duties*”. This is to miss the point that service personnel are being misled as to the law and that they are being given unlawful orders, the effect of which makes them complicit in major and extremely serious breaches of customary international law. It is our duty as responsible global citizens to inform them of the Nuremburg Principles and of customary international law and to remind them that they must never obey unlawful orders.

In our view it is the UK Government which “*has stated publicly, and on a number of occasions, intentions to commit criminal acts*”. However, our perception that the Government is involved in criminal activities does not inhibit us from seeking a face to face meeting so as to continue our dialogue more effectively. Whatever our differing interpretations of international law, ethics, and defence, it is surely more constructive and in tune with the open government ethos you have personally espoused, to begin to talk. **We therefore repeat our request for a face to face meeting.**

In the meantime, in line with our open and accountable methods, we would like to inform you that our second ‘open’ stage of TP2000 disarmament work will proceed from 9th -16th November at Faslane and Coulport. We have enclosed a current list of all TP2000 Pledgers.

Yours in peace and love,

Morag Balfour, Sylvia Boyes, Clare Fearnley, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, Ian Thomson, Rachel Wenham, and Angie Zelter.

27

Date: 24/3/99

From: Commander S.M.Gillespie.

To: Ms. Zelter.

Contents: Thanks for letters of 1st November 1998 and 2nd February 1999 to the P.M. Same response about the Government maintaining that the use of nuclear weapons would be subject to the requirements of international law without explaining how they could ever be used lawfully. Said “Legal advice would be available to Ministers if circumstances were extreme enough for the Government ever to have to consider the use of nuclear weapons to defend the UK from attack” without explaining how this could be done in the heat of battle with just minutes to make decisions. States that there was “no question of any compromise of the security of nuclear weapons” when the Aldermaston Women Trash Trident Group boarded Vengeance! And explains once again why they will not meet with us. This letter once again refuses to answer our substantive questions.

28

Date: 14/5/99

From: Morag Balfour, Sylvia Boyes, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, Ian Thomson, Rachel Wenham, and Angie Zelter.

To: Tony Blair.

Contents: Thanks for reply to 1st November and 2nd February and asking for substantive reply to the 2nd Open Letter of 23rd March that had not yet been acknowledged.

29

Date: 9/7/99

From: Philip Barton, Private Secretary at 10 Downing street.

To: Ms. Zelter.

Contents: Thanks for letter of 14/5/99 with copy of the Open Letter of 23/3/99. Said how committed the Government is “to global elimination of nuclear weapons” and that when it is satisfied with verified progress towards this it will ensure that British nuclear weapons are included in negotiations. Stated that “The Government is confident that the United Kingdom’s defensive deterrent posture is consistent with international law”. Comments on security of submarines and how Aldermaston Women were “readily apprehended and safely conducted from the scene”. Cannot meet with Trident Ploughshares until it is “prepared to confine itself to legitimate and peaceful means of protest”.

30

Date: 31/8/99

From: Angie Zelter, Sylvia Boyes, Brian Quail, David Mackenzie, Ian Thomson, Joy Mitchell, Jane Tallents, Rachel Wenham.

To: Tony Blair, P.M., UK.

Contents: Thanks for reply from Philip Barton of 9/7/99 but concern again at unwillingness to answer the substantive arguments we have put. Stressed again that "British nuclear plans are unlawful" and that they could be doing much more "to help advance the process of disarmament". Stated our belief that "we bear individual responsibility for preventing our government from carrying out policies that conflict with our international legal obligations". Outlined a number of practical steps that Britain can take towards compliance with the NPT including making "a legally binding commitment not to increase or modernise its nuclear forces" and "to take all nuclear forces off alert" and to pledge "not to use nuclear weapons first under any circumstances". The letter then continued with a critique of the government's thinking as presented by Sir Nicholas Lyell and enclosed a paper by General Lee Butler. Reiterated that "we remain convinced that our means of protest are both peaceful and legitimate". Enclosed a list of the current 143 Pledgers.

31

Date: 10/11/99

From: Mr. D. M. Williams, Correspondence Secretary at 10 Downing St.

To: Mr. Mackenzie.

Contents: Thanks for the recent letter and saying it had been forwarded to the Ministry of Defence for reply.

32

Date: 12/11/99

From: Angie Zelter on behalf of TP2000.

To: Rear Admiral Gregory, Commander of the Clyde Naval Bases of Coulpport and Faslane, FOSSNI.

Contents: Statement of our concern about ongoing criminal activities at Faslane and Coulpport and his responsibility for putting his "personnel in an unenviable position by inciting them to engage in criminal and immoral activities". Enclosed a new leaflet we had produced and asked for their reaction to it and what they would be doing to stop nuclear crime preparations.

33

Date: 15/11/99

From: Commander N.P.B. Morton, Secretary to FOSSNI.

To: Angie Zelter.

Contents: Thanks for letter of 12/11/99 which has been passed on to the MOD in London for consideration.

34

Date: 16/11/99

From: Ian Thomson, Jane Tallents, Sylvia Boyes, Rachel Wenham, Marilyn Croser, Maggie Charnley, Kathryn Amos, Helen Harris, Morag Balfour, Joy Mitchell, David Mackenzie, Angie Zelter, and Brian Quail.

To: Tony Blair, P.M., UK.

Contents: Thanks for acknowledgement of our letter of 31/8/99 and looking forward to a reply. Enclosed copy of the Greenock ruling and drew attention to parts of it. Requested a meeting to share "our concern about the continual imminent threat from Trident and our conviction of its illegality under international humanitarian law". Saying "we will continue our campaign of direct action" and we will seek "ways to advise military personnel and civilians involved in the Trident system that they are engaging in unlawful activity and as such will be accountable".

35

Date: 19/01/00

From: Stephen Willmer, Assistant Director, Proliferation and Arms Control Secretariat, MOD, Whitehall, London

To: David Mackenzie.

Contents: Thank you for Trident Ploughshares' letters to the Prime Minister of 31 August and 16 November last year on nuclear disarmament and the legality of Trident. There is little more that I can add to the several letters Trident Ploughshares has already received on these subjects. The Government is aware of Sheriff Gimblett's judgement at Greenock court last October. The Government remains confident that the United Kingdom's minimum nuclear deterrent is consistent with international law.

36

Date: 11/02/00

From: Kathryn Amos, Morag Balfour, Sylvia Boyes, Maggie Charnley, Marilyn Croser, Helen Harris, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, Rachel Wenham, and Angie Zelter.

To: Tony Blair, P.M., UK.

Contents: Thank-you for your reply of 19/1/00 to our letters of 31/8/99 and 16/11/99. We are extremely concerned that you feel unable to add anything substantive to explain rationally **why** the "Government remains confident that the United Kingdom's minimum nuclear deterrent is consistent with international law". An answer to this question does not require "speculating about hypothetical circumstances".

37

Date: 2/03/00

From: Stephen Willmer, Assistant Director, Proliferation and Arms Control Secretariat, MOD, Whitehall, London

To: Ms. Zelter,

Contents: Thank you for your further letter to the Prime Minister of 11 February, concerning the legality of Trident. As you are aware, the Government is confident that the United Kingdom's minimum nuclear deterrent is consistent with international law.

38

Included in full overleaf.

Date: 10/05/00

From: Kathryn Amos, Morag Balfour, Sylvia Boyes, Maggie Charnley, Alison Crane, Marilyn Croser, Helen Harris, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, and Angie Zelter.

To: Tony Blair

Contents: We find ourselves frustrated by your unwillingness to answer, in any meaningful way, the core question that we have been putting to you and your Government since our first Open Letter to you on 18 March 1998 - Given the likely consequences of any use of a 100 kiloton nuclear weapon, under what circumstances could it ever be used lawfully even in an extreme circumstance of self-defence?

39

Date: 17/06/00

From: John Spellar MP, Minister of State for the Armed Forces

To: Tony Benn MP,

Contents: Thank you for your letter of 18 May to the Lord Chancellor. I am afraid there is nothing more that I can add to the many letters that you... have already received on these subjects.

40

Included in full on page 40.

Date: 3/07/00

From: Alan Hughes, Directorate of Nuclear Policy, Ministry of Defence.

To: Ms Zelter,

Contents: Thank you for your letter of 10 May to the Prime Minister. You infer that the Government's refusal to reveal any conceptual planning on potential use of nuclear weapons is as a result of a weakness in the legality arguments supporting our nuclear weapons policy. This is not true. Maintaining a degree of uncertainty about our precise capabilities is a key element of a credible minimum deterrent.

John Ryan



"That's all very well Mr Bush, sr, but have you considered the implications for the defence industry?"

Prime Minister,
Tony Blair MP
10 Downing St,
London,
SW1A 2AA

10/05/00

Ref: Strengthening the Rule of International Law.

Dear Tony Blair,

We write once again to you as the Head of the UK Government to remind you that you have the prime responsibility for the stated readiness to use the 100 kiloton nuclear warheads that are presently deployed on the Trident system. We thank you for your reply, through Stephen Willmer of the Ministry of Defence, dated 2 March 2000.

Once again however, we find ourselves frustrated by your unwillingness to answer, in any meaningful way, the core question that we have been putting to you and your Government since our first Open Letter to you on 18 March 1998. In simple language this is:- Given the likely consequences of any use of a 100 kiloton nuclear weapon, under what circumstances could it ever be used lawfully even in an extreme circumstance of self-defence?

You state that *"The threshold for legitimate use of nuclear weapons clearly is, and should be, a very high one"*, but you refuse to define what this threshold is. You state that a determination of *"the legality of the use of nuclear weapons ... would take into account the consequences of use of a particular nuclear weapon at a specific time and place"*, but say, *"there is no useful benefit to be gained from hypothetical speculation on where precisely the dividing line would lie"*.

It is incumbent on the government to explain how a weapon with a yield of approximately 100 kilotons could be used without breaking one of the cardinal principles of international humanitarian law. In the absence of such an explanation one must assume that it would be *"incapable of distinguishing between civilian and military targets"* [Para 78 of the ICJ Advisory Opinion]. It is in the nature of any event in the hypothetical future that its timing and location cannot be forecast. However, there is a strong presumption that any foreseeable use of Trident would be unlawful.

We accept Government assurances that the warheads are no longer targeted, but would point out that they can be re-targeted at short notice. We are therefore not talking in a vacuum but about your present contingency plans for the use of Trident. Publicly available information makes it quite clear that many of these targets are likely to be in, or close to, population centres.

For instance, it is understood that British targeting doctrine is harmonised with that of NATO and the United States. United States documents available under Freedom of Information have identified the likely targets for nuclear strikes as being:-

- "WMD and their delivery systems, as well as associated command and control, production, and logistical support units
- Ground combat units and their associated command and control and support units
- Air defence facilities and support installations
- Naval installations, combat vessels, and associated support facilities and command and control capabilities
- Nonstate actors (facilities and operations centres) that possess WMD
- Underground facilities." [US Department of the Army, Department of the Navy, Department of the Air Force, 'Doctrine for Joint Theater Nuclear Operations', Joint Pub 3-12.1, 9 February 1996].

Similarly, US Doctrine for Joint Nuclear Operations states that :-

"several strategies or factors must be considered in planning joint nuclear operations:

- Countervalue Targeting... the destruction or neutralization of selected enemy military and military-related activities, such as industries, resources, and/or institutions that contribute to the enemy's ability to wage war...
- Counterforce Targeting... typical counterforce targets include bomber bases, ballistic missile submarine bases, ICBM [Intercontinental Ballistic Missile] silos, antiballistic and air defense installations, C2 [command and control] centers, and WMD storage facilities..." [US Department of the Army, Department of the Navy, Department of the Air Force, 'Doctrine for Joint Theater Nuclear Operations', Joint Pub 3-12, 18 December 1995].

Most of us know where such military targets are. Many are close to or inside major population centres. This would make the use of Trident “*scarcely reconcilable*” with the “*principles and rules of law applicable in armed conflict*” [Para 95 of the ICJ Advisory Opinion].

When you say that “*secrecy in this area plays an important part in enabling the United Kingdom to maintain a credible minimum deterrent at the lowest possible level*” we have to presume that this secrecy includes secrecy about the Government’s legal assessment of its nuclear weapons policy. If the Government’s assessment of the legality of its nuclear contingency plans is a secret, it then follows that just such an assessment has been made, contradicting your claim that “*there is no useful benefit to be gained from hypothetical speculation on where precisely the dividing line would lie*”. While it may be valid to keep the detail of battle plans a secret the legality of nuclear policy concerns us all and should be open to public examination and debate. This is especially true for military personnel who would be involved in any violation of the law caused by the use of a Trident warhead.

The Government’s continuing refusal to clarify its legal justification for the use of Trident gives the impression that it would in some conditions be willing to use them, *even if this means breaking international law*.

It cannot be expected that in the heat and pressure of a war detailed legal scrutiny will take place and strict adherence to international law be observed if there has not already been a thorough examination of these issues in a time of peace. The awkward questions must be answered now, otherwise one of the basic checks on ensuring lawful actions would have been removed. Responsible global citizens are questioning at this very moment the government’s claim that its nuclear policy can be reconciled with the law. In the interests of peace and the international legal order we deserve answers. Secrecy may be seen as essential for nuclear deterrence but it undermines the rule of international law, long-term stability in the world and prospects for global nuclear disarmament.

It may be useful to remind you of the words of General Lee Butler. As Commander of Strategic Nuclear Forces in the US he was allowed full access to the war plan and was shocked to see “*it was defined by 12,500 targets in the former Warsaw Pact*”. On examining each of these targets individually, he said that the war plan was the “*most absurd and irresponsible document*” he had ever reviewed and realised that “*we escaped the Cold War without a nuclear holocaust*” mainly by chance. It had taken him 30 years to understand the true magnitude and implications of the US targeting plans and he concluded that he “*had the responsibility to be at the forefront of the effort to begin to close the nuclear age*”. [General Lee Butler’s Address to the Canadian Network Against nuclear Weapons on 3/11/99].

We need to know that our Commanders in the UK are also given the opportunity, out of the heat of battle, to examine in detail all of the UK targets and the various war scenarios and plans, and to know that this is done in the light of the intransgressible cardinal principles of international humanitarian law.

Again you say that you are not prepared to meet us. This is not a very productive response. Diplomacy is a very important part of conflict resolution and regardless of the starting positions of the parties it is always productive to talk. This is true on the domestic as well as the international level. We notice that you are willing to negotiate with self-confessedly violent groups for the sake of peace in Northern Ireland. Refusing to meet peaceful nuclear disarmers, who present a threat to nobody, could all too easily be interpreted as a reward for those willing to use bloodshed to achieve their ends.

One reason for not engaging in direct talks may be that you feel you are on very weak legal and moral ground or that you are not prepared to change your policies even if they are illegal. This suspicion is augmented by the fact that the Government refuses to discuss the issue even with those with the highest credentials and who are totally unconnected with direct action. In the summer of 1999 George Robertson, then Minister of Defence, declined to meet a delegation containing MPs and lawyers, including Lord Murray, a former Lord Advocate of Scotland, on the grounds that he could see no useful purpose in it. But regardless of your real reasons for not wishing to engage in any face to face discussions with us we continue to assure you of our willingness to meet and urge you to agree to talk directly to us.

During this most important time of the Sixth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons we would point out that after 30 years it is time for the UK to fulfil its promise to the world community and to engage in meaningful nuclear disarmament. Meanwhile, we will be at Aldermaston - the heart of the UK nuclear weapon establishment - engaging in people’s disarmament in our usual open, accountable, safe and nonviolent manner. We have enclosed a list of the current 161 global citizens who have Pledged to Prevent Nuclear Crime.

In peace and love,

Kathryn Amos, Morag Balfour, Sylvia Boyes, Maggie Charnley, Alison Crane, Marilyn Croser, Helen Harris, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, and Angie Zelter.

41

Date: 31/07/00

From: Kathryn Amos, Morag Balfour, Sylvia Boyes, Maggie Charnley, Alison Crane, Helen Harris, David Mackenzie, Joy Mitchell, Brian Quail, Jane Tallents, Angie Zelter

To: Tony Blair

Contents: As usual, just before our three monthly open disarmament camps, we are writing with an enclosed list of the names of the current TP Pledgers. We would like to congratulate your government on having played a constructive role at the recent Review Conference of the Nuclear Non-Proliferation Treaty (NPT) in New York, April 24 - May 20. It is not enough for Britain to play a constructive role in developing diplomatic language on nuclear disarmament. We expect our government to lead by practical example. We would appreciate a substantive reply to the important and serious questions that we have put to you.

42

Included in full opposite.

Date: 28/09/00

From: Stephen Willmer, Assistant Director, Proliferation and Arms Control Secretariat, MOD, Whitehall, London

To: Angie Zelter

Contents: Thank you and reply to letter of 31 July. Fairly long letter covering several areas including the United Kingdom's non-proliferation obligations and the 2000 NPT Review Conference. Mentions the UK's nuclear doctrine, delivery systems and fissile material, and its sub-strategic use of nuclear weapons.

Directorate of Nuclear Policy, Room 7136
Ministry of Defence,
Main Building, Whitehall, London, SW1A 2HB

3/07/00

Dear Ms Zelter,

Thank you for your recent letter to the Prime Minister of 10th May, about the Government's policy on nuclear weapons. I have been asked to reply.

I must first apologise for the delay in writing to you direct. This was due to an administrative error within the MOD.

The Minister of State for the Armed Forces (Mr Spellar) has, however, recently replied to Tony Benn MP who had forwarded a copy of your letter to the Lord Chancellor. I hope you will now be aware of what he has said. If so, you will know that there is little we can add to Stephen Willmer's letter to you of 2nd March. As he stated, the threshold for use of nuclear weapons clearly is very high. However, it is the Government's position that there is no useful benefit to be gained from hypothetical speculation on precisely where this threshold may lie. It is only possible to determine the legality of any specific use of nuclear weapons in the light of all the circumstances prevailing at the time that use is being considered. An action that is legal in one set of circumstances might be illegal in another. The Government has made clear many times, that we are confident that the UK's minimum nuclear deterrent is consistent with international law.

You infer that the Government's refusal to reveal any conceptual planning on potential use of nuclear weapons is as a result of a weakness in the legality arguments supporting our nuclear weapons policy. This is not true. Maintaining a degree of uncertainty about our precise capabilities is a key element of a credible minimum deterrent. It is precisely to retain this degree of uncertainty and so sustain our minimum deterrent that secrecy must be maintained in this area.

Once again please accept my apologies for the delay in responding to your letter.

Alan Hughes.

Assistant Director, Proliferation and Arms Control Secretariat
MINISTRY OF DEFENCE
Room 9152, Main Building, Whitehall, London, SW1A 2HB

28/09/00

Dear Ms. Zelter,

Thank you for your letter of 31 July to the Prime Minister about nuclear disarmament. It has been passed to the Secretary of State for Defence and I have been asked to reply. You asked a range of questions on the Government's nuclear policy and the outcome of the 2000 Nuclear Non-Proliferation Treaty (NPT) Review Conference. I will try to deal with your points in the order you raised them.

On Nuclear Weapons. Every State is responsible for determining its own national security requirements, and whether or not this requires a nuclear capability. The Government recognises the right of every State to make this determination for itself. It also, however, reserves the right to take account of such decisions in determining the United Kingdom's defence, foreign and security policy, taking into account the United Kingdom's own obligation under Article I of the NPT not to assist any non-nuclear-weapon State or any State not party to the NPT in developing, acquiring or maintaining such a capability. The Government welcomes the fact that under the NPT 182 States have, for whatever their various national reasons, voluntarily undertaken a legally binding commitment as non-nuclear-weapon States under the Treaty, not to seek to acquire nuclear weapons. Where a State has undertaken such a commitment, the Government expects it to be kept. It fully supports the worldwide work of the International Atomic Energy Agency (IAEA), and the specific work of UNSCOM/UNMOVIC in Iraq, towards this end. The Government is working to create the conditions necessary to achieve the global elimination of nuclear weapons mandated by the NPT. In that spirit, with the other 186 States Parties to the NPT, it is working to persuade the four States remaining outside the Treaty (Cuba, India, Israel and Pakistan) to accede to it as non-nuclear-weapon States. The Government does not believe that their security, or international security and stability more generally, are enhanced by their keeping a nuclear option open. The Government does not deny their right to do so under international law. It rather seeks to persuade them that their interests would be better served other-wise while observing the United Kingdom's own obligations under international law.

You seem to have misunderstood the purpose of potential sub-strategic use of nuclear weapons. If they were ever to be used by the United Kingdom it would be precisely to achieve a strategic effect: in an extreme circumstance of self-defence to persuade an aggressor to cease his aggression by sending a limited but unambiguous political signal that he had miscalculated the resolve of the United Kingdom to defend itself and its Allies. The Government does not believe that for as long as the United Kingdom possesses nuclear weapons it would be reasonable or responsible to leave itself with no way to send such a signal in such circumstances other than by firing all the nuclear weapons at its disposal. That said, as you know, the Government believes the circumstances in which the use of nuclear weapons might be considered by the United Kingdom are now extremely remote.

On Nuclear Doctrines. The Government supports the establishment of regional nuclear-weapon-free zones endorsed by all States of the region concerned. The United Kingdom has long given assurances to non-nuclear-weapon States party to the NPT compliant with their non-proliferation obligations under that Treaty that it will not use nuclear weapons against them except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces, its Allies, or on a State towards which it has a security commitment, carried out or sustained in alliance or association with a Nuclear Weapon State. The United Kingdom extends this same assurance in Treaty form to members of regional nuclear-weapon-free zones through its signature and ratification of the relevant protocols to the Treaties establishing these zones. As a Nuclear Weapon State under the NPT and as a Permanent Member of the United Nations Security Council the United Kingdom has also given an assurance, in common with the other Permanent Members, that if a non-nuclear-weapon state were threatened or attacked with nuclear weapons, the United Kingdom would immediately seek Security Council action to provide assistance. It is therefore hard to see how the existence of the United Kingdom's nuclear deterrent threatens the security of a State party to a regional nuclear-weapon-free zone compliant with its obligations under such a Treaty and not planning aggression against the United Kingdom or its Allies.

On Delivery Vehicles. The Government, along with much of the international community, agrees that more international attention now needs to be given to ballistic missile proliferation. A wide range of proposals have been put forward for examination in a number of fora, including among the members of the Missile Technology Control Regime. International consideration of this issue is at an early stage, and no clear and generally agreed way forward has so far been identified. But I can assure you that this question is not being ignored.

On Fissile Materials. It is not for the Government to determine other States' requirements for fissile material for peaceful purposes. Many States across the world continue to attach considerable importance to this right, both in principle and in practice. It is an integral part of the NPT, subject to the application of safeguards by the International Atomic Energy Agency. The United Kingdom no longer manufactures fissile material for explosive purposes; all reprocessing and enrichment facilities in the United Kingdom are under EURATOM safeguards, and are liable to inspection by the IAEA. The Government continues to press for negotiation of a Fissile Material Cut-Off Treaty (FMCT) to end verifiably worldwide the production of fissile material for use in nuclear weapons, in accordance with the mandate that was agreed in 1995. It is disappointed that substantive negotiations on this have not yet started. By ensuring that no more material is produced for nuclear weapons and establishing the necessary verification provisions, such a Treaty will take a significant and essential step towards achieving the global elimination of nuclear weapons. Irreversible progress towards nuclear disarmament will also require addressing existing stockpiles of fissile materials held outside international safeguards. However, the Government believes that seeking to include this issue within FMCT negotiations would further delay the opening of these negotiations and significantly reduce the likelihood of their reaching a successful conclusion. Moreover, existing stocks of fissile material are already being addressed in other contexts, for example in the US/Russia/IAEA Trilateral Initiative, through G8 work on disposition of surplus Russian plutonium, and through national measures by individual states such as those undertaken in the United Kingdom in the Strategic Defence Review. The Government does not therefore support including existing stockpiles of fissile material in FMCT negotiations.

On the Infrastructure of Disarmament. The key international organisations engaged in implementation and oversight in this area are the International Atomic Energy Agency, and the Comprehensive Nuclear Test Ban Treaty (CTBT) Organisation. The Government has consistently supported provision of the resources necessary for these organisations to fulfil their mandates; the United Kingdom's contributions are fully paid up. In the United Kingdom the Ministry of Defence, the Foreign and Commonwealth Office, and the Department of Trade and Industry are all actively engaged in working to prevent nuclear proliferation and to take forward the process of nuclear disarmament. The Government is committed to providing the necessary national resources for this. For instance, it has set in hand work at the Atomic Weapons Establishment Aldermaston on the verification of reductions and elimination of nuclear weapons, and in this year's Comprehensive Spending Review has allocated some £84M over the next three years for nuclear safety and security in the former Soviet Union. The Government has already announced £70M over 10 years from this fund to help ensure the safe and irreversible disposition of Russian plutonium no longer required for nuclear weapons. This is an essential counterpart to the START process.

You raise a number of points in relation to several of the steps contained in the agreed Final Document of the 2000 NPT Review Conference. I would emphasise that the Final Document was negotiated and agreed as a package, and its various elements cannot be taken in isolation from each other. The Government is delighted with the successful outcome to the Review Conference. This has clearly reaffirmed the importance of the NPT as the cornerstone of global non-proliferation and disarmament efforts. The United Kingdom's delegation, headed by Mr Hain, Minister of State in the Foreign and Commonwealth Office, played an important and constructive role in the negotiations. The Government welcomes the fact that the Review Conference endorsed a series of measures, many of which reflect measures the United Kingdom has already undertaken in the Strategic Defence Review and since. Overall, the Review Conference's conclusions provide a useful framework for work over the years ahead, and the Government is working to translate the agreement into concrete international progress.

Following the Review Conference, the Government's priorities are for further US/Russian reductions through the START process, the early entry into force of the CTBT, and the early opening and successful completion of FMCT negotiations, as called for in the Final Document. The Government particularly welcome the Conference's recognition of the importance on working on verification issues. The United Kingdom's delegation to the Review Conference proposed this measure, building on the work underway at AWE Aldermaston. Credible and robust verification arrangements will be essential in achieving a world free of nuclear weapons, and developing solutions to the complex challenges these raise is likely to be a lengthy progress. This is an issue where the United Kingdom is well placed to play a leading role.

You ask what further reductions the Government now envisages in the United Kingdom's minimum nuclear deterrent. The Government has already made substantial unilateral reductions in the United Kingdom's nuclear arsenal. Following the Strategic Defence Review the United Kingdom now has significantly fewer nuclear weapons than any other Nuclear Weapon State, and Trident is operating at a reduced state of readiness. On a point of detail in your letter, the United Kingdom is procuring only 58 Trident D-5 missiles from the United States, not 200. It has fewer than 200 operationally available warheads. Other measures were considered in the Strategic Defence Review, but ruled out as creating new risks of escalation and instability that would undermine the stabilising role that our nuclear deterrent would otherwise play in a

developing crisis. This would clearly be inconsistent with promotion of international stability. The Government is fully committed to transparency about the United Kingdom's nuclear forces where consistent with the United Kingdom's non-proliferation obligations under Article 1 of the N-PT, and with national security requirements. The United Kingdom is significantly more transparent than several other Nuclear Weapon States. Again, on a point of detail in your letter, the transporting of warheads within the United Kingdom does not, as you suggest, endanger communities along the route. Nevertheless, as a matter of best practice the MoD does provide advance information on timing and routes to the local police.

The United Kingdom's deterrent requirements are determined in the light of the international strategic context, taking into account the promotion of international stability and based on the principle of undiminished security. In the current strategic context the Government does not envisage any early changes to the conclusions reached in the Strategic Defence Review. However, as it has made clear on many occasions, the Government is unequivocally committed to the global elimination of nuclear weapons, and is working to create the conditions in which no State judges that it needs nuclear weapons to preserve its security. At the NPT Review Conference this spring the United Kingdom's delegation put forward a well received food for thought paper on what will be entailed in pursuing systematic and progressive efforts to reduce and eliminate nuclear weapons globally. I attach a copy for your information.

You asked about the deployment of US tactical nuclear weapons in the United Kingdom or other European NATO Allies. The Alliance has already reduced the number of weapons available for its sub-strategic forces in Europe by over 85% in the last 10 years, and by almost 95% since the height of the Cold War. The number of storage sites has been reduced by about 80%. NATO's sub-strategic nuclear weapons in Europe are now numbered in the hundreds, compared to the several thousand such weapons possessed by Russia. The Government, and NATO collectively, have respectively made clear that nuclear weapons play a reduced role in the United Kingdom's and the Alliance's security policies, and that the likelihood of any use of nuclear weapons is now extremely remote. NATO's nuclear readiness is now measured in weeks rather than minutes. However, NATO continues to judge that its nuclear forces contribute to European security and stability by underscoring the irrationality of a major war in the Euro-Atlantic region. The presence of US nuclear forces based in Europe and committed to NATO provides an essential political and military link between the European and North American members of the Alliance. At the same time, the participation of non-nuclear countries in the Alliance nuclear posture demonstrates Alliance solidarity, the common commitment of its member countries to maintaining their security and the widespread sharing among them of burdens and risks. The Government fully supports NATO policy on the continuing requirement for a sub-strategic nuclear capability, as a crucial element of credible deterrence.

You also asked what the Government is doing to facilitate a change to NATO nuclear doctrine to preclude nuclear first use. NATO does not follow either a first-use or no-first-use policy. The Alliance does not determine in advance how it will react to aggression. It leaves this question open, to be decided as and when such a situation materialised. In so doing, Allies seek to ensure uncertainty in the mind of any aggressor about the nature of the Allies' response to aggression. The Government supports this policy and does not believe that it should be changed. Nor does the Government judge that a policy of no-first-use of nuclear weapons would in practice add to international confidence, or to the prospects for nuclear disarmament. In the extremely remote event that any State possessing nuclear weapons faced in practice such an extreme circumstance of self-defence as to make it consider the possible use of its nuclear weapons, it is unlikely that the judgement it reached would be determined by a prior no-first-use statement made only in theory and in very different security circumstances. As the NPT Review Conference Final Document itself therefore states, the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons. Pending achievement of that goal, the Government believes that working to develop further where possible the existing framework of security assurances and nuclear-weapon-free zones represents a more credible and effective way forward.

The Government has always made clear that when satisfied with verifiable progress towards the global elimination of nuclear weapons, it will ensure that the United Kingdom's nuclear weapons are included in multilateral negotiations. It therefore welcomes the agreement that as soon as appropriate all the Nuclear Weapon States will engage in the process leading to total elimination of nuclear weapons. However, the Government has made clear that considerable further reductions in US and Russian nuclear arsenals will need to take place before further reductions by the United Kingdom will be feasible. In the meantime the Government will work for continuing cooperation among the Nuclear Weapon States on nuclear non-proliferation and nuclear disarmament in the spirit of their joint statements to the 2000 NPT Review Conference and the meetings of its Preparatory Committee.

I hope this explains the position.

Yours sincerely,
Stephen Willmer.

3.3 Dialogue with the Police

1

Date: 20/06/00
From: David Mackenzie
To: John Orr, Chief Constable
 Copy to Inspector Stephen Gilligan "L" Division
Contents: Informed CC of upcoming blockade on 1st August. Explained legal imperative for TP action in terms of international law. Contained a brief description of the campaign. Acknowledged professional handling of action by Strathclyde Police but asked police not to arrest activists and to begin investigating the Trident criminal conspiracy.

2

Date: 24/06/00
From: "L" Divisional Commander Harry Bunch
To: David Mackenzie
Contents: Stated commitment of Strathclyde Police to act impartially in the sensitive balance between the right to protest and the right to carry on lawful business. Indicated he was not prepared to comment on our "interpretation of the law".

3

Date: 11/08/00
From: David Mackenzie
To: John Orr, Chief Constable
 Copy to Harry Bunch
Contents: Explained he was writing to John Orr since it was matter of force policy. Argues that Strathclyde Police are not acting impartially when they arrest activists and have conferred lawful status on the Trident activity. Restated "clear duty" of police to consider the matter of Trident's legality.

4

Date: 24/08/00
From: John Orr, Chief Constable
To: David Mackenzie
Contents: Referred to ICJ Opinion, the Helen John Appeal, The Gimblett judgement and the upcoming Lord Advocate's Reference hearing, describing it as an 'appeal'. Repeated police duty to act impartially and referred to the complaint lodged against the government at Dumbarton Police Office in 1998 by Trident Ploughshares. Stated Geneva Conventions did not apply to Strathclyde Police.

5

Date: 6/09/00
From: David Mackenzie
To: John Orr, Chief Constable
Contents: Stated that the challenge to Strathclyde was not about impartiality but about the need for them to observe and enforce the law. Explained the limitations of the Helen John judgment. Explained the application of principles of international law to Trident. Restated need for civil police to take their own counsel on the applicability of international law to activities within their patch. Pointed out applicability of the Geneva Conventions

3.4 "I Hope This is Helpful"

An examination of the statements, questions and answers made in Parliament and letters from Government Ministries.

The title is a wry reference to the way many letters from Government offices end. It often comes after a complete brush-off to our queries. On the other hand, the letters are oddly useful. They allow us to hoist the nuclear establishment with its own petard, bearing in mind that a petard is a delayed fuse to a barrel of gunpowder which ignites prematurely and that 'hoist' was originally a Dutch word meaning 'blow up'.

This analysis builds on Government replies to a relentless stream of letters from anti-nuclear activists, from Parliamentary Questions put by friendly MPs and from the Strategic Defence Review. It concentrates on the legality of Trident. The Government statements and letters tend to be very repetitive and so only a fraction of the material has been reproduced here. Similar information on other areas of interest such as the Protocols Additional to the Geneva Convention, the UK's record in Nuclear Weapons Negotiations, and its policy on De-Alerting and No First Use can be sent to you if you want from George at the World Court Project.

The pattern consists of quotes from government material with commentary interspersed. There are four sections with some inevitable overlap. Sometimes only parts of documents have been reproduced, and at times one document appears under more than one section.

UK Nuclear Policy

Geoffrey Hoon, Minister of Defence, to Lord Murray, 3 November 1999.

"We believe that this combination of working for further progress in arms control with the ultimate goal of the elimination of nuclear weapons, while maintaining a minimum nuclear deterrent in the current security circumstances, represents a coherent, moral and military sound contribution to British security."

This sums up UK Government policy and repeats the Strategic Defence Review (SDR), para 60, of 8 July 1998.

“Trident is our only nuclear weapon. We need to ensure that it can remain an effective deterrent for up to 30 years. This is why we need a force of four Trident submarines” (SDR para 62).

Thus, the “current security circumstances” seem set fair for several decades, and even up to 2028, which will see many of us out - one way or another.

“...it would be premature to abandon a minimum capability to design and produce a successor to Trident should this prove necessary.” (SDR Supporting Essay, “Deterrence, Arms Control, and Proliferation”, para 14).

Even to think this thought suggests that the government sees no real possibility of a world free of nuclear weapons. This is not just ‘existential deterrence’ - mere possession. The SDR Supporting Essay Deterrence, Arms Control and Proliferation, para 13, says that,

“Consideration was given to more radical de-alerting measures, such as taking submarines off deterrent patrol, and removing warheads from their missiles and storing them separately ashore. Our work concluded, however, that neither step would be compatible in current circumstances with maintaining a credible minimum deterrent with a submarine-based nuclear system.”

One World Court Project Supporter pointed out that, “The fate of humanity and possibly all life on Earth is therefore to be risked for this, the final, intransgressible justification for maintaining nuclear arsenals.”

This is certainly at odds with the International Court of Justice (ICJ) Advisory Opinion, 8 July 1996 Para 105 F:

“There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”

It sits ill with the promises Britain made when it accepted the Programme of Action at the NPT Review Conference in May 2000 and voted for the New Agenda Resolution in November 2000.

Stephen Willmer, Ministry of Defence, to Alan Wilkie, 20 April 2000.

“The maintenance of a minimum nuclear deterrent as a means of ensuring the stability in which nuclear disarmament can become a reality is a sensible and honest policy, that meets both the Government’s immediate security and longer term goals.”

It is not clear how we can hope to achieve a nuclear-free world by maintaining and enhancing our preparations for nuclear war.

Refusal To Divulge Information

George Robertson, then Secretary of State for Defence to Austin Mitchell MP, 23 August 1999.

“Dear Austin

Thank you for your letter of 22 July 1999 requesting a meeting to discuss the legality of Trident.

I am afraid that such a meeting would serve little purpose. We have repeatedly made our position clear. We do not consider the possession or use of nuclear weapons *as such* to be illegal. Nor does our position conflict with the Opinion of the International Court of Justice. If the Court had thought that it was impossible to use nuclear weapons in accordance with international law, it would have said so.”

This is a classic brush-off. The delegation would have consisted of three Members of Parliament, and Lord Murray, a former Lord Advocate of Scotland. There is a complete refusal to discuss the matter, even with very well-informed and distinguished people, and with no real reason given - only bald assertions.

Alan Hughes, Ministry of Defence, to Sister Mary Lampard, 26th June 2000.

“As regards the yield of Trident nuclear warheads the Government’s position is not to comment. Such information is classified.”

The legal status of Trident depends on its effects and therefore its yield. Classified information is one more way of avoiding the legal issue.

Stephen Willmer, Ministry of Defence, to Angie Zelter, 2 March 2000.

“The threshold for legitimate use of nuclear weapons clearly is, and should be, a very high one... However, an action that is legal in one set of circumstances can be illegal in different circumstances. The Government continues to believe that there is no useful benefit to be gained from hypothetical speculation on where precisely the dividing line would lie. Nor does the Government believe that any conceptual planning on potential use of nuclear weapons carried out by the Ministry of Defence can reasonably be made open to public scrutiny. Secrecy in this area plays an important part in enabling the United Kingdom to maintain a credible minimum deterrent capability at the lowest possible level.”

The paragraph has to be looked at as a whole. It suggests that the “conceptual planning” involves legal criteria; and that these legal criteria themselves cannot be disclosed because they are essential to deterrence. So the legal thinking is classified as well. How can courts operate correctly under such restrictions? How can Trident disarmers know the limits of the law? This suspicion is confirmed by the Parliamentary exchange which follows.

Legality of Nuclear Weapons, 17 November - 21 December 1999, House of Commons, Written Questions, 13 Dec 1999: Column: 30W,

Nuclear Deterrence Policy.

Mr. Tony Benn: To ask the Solicitor-General what advice he has sought on the legality of British nuclear deterrence policy. [102132]

The Solicitor-General: ... As a matter of convention (observed by successive Governments) neither the substance of the Law Officers' advice on a question, nor the fact that they have been consulted, is disclosed outside Government, other than in exceptional circumstances.

Mr. Tony Benn: To ask the Solicitor-General what representations he has received about permission for a private prosecution of those responsible within Government for infringements of international humanitarian law based on the Government's nuclear deterrence policy. [102131]

... A request for permission for a private prosecution under the Geneva Conventions Act 1957 was received last year. However, the Law Officers take the view that the application of the Government's nuclear deterrence policy does not involve an infringement of either domestic or international law, and accordingly permission was not given.

Of course, many such initiatives have been taken by nuclear resisters to bring private prosecutions. Here we have a little more insight into the thinking behind the relentless blocking of these over the years.

Douglas Henderson Minister of State for the Armed Forces to Nigel Waterson MP, in response to a letter from Leslie Dalton, 1 June 1999.

"Dear Nigel

... We are confident that the Opinion does not require a change in the UK's or NATO's entirely defensive nuclear deterrence policy. It follows that those who operate Trident submarines are acting legally under the Nuremberg Principles.

Any decision on the use of UK nuclear weapons would always be taken centrally by Ministers. Legal advice from the Government's legal advisers was available to Ministers and senior officers and officials in considering within the Strategic Defence Review (SDR) the nuclear options we might need to have available to maintain a credible minimum deterrent throughout the life of Trident. Legal advice would also be available to Ministers if circumstances were extreme enough for us ever to have to consider the use of nuclear weapons to defend ourselves from attack. We are satisfied that our arrangements to ensure informed legal advice in such circumstances are fully adequate."

This is an account, not very convincing, of how the legality of Trident was assessed for the Strategic Defence Review. We have not been able to discover what legal advice was given. The idea that considered legal advice would be available during a nuclear crisis beggars belief and has something in common with the Civil Defence advice of the 80's.

The Government View on the Legality of Britain's Nuclear Deterrent.

John Spellar, Minister of State at the Ministry of Defence, to Alan Keen MP, in response to a letter from Joanna Bazley, 27 July 2000.

"In fact, the ICJ confirmed that the legality of the threat of use, or use, of nuclear weapons is governed by the same laws of war as determine the legality of any other form of weapons not specifically prohibited under international law. Such legality can only be determined in the light of the specific circumstances applying when such threat of use, or actual use, is being considered as an action that is legal in one set of circumstances may be illegal in different circumstances. The Government continues to believe that there is no useful benefit to be gained from hypothetical speculation on where precisely the dividing line might lie between circumstances where use is legal and those where it would be illegal..."

In light of the ICJ's Advisory Opinion, the Government continues to believe that its minimum nuclear deterrent is entirely consistent with international law. A public enquiry is therefore not necessary."

Note that the Government uses the ICJ Opinion to argue its own case at the beginning and end of the above extract. This approach is repeated in several letters and statements. We therefore do not need to argue for the authority of the Opinion. The Government has done it for us.

However, two important issues are being evaded. The response misses the point. The government has never been asked for "hypothetical speculation", but for general legal guidelines. It has not been asked to explain the legality of 'nuclear weapons' in general, but of Trident in particular.

Stephen Willmer, Ministry of Defence, to Geoffrey Carnall, 15 December 1999.

"The Government agrees entirely with the Court that a threat or use of force by means of nuclear weapons that is contrary to Article 2(4) of the UN Charter and that fails to meet all the requirements of Article 51 is unlawful. Article 2(4) prohibits any use of force in a manner inconsistent with the Purposes of the United Nations..."

Additionally, as the Court made clear, and as the United Kingdom argued in its evidence to the Court, the principles and rules of international humanitarian law apply to nuclear weapons, as they do to all weapons..."

The Government has made it clear that the United Kingdom would only consider using nuclear weapons in self defence and in extreme circumstances, and subject to the rules of international law, and humanitarian law, applicable in armed conflict..."

However, the legality of any specific threat or use of force, including with nuclear weapons, can only be determined in the light of all the circumstances applying at the time. It is impossible to anticipate in advance with any confidence the exact circumstances which might arise, and the Government does not believe that speculation on particular hypothetical uses serves any useful purpose..."

This is the fullest explanation we have seen in a letter of the Government's legal position. The refusal

to speculate on the “exact circumstances” is a constant theme in the letters.

However, in the main it adopts a similar position to that of World Court Project UK and Trident Ploughshares - that nuclear weapons are subject to humanitarian law and that humanitarian law applies in all circumstances - that it is intransgressible.

Therefore the Government must accept our view that the Opinion, (para 86, 105, 2D) says that weapons which could not distinguish between civilian and military targets, would be unlawful; and that even if a nuclear response were proportionate to a threat or attack, it would still have to meet the requirements of humanitarian law. (Opinion para 42).

But there is a yawning gap. Nowhere is it explained how Trident could ever meet this exacting test. This is why we need a publicly accountable legal audit of Trident.

Legality of Nuclear Weapons, 10 January

House of Commons, Written Questions, Nuclear Weapons.

Mr Hoon ... The relevant section on Nuclear Weapons [of the Law of Armed Conflict for the Armed Services] ... reads:

“There is no specific rule of international law, express or implied, which prohibits the use of nuclear weapons. The legality of their use depends upon the application of the general rules of international law, including those regulating the inherent right of self defence and the conduct of hostilities. Those rules cannot be applied in isolation from any factual context to imply a prohibition of a general nature. Whether the use, or threatened use, of nuclear weapons in a particular case is lawful depends on all the circumstances. Nuclear weapons fall to be dealt with by reference to the same general principles as apply to conventional weapons...”

The Government phrase that “Those rules cannot be applied in isolation from any factual context to imply a prohibition of a general nature” is surely inconsistent with the determination from the Court “that the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law”.

Professor Francis Boyle comments that,

“This language is helpful. At least we can use it in any future anti-nuclear protest case in the UK. We would simply take the UK government statement at its word, and contextualize the particular nuclear weapons system in dispute. This is exactly what we successfully did at Greenock. We did not argue the illegality of nuclear weapons as an abstract proposition. Rather, we argued that the particular characteristics of the Trident 2 (targeting strategy, destructive power, casualties, deployment, command and control, etc.) made it criminal under international law.”

Peter Weiss (Lawyers Committee on Nuclear Policy) points out:

“... in articles 35 & 36 of the Opinion reference is made to the ‘unique characteristics of nuclear weapons’, which ‘render the nuclear weapon potentially catastrophic’ because, inter alia, its enormous destructive power ‘cannot be contained in either space or time’. The third subparagraph of par. 35 deals with the effects of the radiation released by nuclear weapons on ‘health, agriculture, natural resources and demography over a wide area’. ‘Ionizing radiation’, the Court says in this passage, ‘has the potential to damage the future environment, food and marine ecosystems, and to cause genetic defects and illnesses in future generations’. All of this would clearly be applicable to Trident 2 if anything were known about its characteristics.”

Peter Weiss also tackles the ‘the inherent right of self defence’ referred to by the Minister. In par. 41, the ICJ quotes from the Nicaragua case the generally accepted principle that “self-defence would warrant only measures which are proportional to the armed attack and necessary to respond to it.” But it then goes on to say, in par. 42:

“The proportionality principle may thus not in itself exclude the use of nuclear weapons in all circumstances. But at the same time, a use of force that is proportionate under the law of self-defence must, in order to be lawful, also meet the requirements of the law applicable in armed conflict which comprise in particular the principles and rules of humanitarian law.”

To put it colloquially, Show me a nuclear weapon and I will show you a weapon that violates humanitarian law, so don’t talk to me about self-defence or, for that matter, necessity.

However, it may be claimed that the UK Trident system has a sub-strategic role, in which some missiles are fitted with maybe only a single, lower yield warhead.

C H J Davies, Ministry of Defence, to Liz Waterston, 27 October 1998.

“A sub-strategic capability is an essential element in ensuring that no nuclear-armed aggressor could gamble on us being self-deterred from crossing the nuclear threshold in extreme circumstances of self-defence by fear of an inevitable strategic exchange. In such circumstances this capability would allow the limited use of nuclear weapons to send an aggressor a political message of the Alliance’s resolve to defend itself. The UK has a degree of flexibility in the choice of yield for the warheads on its Trident missiles.”

It is quite likely that this sub-strategic capacity comprises the first stage of a normal 100 kiloton warhead with a yield of ‘only’ one kiloton or thereabouts. Even this is an enormous explosion, equivalent to about 35 container trucks of TNT parked outside a busy court. This would still spread lethal radiation and cause indiscriminate deaths. However, the main point to make is that even if the Trident warheads can be used in this way, they are still capable of yielding 100 kilotons and are

therefore subject to the legal arguments applying to such monsters of destruction.

Legality of Nuclear Weapons, 10 January

House of Commons, Written Questions, Nuclear Weapons.

Mr. Corbyn: To ask the Secretary of State for Defence (1) what assessment his Department has carried out of the long-term effects of a 100 kiloton Trident on a military target; [104074] (2) what assessment his Department has carried out of the effects of a 100 kiloton Trident warhead detonation on the civilian population living near military targets. [104073]

Mr. Hoon: The Trident missiles on which our nuclear deterrent is based have been de-targeted since 1994. Our judgement of the minimum level of deterrence required is supported by comprehensive computer modelling which enables us to assess the effects of nuclear detonations. A number of factors are taken into account in this assessment. As Lord Robertson made clear to my hon. Friend the Member for Newport, West (Mr. Flynn) on 4 February 1998, Official Report, column 655W, these include the yield and design of the weapon used; the accuracy of the delivery system employed; the nature and construction of the target; the characteristics of the surrounding terrain; the height of the detonation; and geological and weather conditions. I am withholding information on UK nuclear warhead yield under Exemption 1 of the Code of Practice on Access to Government Information, relating to defence, security and international relations.

The “number of factors taken into account in this assessment” do not include the crucial one - the likely effects on the civilian population. Without this, and the fact that information on Trident’s yield is withheld, neither we, nor the lawyers advising the government can make a legal assessment of any likely use.

Stephen Willmer, Ministry of Defence, to George Farebrother, 10 September 1999.

“It is of course also true, as you say, that the general principles of international humanitarian law are incorporated in English and Scottish law. I appreciate that you believe that the United Kingdom’s nuclear deterrent is in breach of those principles, and that you therefore consider action to oppose it legally justified. The Government strongly supports the right of anyone to demonstrate peacefully and in accordance with the law in support of causes in which they believe. However, as you know, the Government is confident that Trident is consistent with international law, and that the personnel involved in its operation and support are acting entirely legally. Unless the British Courts were to find otherwise, the civil police and Service personnel are therefore equally obliged at law to prevent unauthorised access to private property and controlled defence facilities...”

Again, the first sentence would be completely in agreement with the WCP UK and Trident Ploughshares view. The last sentence should be

stored in our collective memory for future use. Perhaps it all depends what you mean by “Unless the British Courts were to find otherwise...”

Stephen Parkinson of the Attorney General’s Office to Andrew Gray, 7 January 2000.

“The Attorney General does not share your view that legal questions have been raised about nuclear weapons in general, or the Trident system in particular, such as to justify investigation. The Government is confident that the UK’s minimum nuclear deterrent is compatible with its obligations under international law.”

The only known letter from the Attorney General. Very brisk. We must look out for future developments which are “such as to justify investigation”. At least he doesn’t end with “I hope this is helpful”.

Geoffrey Hoon, Minister of Defence, to Lord Murray, 3 November 1999.

“At the same time, we are working to remove the risk of the proliferation of nuclear, biological and chemical weapons worldwide, while maintaining a robust defensive capability to protect British interests in the event of their use.

We would only ever use our nuclear weapons in self-defence and in extreme circumstances.”

There are many questions here. The claim is that NWs are only for use in extreme circumstances. What these consist of is never made clear. The paragraph suggests that they could be used to deter chemical or biological threats, or even to protect British “interests” - far short of the “extreme circumstances” mentioned, and certainly disproportionate. The government refuses to clarify this, in spite of repeated requests to do so. It has never defined exactly what is meant by “British interests”.

The Nuremberg Responsibility of Serving Officers

Douglas Henderson Minister of State for the Armed Forces to Nigel Waterson MP, in response to a letter from Leslie Dalton, 1 June 1999.

“We are confident that the opinion does not require a change in the UK’s or NATO’s entirely defensive nuclear deterrence policy. It follows that those who operate Trident submarines are acting legally under the Nuremberg Principles.”

The implication about the Nuremberg Principles is bald and unfounded. However, we are assured that training in international law actually takes place:

House of Commons, Written Questions, 20 Dec 1999: Column: 362W, Training (International Law).

Mr. Drew: To ask the Secretary of State for Defence if he will make a statement on what training is provided for (a) officers and (b) other ranks, on understanding international law. [103228]

Mr. Spellar: Training in aspects of international law, and specifically in the 'Law of Armed Conflict', is provided to both officers and other ranks of all three services as part of initial basic training, in accordance with the requirements of the Hague and Geneva Conventions. Further training in international law, again covering the legitimacy of military operations and on the conduct of waging war, is provided on a wide range of specialist training courses, on both a single service and joint service basis. Furthermore, additional training and briefings relating to relevant international law, are normally provided to formed units of all three services by legal specialists prior to operational deployment.

So we must assume that officers serving on Trident submarines know that the Nuremberg Principles apply to them and that any illegal order to fire must be disobeyed. According to the following, the basic guidance comes from the "Law of Armed Conflict for the Armed Services" which is to be updated late in 2000.

Legality of Nuclear Weapons, 10 January

House of Commons, Written Questions, Nuclear Weapons.

Mr. Corbyn: To ask the Secretary of State for Defence (1) if he will make a statement on the application of the Nuremberg Principles to military personnel ordered to use, or to threaten the use of, nuclear weapons;[104075]

(2) what measures he has taken to make military personnel who operate Trident aware of their obligations under international law since the International Court of Justice delivered its Advisory Opinion on nuclear weapons; [104076]

Mr Hoon: ...The relevant section on Nuclear Weapons [of the Law of Armed Conflict for the Armed Services] was reconfirmed following the 1996 Advisory Opinion of the International Court of Justice on the use or threat of use of nuclear weapons.

The fact that the section on Nuclear Weapons was reconfirmed suggests that the Advisory Opinion had no impact on the Government's legal thinking or on legal advice it gave to Trident submariners. However, the following interchange does suggest a lack of serious thinking on which to base this advice:

Legality of Nuclear Weapons, 10 January

House of Commons, Written Questions, Nuclear Weapons.

Mr. Corbyn: To ask the Secretary of State for Defence what discussions he has had, and with whom, on the application of international humanitarian law to the use of Trident. [104072]

Mr. Hoon: I have had no specific discussions on the application of international humanitarian law to the use of Trident. The United Kingdom's minimum nuclear deterrent is consistent with international law.

Mr. Corbyn: To ask the Secretary of State for Defence what information senior officers on Trident

submarines are given on the specific yields and likely targets of the missiles they are responsible for. [104077]

Mr. Hoon: The Trident missiles on which our nuclear deterrent is based have been de-targeted since 1994. In the circumstances, of our having to use our nuclear weapons, members of the patrolling submarine crew would be provided with the information they need to discharge their duties. I am withholding the details of this information under Exemption 1 of the Code of Practice on Access to Government Information relating to defence, security and international relations.

This is serious. As there has been "no specific discussions on the application of international humanitarian law to the use of Trident", how can serving officers be advised properly about their Nuremberg responsibilities - bearing in mind that international law must be applied to Trident itself rather than to nuclear weapons in general?

The fact that the weapons have been "de-targeted" is a cloak. We know that they can be re-targeted very quickly ("We will, however, ensure that we can restore a higher state of alert should this become necessary at any time" SDR para 68). The computer plans must still be there. Do the relevant officers even know the targets or do they fire blind? Would they know the necessary details to enable them to be able to judge if their acts would be responsible even after they had been "provided with the information they need to discharge their duties" if given an order to fire? It seems unlikely, given the apparent lack of assessment of the effects of Trident warheads on civilians living in target areas, that they would have enough information to consider their Nuremberg obligations in a time of crisis. They would be allowed, by default, to become war criminals.

References and Acknowledgements

3.1 Dialogue and Negotiation Team

A Summary of Dialogue and Negotiation Work of TP2000 - Angie Zelter 2000.

The Strategic Defence Review - CND Submission, William Peden, June 1997.

Taking Nuclear Forces off Alert - Commander Robert Green.

3.2 Summary of Dialogue with the Government and the Military

Copies of all letters can be received from the core group, and many of them are stored on our website.

3.4 "I Hope This is Helpful"

This section was written by George Farebrother, November 2000. He and the World Court Project can be contacted for further information (see 'Useful Addresses', Part 10).

PART 4: THE STORY SO FAR

Over many years, ever since she first heard of the Ploughshares movement, Angie Zelter wanted to do a nuclear Ploughshares action. She writes: “After my experience of the Hawk action whilst in prison I decided I would do one (it only took three years!!) - but the Hawk action and lack of our follow-up with more actions afterwards made me want to set up a structure and campaign to enable many others to do it too - to really be effective I realised we needed to have very many other people over a period of time continually doing Ploughshares actions to follow-through in depth - hence the evolution of TP. Then I sat down and over a few weeks wrote the outline and then sent out an open letter in August 1997 once I had tried the idea on a few people and they seemed to think it good.”

In April 1998 in Peaton Wood, belonging to peace activist Georgina Smith, just 5000 yards from the warhead depot at Coulport, there was a planning weekend involving representatives from affinity groups, to make arrangements for our first move into the active side of the campaign, a two-week disarmament camp in August of that year. As we talked over the practical arrangements and the ethos that we wanted for that event, we re-affirmed the fact that we were asking pledgers and others attending the camp to commit themselves to the pledge as an expression of a minimum set of core values that could hold together people from a wide range of outlooks and campaign histories. We talked about the possibility of a heavy response by the authorities, maybe even conspiracy charges (carrying a maximum penalty of 10 years in prison), arising out of the simple process of signing the Pledge to Prevent Nuclear Crime. These anxieties have to date proved groundless, but it is surely significant that the



Georgina at home in Peaton Wood



The banner that would not drop - London launch, May 1998

potential for such serious consequences did not lead anyone to withdraw their pledge.

Parallel to these practical arrangements the campaign set in motion its attempt to engage the UK government in dialogue. In March a letter from the Core group had been sent to UK Prime Minister Tony Blair, stating that we would not begin our attempts at disarmament before 11 August 1998, to allow for dialogue about government intentions and their response to our campaign. The response was that the retention of Trident was a manifesto pledge and that HMG was confident that Trident was legal under the terms of the ICJ Opinion. Just before the August camp TP again wrote to the Prime Minister, a ‘final plea’ for a meeting before the direct disarmament began. This time the reply had an additional reason for not meeting the campaigners. It was inappropriate to meet with members of a campaign which was threatening illegal actions.

On the 2nd of May 1998 there were simultaneous formal launches of the campaign in Hiroshima, Gent, Gothenburg, London and Edinburgh. The declaration from Pol D’Huyvetter, of the Belgian-based affinity group Titanic Trident, set the tone: “For us as concerned citizens there is no other way but to start nuclear disarmament ourselves.” At the Edinburgh launch a fine banner was unfurled which listed all the 62 people who had by that time signed the Pledge.

Then came August, activists from far and wide and heavy and continuous rain. Among the 200 or so campers twelve different nationalities were represented, much of the international dimension coming with the For Mother Earth 1000 kilometres peace walk from the NATO headquarters in Brussels. The two weeks of direct action were formally opened



Joe Butler and Ed Stanton hammer Trident into shape - Opening Ceremony at Faslane, August 1998

at the north gate of Faslane as a blacksmith hammered a model Trident submarine into the CND symbol of peace. Within two days the actions and arrests began. Not long after dawn on the 13th August five members of the Woodwooses affinity group attempted a fence cut at Faslane and were carted away. Then a group was arrested for blockading Coulport and at noon the Adomnan affinity group conducted a ritual cleansing of Faslane with gallons of harmless but brightly coloured detergent. Next night members of the Aldermaston Women Trash Trident affinity group cut into Coulport, to be followed next day by three young Swedish church ministers, members of the Corpus Christi affinity group. On Saturday 15th August there was a large rally at Faslane, organised by Scottish CND, involving about 300 people. On Monday 16th there was blockade and fence cutting at Coulport and another intrusion at Faslane. The highlight of the camp was however,

the spectacular swim in the early hours of 18th August by Katri Silvonen, Krista van Velzen and Rick Springer, from the affinity group Titanic Trident. Dressed in wet suits they entered the water at the far side of the Gareloch and got to within ten metres of a berthed Trident submarine before being arrested. They were carrying hammers and glue with which to disarm the sub and as they were taken from the water their captors congratulated them on their feat, though, predictably, the official MOD spokesman denied they had been anywhere near a nuclear submarine. Katri and Krista repeated this swim on the 24th August, again getting close to a submarine. Arrests reached the 100 mark on the 20th August. There were numerous appearances in the local court and at the end of the camp seven activists were on remand, Jens Light and Ian Thomson in Greenock prison, Helen John, Krista van Velzen, Hanna Jarvinen, Angie Zelter and Katri Silvonen in Cornton Vale in Stirling. The camp was a considerable success and people thrived on the co-operative

energy. The vegan food, provided in the first week by Bumblebee, was well received and campers overall felt that information was clear and helpful. On the down side, the chemical toilets were unpopular and the task groups needed more attention. Legal support was improved as the camp went on and we established what was to be our future pattern. We would provide 24 hour centralised legal support during camps and other direct action events and proactive communication with custody centres. Media coverage of our exploits was poor in the UK but much better abroad. In our 'safe house' media office in Cove, stories were being sent out in Dutch, French, Flemish, Swedish, Finnish and Danish, to Eire and the US, to Australia and Japan. It was a great thrill to see the



Coulport Weather - blockade at the main gate, August 1998

campaign as truly worldwide, to have a sense of all that international energy being focused on the problem and the solution.

Right at the end of the camp we filed a citizens complaint at the Procurator Fiscal's office in Dumbarton, asking that prosecutor to take action against the British government for breaching international law in respect of Trident. It is hardly surprising that that official took the view that the complaint did not merit further action, but it has been helpful to refer to it in court cases as a sign of our willingness to pursue all conventional routes.

Britain's fourth Trident submarine was rolled out of its shed in Barrow on the 19th September. The five women on remand at Cornton Vale decided to mark this event with a modest protest. They put together a banner from sheets with letters cut from newspaper and stuck on with toothpaste, ready to be dropped from their cell windows. They intended to remain in their cells for the day and refrain from speaking and eating. They prepared a statement for the prison authorities, explaining their action and making it very clear that their protest was against Trident, not Cornton Vale. The authorities got wind of their plans and raided the cells on Friday. All the women were strip-searched and given punishments but the treatment of Angie was particularly brutal. As she was removed to the punishment cell the officers twisted her thumbs and wrists, causing intense pain. She was left without clothes in the punishment cell for a whole day. A complaint was laid with the local police but, due to an effective cover-up, this led to nothing. The Scottish prison Complaints Commission took Angie's complaint seriously and recommended that prisoners should



Titantic Trident ready to go

not be deprived of their clothing in such circumstances and that officers should be trained in dealing with passive resistance. He also suggested that the Scottish Prison Service apologise to Angie but this has not happened. The Parliamentary Ombudsman considered her complaint worthy of further investigation and is due to rule on her complaint in October 2000. The whole experience of visiting these prisoners had a profound effect on the local Stirling support group and has led to an active and practical concern for what goes on behind the bars.

When they appeared in court on two different dates at the end of September four of the women were admonished, as were Jens and Anja Light. Strong defences founded on international law were mounted and in the case of Katri, Krista and Hanna were backed up by expert testimony from Glen Rangwala of Cambridge University. The Justice of the Peace was clearly impressed but still found them guilty, saying that he had to disregard arguments from international law. Helen John was fined £180. This is how Argyle and Bute District Court has dealt with our cases ever since, with a few exceptions. The attitude of the local magistrates may be summarised as: "You are nice people and we bend over backwards to avoid coming down heavily on you. You argue from international law, but we don't know much about that, and we are pretty sure it does not apply on our patch. These matters are for a higher court but we will still hear the cases and dish out our judgements. We deal with Scots law and under that you are guilty and must be punished."

Rupert Eris and Peter Lanyon got the November camp off to a good start on Thursday 12th by cutting into the Coulport base near the Explosives Handling Jetty. This was no idle attempt: in their heavy



Corpus Christi Affinity Group, Coulport, August 1998

equipment satchels they carried pliers; bolt-cutters; super glue; liquid cement; carpets and saw blades. The weather was with us too, with sharp, clear sunshine. More actions followed - five women were arrested at Faslane on Friday and on Saturday the Garelochhead Horticulturalists locked up the main door of the MOD building Glasgow. At a religious service at Faslane on the Sunday Scottish church leader Maxwell Craig put Trident firmly in the sin category and there were more arrests. Monday saw a new type of drive-in direct action when Angie Zelter spotted an opportunity at the main gate of Faslane and drove Peter Lanyon's car into the line of queuing vehicles and on into the base. The security personnel were so embarrassed at this that they invented a charge of assault on the basis of reckless driving. Krista, Anna, Katri and Hanna were also in the car and there was anxiety about the computer in the boot. When the case came up in August 1999 the Sheriff in Dumbarton laughed it out of court, saying: "A famous Queen's counsel once said of a Crown case, 'It was a frail bark that set sail towards the horizon, disappeared and was never seen again.' This is what this case reminds me of."

UK media coverage was by this time slightly better, with the highlight a three-minute piece on Radio 4's PM show. Meanwhile documentary pieces about the Belgium-based activists appeared on television there, and a Finnish TV crew present at the November camp created an excellent half-hour programme round the involvement of Hanna and Katri.

In December 1998 representatives of the affinity groups met in the Peace Church in Berwick - on - Tweed. We had a good five months activity to look back on but there were concerns. Some felt we had wandered from the original blueprint -surely a 'real' Ploughshares campaign would involve more serious attempts to disarm Trident than we had had to date. The two swims to the submarine berths by Titanic Trident in August were all we had to balance against lots of comparatively low-level actions, most veering towards the symbolic end of the spectrum. On the other hand, should we devalue the more symbolic actions, which were all many activists could manage for various personal reasons? Were they not just as 'serious'? In the end we agreed that all our actions should be given equal value and that we needed actions which we would call 'maximum disarmament', as well as the rest of the spectrum, so as to provide as many opportunities as possible for all sorts of people to become involved. In retrospect this discussion was very important for clarifying the character of the campaign. We would not become a campaign in which a small elite of disarmers was supported by a large

group of supporters who did not undertake direct action themselves. We would be a campaign in which everything was underpinned by the concept of what much later came to be called 'citizens' disarmament' - the undertaking by ordinary citizens of the urgent work of disarming Trident in the absence of any such action by the authorities.

Another concern apparent at Berwick has not been similarly resolved. As a movement aiming to be non-hierarchical and aiming to reach important decisions by the consensus of all the pledgers we had to face the fact that many affinity groups were not directly represented at the meeting. Although written contributions from all groups were included in the discussion we felt that the decisions we were making there were being made by too small a number. This tied in with concerns raised as early as April that year by Swedish pledgers, in particular the Bread Not Bombs affinity group, whose view was that our approach to consensus should be much more thorough and should include the facility of an affinity group and individual veto. Their stance was based on their long experiences in Europe of infiltration of peace and environmental groups by extreme right-wing elements, as well as a conviction that anything less than thoroughgoing consensus would lead to too much power being placed in too few hands. Although agreeing in principle to the concerns raised by some of the Swedish groups and valuing their insights, as a campaign we had decided not to go down the most thorough consensus route, for pragmatic reasons. The widespread nature of our membership made the achievement of complete consensus on all campaign decisions impractical. The basic structure is that the twice yearly pledgers' meetings and those which take place at disarmament camps make the basic decisions about the direction of the campaign, the yearly timetable, the approach to direct action, the legal strategy, the principles for



Planting a tree at Peaton Wood in memory of John Lane who died suddenly on his way home from Coulport in November 1998



Rosie James and Rachel Wenham prepare for Barrow

running camps, etc. etc. The Core Group then work within that framework to make sure that it all happens. A number of checks with all pledgers have shown that people are happy with this arrangement but the unease still remains about the small turn-out to the representatives' meetings.

The first six weeks of 1999 illustrated a healthy spectrum of activity, including the 'symbolic', 'maximum disarmament' and the germ of a pattern for involving more and more people. In January Margaret Bremner was in Helensburgh District Court for blockading Faslane in August 1998 and for doing some anti-nuclear graffiti on her cell walls. She told the Justice of the Peace that as a health professional she knew that the health services could not cope with results of a nuclear war. Later that month Katri Silvonen told the same court how this was an international matter since the whole world was under threat from Britain's weapons. There was frustration with that court's deafness to any reference to humanitarian law. Angie Zelter, also appearing on August camp charges, told the JP "If you can't give me justice here I might as well leave". She walked out and was arrested and held in the cells for contempt of court. Supporters in the public seats refused to rise as the JP left the court and eventually he gave in and walked out with them still seated. This kind of frustration has shown signs from time to time of being about to bubble over as more and more evidence of that court's inconsistency and general incompetence accumulates. Then, on Monday 1st February we woke to the news that a very significant dent had been put in the new Trident submarine, HMS Vengeance, in its dock in Barrow-in-Furness.

At 5.30 am Rosie James and Rachel Wenham, of the Aldermaston Trash Trident affinity group, swam to and boarded the submarine. They painted "Illegal" and "Death Machine" on the sub, draped a banner "Women Want Peace" - over the conning tower and damaged test equipment before giving themselves up. Three other pledgers, Ippy, Helen Harris and Louise Wilder, were arrested when they went to the Barrow police station to deliver

clothing to the wet-suited swimmers. All five women were accused of causing £25,000 of criminal damage.

"The reality of 'Yes, we're really doing it!' hit us when we reached the let-off point." said Rachel. "We were amazed at how simple it was reaching, getting onto and inside the sub. The action worked on the night due to boldness and luck. If you believe it you can really do it. The funniest thing was the jaw-drop response of the security men round the sub. Saying 'Alright mate' to a man who didn't bat an eyelid at two dripping women with hammers sticking out of their wetsuits was beyond belief. Being in the water with

that atrocious construction is something I will never forget."

Rosie said: "The message I want to pass on to other pledgers about this action is of its simplicity. Once we had realised how vulnerable Vengeance was from the water, the most difficult thing was getting into our wetsuits. Never underestimate that! We can take heart from how dozy they are when there's not an organised event going on. So all you need is to see a way in, buy the tools, borrow the wetsuits and take the plunge!"

Almost a year passed before Rosie and Rachel (who are both free on bail) first came to trial and at the time of writing they are still in the toils of the system. It is very difficult to be sure but as time passes it looks more and more likely that their disarmament work did hold HMS Vengeance up for several weeks.

We had decided that our next concerted effort at the Clyde bases would not be a camp but a one day blockade of Faslane on 15th February. Overnighters stayed at the Friends Meeting House in Glasgow and bussed to the base early in the morning. As a sign that political support was growing, ex-chair of the Scottish Nationalist Party, Billy Wolfe was arrested at the blockade (along with 48 others), while Dennis Canavan, still at that time a Labour MP, and Tommy



Seize the Day singers Theo and Shannon take a break at Faslane, 15th February 1999



Ante-room at Helenburgh District Court on a busy TP day

Sheridan of the Scottish Socialist Party joined Iona Community leader Norman Shanks in giving support to the blockaders. The mixture of a Woodwoose, a vehicle and an open security gate was again a potent one as Martin drove the Norwich minibus right inside the base. Max the dog, an innocent occupant of the van, was also held for questioning but released after the usual paw-print routine. It was an exciting morning for the legal and media support team in Jane and Jim's living room in Helensburgh as we developed the logistics for monitoring lots of activists in different police stations. The presence of politicians had got the press interested and they came at us avidly for the story. At least one journalist was starting from square one and had to have the basic facts about Britain's nuclear 'deterrent' spelled out for her. It was worth it, for in time to come she became a fair and consistent reporter of the campaign story.

Two days later Trident Ploughshares was in action again, this time at the Atomic Weapons establishment at Aldermaston. Tigger McGregor and Sam Geall scaled the perimeter fence, hung banners from the barbed wire and decorated the fence posts before being escorted off by MOD police. Although many days had already been spent on remand, on 4th March the campaign had its first prison sentence.

Sylvia Boyes appeared in Helensburgh District Court on three charges, two under military by-laws and one for cutting a perimeter fence. One of the by-law charges was dismissed due to lack of evidence. JP Mrs McGuighan found her guilty on the other counts and proposed to fine her £50. Sylvia made it plain she had no intention of paying and was jailed for seven days on each of the counts, to run concurrently. As March rolled on the same court heard Fredrik Ivarsson, of the Corpus Christi affinity group describe nuclear weapons as blasphemy, and dished out heavy fines on Jo Markham and Angie Zelter. When Angie appeared again later in the month with fellow Woodwoose Clive Fudge, on a breach of the peace charge from the February blockade, they were both simply

admonished. Various theories as to the chronic inconsistency of the prosecution and the magistrates in Argyle and Bute District have been propounded. The most likely explanation for the Procurator's whim is that he sorts the charge sheets by throwing them down his back stairs. If you land below the seventh stair, you're for it. Magistrate variability is perhaps best explained by indigestion or the ability of some activists to exert effective magical influence. At the end of the month Adomnan member Barbara Sunderland also had a wrist-slap for blockading just as the Northumbrian affinity group were dismantling large amounts of the fence at the Albemarle Secure Nuclear Vehicle Compound near Newcastle, regularly used

by the nuclear convoys carrying nuclear warheads from Burghfield to Coulport. The group spent over half-an-hour chopping the fence, and painting slogans on the bunkers and concrete. Since no-one was around, the group practised thorough accountability by leaving leaflets and the slogan "TP 2000 were here".

Amid all this blur of activity new pledges were being signed and new affinity groups formed. One such was the Local Heroes, centred in Helensburgh but with other Scottish members. It was launched in style on 22nd April. Local Hero El wrote: "Minutes before the morning shift change some of us donned up to the North Gate at Faslane for a chat. One policewoman gawped in mid-sentence as Eric and David secured a cable across the entrance to the base. Seconds later Brian had to help me lock-on to the cable as my hands were too shaky. There was a pause as we looked at each other and it sank in that we had done it... the traffic was queuing up. The elation was tangible. For most of us this was our first locking on, for some their first non-violent direct action and subsequent arrest. After a while a copper took a huge pair of bolt cutters to the fine cable - but to no avail. Red-faced he left, to return 10 minutes later with suitable adjusted croppers. Eventually they



Brian and El at the Local Heroes launch, April 1999



MEP Neil McCormick at Faslane, 16th May 1999

gnawed through. One by one we were unthreaded and led off. Brian sat down looking calm and strong. The symbolism left me feeling proud and humble to be part of such a powerful creative group.”

Also ongoing were the attempts to engage the government in meaningful dialogue. As the new Trident Submarine HMS Vengeance set off for its base at Faslane an MOD official explained how the executive would deal with the issue of Trident's legality. Simon Gillespie said that they would take legal advice about Trident only if and when its use was being considered. This is known as the SOFAL response –Send Out For A Lawyer. Trident Ploughshares activists were a significant part of the warm reception Vengeance got when it reached Coulport. Fungus and Tamson both swam very close to it and the latter's naked protest (his kilt fell off) was featured in the papers the next day. This action, like so many of the actions against nuclear warhead convoys, showed the strong collaboration and mutual support between Trident Ploughshares, Scottish CND

and Faslane Peace Camp and on these occasions individuals who belong to more than one of these groups are pretty relaxed about which particular hat they are wearing –the common purpose is the thing. For Trident Ploughshares the solid backing from Scottish CND, especially in terms of research and networking, together with the spontaneity and energy of Faslane Peace Camp, have been essential ingredients for the work in Scotland.

In the middle of May we were back in numbers at Peaton Wood. Earlier in the month a Teletext poll had registered 85% of Scots as opposed to nuclear weapons in Scotland. At the main gate of Faslane on 16th May, leading Scottish nationalist activists including Professor Neil McCormick gave the same strong message. The same day there were 16 arrests and our total topped 200. One action featured wheelchair users Morag Balfour and



Mark Leach in Star Wars role, 16th May 1999



De-fencing Faslane, May 1999

Roz Bullen along with Ceilidh Cratur pledgers from Edinburgh. They were variously locked on to the fence and each other, threaded through the fence and generally entangled in such a complex weaving of arms and legs that the tableau looked like the result of a very nasty accident during a wheelchair race. It took ages for the police to sort it all out, which they did with good humour. It was a very colourful weekend. The sun shone, Martyn strode about as Tony Blair on a pair of stilts and the Ceilidh Cratur's enlivened everything with their imaginative costumery. A Scottish TV company took footage for their schools Channel 4 Programme on the re-emergence of Scotland as a Nation.

Later that month, as NATO bombed Serbia from a great height, Local Hero Brian Quail was among the 500 non-violent activists from all parts of the globe (including many from Trident Ploughshares) who walked from the Hague to Brussels in protest against NATO's illegal nuclear weapons policy. Brian wrote: “That huge grim stalinistic star so often seen on TV,

the rows of water cannon, ranks of riot police with visors, shields and batons, all left no doubt. We had arrived at NATO Headquarters. This was the end of the Long Walk. Blistered, bleeding and exhausted, I slumped to the ground. It was shortly afterwards I was hit full on by a jet from a water cannon and sent spinning across the road. A novel experience indeed for a 61 year-old with a heart by-pass... Later, I saw riot police lash out at the arms and wrists of demonstrators approaching the wire. Our crime? Simply being there. Confronting NATO with the illegality of its own nuclear war plans. Peacefully, openly and non-violently.”

In the background something had been brewing for a very long time. After months of planning and plotting, the ad-hoc affinity group the Pheasants' Union, Ulla Roder, Ellen Moxley and Angie Zelter, put the finishing touches on their banners, filled their bags with ironmongery and set off in a van with an inflatable dinghy to Loch Goil, home to 'Maytime', a floating research barge operated by the MOD research arm DERA which helps the Trident submarines guarantee their sonic 'invisibility'. They got on board, got into the lab, draped their banners, emptied the lab and tipped computers, electrical equipment and documentation into the deep waters of the loch without any sign of police interest or attention. They had intended to do similar work on another barge but their boat was leaking so they sat down in the late evening sun and had a picnic. It was riveting to be on the shore and take it all in, the small scurrying figures, the sharp clang of metal, the frequent heavy splashes of sinking hardware and the delicate fluttering of hundreds of sheets of paper. On the barge Ellen felt as if she were getting rid of the building blocks of oppression: Trident; the 'free'



The Pheasants Union in preparation for Maytime



The Peace Walk arriving in Brussels, May 1999

market; the exploitation of children; unbridled militarism; the all-prevailing violence of society; third world debt. It was to her an amazingly liberating experience. We are pretty sure that it was our press release just after 9 p.m. that eventually alerted the security people to the fact that they had a problem “up the Goil”. As darkness fell the plaintive words of the bargemaster rang out across the water: “What have they done to all my stuff?” Refusing to accept that they had done anything wrong the three women were remanded to Cornton Vale. With the honourable exception of the Big Issue in Scotland the press did virtually nothing with this splendid story, claiming that they were worried about being in hot water for dealing with matters that were *sub judice*. This was hardly the real reason since the media, even in Scotland, where the courts are more strict on this issue, regularly go near the edge and tell as much of the current story as they can. In the week that I write this story BBC Scotland has shown many times a film clip of football manager Jim McLean getting ready to assault an interviewer when they well know that the matter is before the Procurator Fiscal.

On 30th June the High Court of Justiciary in Edinburgh, which was due to hear Brian Quail's appeal against a conviction following his disarmament action at Faslane naval base last November, permitted the appeal to be resubmitted on broader grounds. Brian had been convicted in Argyll and Bute District Court of causing criminal damage “without reasonable excuse” to the fence at the base. Brian's defence was that the illegality of the Trident system in international law gave him reasonable excuse. The appeal will consider whether the magistrate was wrong not to take account of international law in reaching his verdict. At the time of writing Brian's appeal has still not been heard. An earlier appeal by Helen John on similar grounds was rejected by the High Court. Her case had been poorly



Ulla, Ellen and Angie approach Maytime, 8th June 1999

presented by her advocate and in particular failed to focus on the specific issue of Trident and the fact that it is a threat. The judges came out with the view that her sincere believe in the illegality of Trident was not a sufficient defence. Apart from Brain's case, two other appeals against lower court convictions in Scotland are in the pipeline.

There had been a feeling for some time that the campaign should extend its attentions to other Trident related sites in the UK, apart from Coulport and Faslane. The 'Maytime' raid was a good example and this was followed up by a Midlands group action against Aldermaston in July. Roger Franklin, Sylvia Boyes, Alison Crane and Marlene Yeo, later dubbed the "Magic Four", rather to their embarrassment, were able to enter the 'secure' Nuclear Weapons Establishment at Aldermaston where they had time to display banners before being arrested. They had intended to confront workers inside the site on the basis of the Nuremberg Principles. Although regarded by the four at the time as a relative failure as an action the consequences in terms of court proceedings and encouragement to others were to prove significant. On 13th July Ian Thomson (Tamson) was released from custody after appearing in Helensburgh District Court on charges related to his action in July when he celebrated the official opening of the Scottish Parliament on 1st July by attempting to demolish the perimeter fence at the Coulport nuclear weapons base on Loch Long. He was also in bother for his May swim to HMS Vengeance. Found guilty on both charges he was set free without sentence, having spent 12 days on remand in Greenock prison.

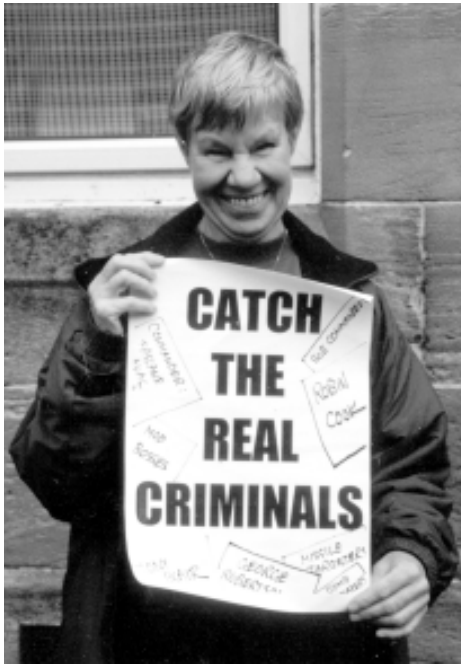
July and early August was spent preparing for the August campaign and supporting the Pheasants in Cornton Vale. Their imprisonment was having a big impact on support and awareness world wide, but there was a downside to that -apart from the obvious. Angie had from the start decided to represent herself while Ellen had solicitor Stephen Fox and Advocate John McLaughlin. Ulla had solicitor

Matthew Berlow and Advocate John Mayer, who earlier had worked on Brian Quail's appeal. Communication with and between the lawyers' teams and Angie faced the difficulties of the prison logistics and it was fraught with problems right up to the trial. For August 1999 the camp infrastructure was much improved, with mains electricity and compost toilets. Bumblebee again cooked for the first week with the added bonus of training sessions for Trident Ploughshares people who could take on this responsibility in the future. It was in fact the excellent Bumblebee's swansong and they handed on to us valuable kitchen equipment.

The flavour was again distinctly international with lots of new faces. The activists were anxious to get on with the work and Joy Mitchell and Joan Meredith set the tone on the first day by blockading the main gate at Coulport. Indeed, not a day of the fifteen passed without at least one arrestable action taking place. Some of them were spectacular such as the swimming actions, involving variously Marcus Armstrong, Louise James, Clive Fudge, Kirsty Gathergood and Josje Snoek. New ground was broken by the Woodwoses and friends who improved the external decoration of the submarine testing station at Cove with appropriate messages such as "Trident is Illegal". There was a 'pernicious paddling' women's action where the Coulport fence runs into the water. The women carried their banners inside the base by paddling deep along the shoreline. One MOD



Grace Nichol and Bernard De Witte, Peaton Wood, August 1999



Helen John setting off for Edinburgh

policeman was heard to say "I'm not having them standing there taking the piss". The charge on their arrest was not in fact Taking the Piss, but Breach of the Peace. This flurry of activity went on right up to the last night of the camp. As Marjan Willemsen recounts: "Monday was the last day of the camp and the people that were still there, went to have a ceilidh at the gates of Coulport. It started out with nice music, singing and dancing, and then all of the sudden every one ran a different way in order to do some decoys. After most of us got back we heard something and 2 girls were inside the base! Then we heard another noise and Jenny was on top of the fence, inside the rolls of razor wire! She stayed there for a few hours. Meanwhile David and Emma were arrested for cutting the fence, Teapot for blowing raspberries, Fungus for trying to get into the base by crawling underneath the gate, Anne for blocking a police van, and myself for seeing how they were treating Anne." If they thought it was all over then, they were wrong. Just four days later Sylvia Boyes and Anne Scholz swam round the perimeter fence at Faslane and after two hours in the water were intercepted while swimming under the jetties where the Polaris submarines were formerly berthed. Anne said: "My plan was to get onto a Trident sub and lock myself to it. Sylvia had a hammer to use on the exterior and spray paint to use on computer monitors inside the boat. With a bit of luck we would have got there, just as Rosie and Rachel did in Barrow." Media coverage of the August events was patchy but we did get into the Irish Times and on the on-line bulletins - we were top story in the Yahoo newpage for a day.

Early in September Helen John reminded the people of Edinburgh about the UK's nuclear crime, as well as its illegal use of depleted uranium and its support for the sanctions against Iraq, by painting slogans on

imposing public building in the High Street. Two weeks later she included Westminster in the process by painting foot-high slogans on the St. Stephens entrance to the House of Commons. The Edinburgh Procurator has not yet been organised enough to bring her to trial. When she appeared in December 1999 for the Westminster work, a London jury, who had heard from MPs Alan Simpson and Tony Benn, found her guilty of the criminal damage charge. However, perhaps uniquely, they added a rider that she was justified in what she had done.

In spite of the difficulties in preparing a thorough and coherent defence from prison we approached the Greenock Trial of the Pheasants with some hope. Jane Tallents had seen Sheriff Margaret Gimblett in action at an earlier hearing and had sat in to watch her deal with a young offender firmly but with real insight and empathy. She left the court sure that Gimblett could be the one to reverse the closed mind syndrome with which we were so familiar.

Establishing a support framework in Greenock was problematic. Not one of the churches or other agencies we contacted came up with an offer of office or living accommodation. In the end we rented office space and travelled daily from Glasgow where we again enjoyed the hospitality of the Friends Meeting House. This was a short and convenient journey compared to that faced by the accused. They had to travel first to a police station in Glasgow and then transfer to another van for the journey to Greenock. This meant a very early start and a late return to Cornton Vale, leaving little or no time for recreation or refreshment. The prison only provided them with cold food on their late return from court. It was only the pragmatic intervention of the court officers in Greenock that led to a decent system of nourishment to take them through what turned out to be a month-long trial.

The women appeared on four charges of malicious mischief and theft. Procurator Fiscal David Webster put forward a very simple Crown case proving that the three women were on 'Maytime' and that they had done all the damage mentioned in the



Yuko at Greenock. She kept drumming all through the trial.



Verdict day at Greenock

indictment. The highlight of the Crown case was the MOD video of the bottom of Loch Goil. The film showed the entirely predictable image of computers on their sides in the silt as the small fish flashed round them. One monitor had an orange starfish draped to order on the corner.

The Defence case involved five expert witnesses. Francis Boyle, Professor of International Law, University of Illinois, gave evidence that international law applies everywhere, and that, due to its destructive power, Trident could not be used in any manner that was lawful. Judge Ulf Panzer from Germany gave evidence of the legitimacy of nonviolent action to uphold the law. He described how he had campaigned to get American Pershing missiles removed from his country, culminating in a sit-down blockade of the Mutlangen base, along with 20 other judges. They had learned from the Nazi era the high cost of remaining silent when their government acted unlawfully. Professor Paul Rogers from Bradford University gave evidence on the composition and capabilities of the Trident system, the imminent danger of nuclear war and accidents and of the effectiveness of civil resistance to change official policies. Professor Jack Boag testified about the imminent danger from nuclear weapons. Finally, Rebecca Johnson of the Acronym Institute explained the consequences of the failure of successive UK governments to fulfil their obligations to disarm under the Nuclear Non-Proliferation Treaty and how the present administration is continuing to block negotiations. She described how 'Maytime' is an essential part of the Trident weapon system, and how other states perceive Britain's deployment of Trident as a threat.

The defence submitted that international law applies in Scotland; that the threat or use of nuclear weapons was found to be generally contrary to international law by the International Court of Justice and the deployment of Trident is seen as a threat. In

addition, John Mayer put forward a defence of necessity and John McLaughlin argued that although the women had been wilful they had not been malicious. At the end of their arguments both advocates put a submission to the sheriff that she should remove the verdict from the jury and acquit the women.

In addressing the jury Sheriff Gimblett said "I have to conclude that the three in company with others were justified in thinking that Great Britain in their use of Trident... could be construed as a threat and as such is an infringement of international and customary law. ...I have heard nothing

which would make it seem to me that the accused acted with criminal intent."

Since these heady days Margaret Gimblett, who came in for a good deal of flak for her verdict, has been the benchmark against which we tend to measure judicial performance. This is not so much about delivering the right verdict, though that counts a good deal, but follows from her basic professionalism, insight and courtesy. Her court manners were perfect and she included the public gallery in her cheery "good morning". One has also to say that to date no other judicial figure has come out of the comparison particularly well. The mutual respect between her and Judge Ulf Panzer was evident and he took the unusual step of congratulating her from the witness box on the manner in which she conducted proceedings.

The Scottish media, which had been fairly apathetic throughout the trial, belatedly realised there was a story and the headlines were well and truly hit. The event hardly registered in the English media and the Guardian was particularly disappointing. Predictably the District Court in Helensburgh, five miles across the water from Greenock saw no reason to change its steadfast refusal to entertain international law and on the 25th October Anne Scholz was found guilty and fined for her swim into Faslane in August. On the 27th the Lord Advocate announced his decision to refer the Gimblett ruling to the High Court for legal clarification. The motives of this government minister in referring a ruling were obvious. After all, it raised a huge doubt about the legality of the UK's defence policy. At the same time we welcomed the further opportunity to have Trident's legal status debated in a higher court. There was also a positive political response with stirrings in the Scottish Parliament and the European parliament heard from Neil McCormick MEP that: "The courage and independence of Sheriff Gimblett, the courage of Angie Zelter and her companions has been in sharp

contrast with the petulant failure of the US Senate to ratify the Comprehensive Test Ban Treaty.”

There was certainly a fresh edge as we returned to Coulport for our weekend camp on the 12th November. However crude and simplistic the media reporting of Greenock had been, there was every reason to believe that it had begun to sow doubts in the minds of those whose business it had been to keep the Trident project going and to protect it from our crime prevention activity. We handed in a letter at the Coulport gate to the man in charge, Rear Admiral Gregory, advising him that he was putting his personnel in an unenviable position by inciting them to engage in criminal and immoral activities. We had long known of the sympathy for our stance that existed within Strathclyde Police and we publicly expressed our hope that they would get the support they needed as they thought through what it means to be involved in law enforcement in a society which is becoming more openly unhappy about threatening genocide. At this time we began to emphasise more and more our crime prevention role. The action highlight of the weekend was the two-gate blockade of Coulport. While one group formed a linked obstruction across the main gate, Sylvia Boyes, Marjan Willemsen and Jenny Gaiawyn locked on to three separate workers' buses at the construction gate. A quirkier event was the long moorland walk in the autumn sunshine to a communications mast above Kilcreggan. There was no intention to damage this as it supported innocent as well as criminal marine traffic, but suitable placards were posted. It was a long walk and not all the participants were sure of the worth of the enterprise. One was heard to remark under his breath as he pulled himself out of the moorland mud for the umpteenth time: “I always said it was a hare-brained scheme.”

On 22nd November Helensburgh District Court failed to surprise as it found Irish activist Mary Kelly guilty in spite of a brilliant summary of the case against Trident. The police witnesses wandered even further than usual from the truth and claimed that they did not know that there were nuclear weapons inside Faslane. Meanwhile HMS Vengeance was back in Barrow-in-Furness awaiting its commissioning. It claimed the attention of Sylvia Boyes and River who were arrested inside the VSEL dock having intended to swim across the dock and board the submarine. They carried with them hammers, glue and spray-on varnish. Sylvia was refused bail and River did not

seek it. At their hearing on 2nd December River refused the bail conditions then offered, which included the condition that he stay at least ten miles away from any nuclear weapons base. River pointed out that the UK was crammed with Trident-related facilities and said he would accept the conditions if he was assured that no nuclear warheads would be within ten miles of HMS Vengeance. He was sent back to Preston prison. A week later he argued successfully and significantly that the conditions infringed his basic right to protest peacefully and was freed. River and Sylvia will go to trial in Manchester Crown Court on the 8th January 2001. [They have since been acquitted]

From November 1999 some accused activists were developing alternative approaches to their defence in the District Court in Helensburgh in an attempt to break through the impasse there. Local heroes Barbara McGregor, Brian Quail, Jane Tallents and Eric Wallace put in a claim that the European Convention on Human Rights gave them the right to intervene peacefully and nonviolently when they knew a war crime was being committed. Alan Wilkie of Adomnan made a similar claim as he defended himself against a breach of the peace charge and Pamela Smith challenged the whole concept of breach of the peace. These submissions are known as Devolution Issues, since they refer to the incorporation of the Convention into Scots law under the Scotland Act 1999. Alan's plea has been rejected, as has Pamela's, though she has appealed. The Local Heroes are waiting on the outcome of a similar case elsewhere in Scotland.



*Ganesh and his ploughshare,
November 1999*

Rosie James and Rachel Wenham came to trial in Lancaster on 25th January 2000 for their good work on HMS Vengeance but the trial was over before it had properly started. Acting for them was solicitor Gareth Peirce and barrister Vera Baird. At the time River, who was note-taking at the trial, wrote: “In a nutshell the CPS fouled up totally, by not logging a vital piece of prosecution ‘evidence’ when they got it last May. This was not the fault of the prosecutor who appeared in court, but of the team that is supposed to have done the groundwork in advance.”

Because a vital statement was never logged it was never passed on to the defence. By an unlucky coincidence this piece of evidence was the most controversial item they had - upping the value of the damage done from £25,000 which the Crown had mentioned at the committal proceedings to £110,000. This jump in value would make a big difference to the sentence, if things should come to that. As is

their job when the other side springs a last minute surprise, counsel wanted to look very carefully into the matter - even more so than they would last summer if they had got proper notice of the increase. They challenged the paperwork supporting the evidence, and lo and behold the Crown get yet another expert and, intriguingly, we are back to around £25,000. The defence want to get their own expert to look at the equipment, the Crown are most willing for this to happen, but nobody available to the defence can do this till the middle of next week." The new trial did not happen until September.

In our publicity for the planned blockade of Faslane, jointly organised with CND, on February 14th 2000 we had asked people to make it a priority for the year and the response was most encouraging. The big training and briefing events in



MEP Caroline Lucas (on right) with Ceilidh Craturs, 14th February 2000

Glasgow on Sunday 13th went well, much aided by the goodwill and patience all round and a sense of expectation. At 5.30 next morning the minibuses and coaches were loaded and took off from the Glasgow centres with a minimum of fuss and delay, while other overnight transport from

all over the country was homing in on the base. Media interest had been aroused by the prospect of parliamentarians being present and the messages of support from celebrities, including Sean Connery, Emma Thompson, and Kurt Vonnegut, whose message described the campaign as "the shock troops of the sane in the war against insanity". The blockade held the base up for two hours or more and 185 were arrested, including Member of the Scottish Parliament Tommy Sheridan, MEP Caroline Lucas and ten Scottish church ministers.

While waiting to be processed, many people used the opportunity of the captive audience of the two police officers looking after them, to chat a little about why they were there. Apparently, one person was let go on her way to the processing line, having been told that she was the 'nicest person' that the police officer had ever arrested.

The weather deserves a special mention. When some of the cases came to court on October 2000 a police witness, asked if he had his notes from that day, said



Scottish church ministers about to be nicked at Faslane, 14th February 2000

that due to the weather conditions note taking had been inappropriate. That was putting it mildly. Legal support 'runners' did a brilliant job logging the arrests and dashing to and fro with sheets of paper disintegrating in their hands and many activists are still carrying around diaries and notebooks with that tell-tale Valentines Day water stain. The legal support team did an unbroken 26-hour shift monitoring the arrests, updating information about who was in what police station and arranging pick-ups for those released. It was a media event countrywide but the biggest boost was the evidence it gave of more and more people willing to play an active part in nuclear crime prevention.

On 3rd March the "Magic Four" from the Midlands Group were found guilty at Newbury Magistrates' Court by a magistrate who said, like his myopic peers in Helensburgh District Court, that he could not consider international law if it was not incorporated by statute. Hefty compensation orders were dished out and Sylvia, in view of her honourable record, was



Waiting to be processed and making new friends, 14th February 2000

also fined. Marlene Yeo's refusal to pay up had an interesting sequel and a lesson about the value of local media work. She wrote: "Well it is the bailiffs next. I have put a poster in the front door saying: Trident warheads are weapons for mass killing. I won't pay for them. Bailiffs keep out. Friends welcome. Leicester Mercury came specially to photograph it, although they'd already got 2 items in yesterday's paper - all favourable. So there can't be many locals who don't know about Trident. And so far, all from my angle! Great. In court, too, I had a chance to talk about the deadliness of Aldermaston, about cost of Trident, & about me, not them, upholding the law."

Helensburgh District Court continued to throw up bizarre hearing after bizarre hearing. In the trial of Marilyn Croser and Helen Harris a police constable from the Gorbals Division in Glasgow said that if told by a peace protester that international law was being breached in Faslane or Coulport he would take action to investigate that allegation. Testimony by Crown witnesses was a shambles and JP Stirling found them not guilty, as Helen put it "not for the best reason". Typically the JP had not allowed the accused to cross-examine Crown witnesses on international law.

When the Lord Advocate of Scotland had submitted his Reference of the Gimblett ruling to the High Court in January, he set down four questions that he wished to be addressed. These questions seemed



Commotion drummer Sheila Mackay at the south gate, Faslane, 13th May 2000

designed to elicit answers that would prevent the use of international law in the future trials of activists in Scotland and in general seriously limit the ability of ordinary citizens to act to prevent war crime. A very unsatisfactory and worrying preliminary hearing in connection with the Reference took place on 4th April. For a start Lord Rodger was in the chair. As a former Lord Advocate in 1992 he had rejected a plea by anti-Trident campaigners to look at its legality. Not only was he at least theoretically biased, his conduct of the proceedings was less than professional. Angie, representing herself, was cut short in the middle of her presentation. As it has turned out many of the sharp concerns we

had after this meeting have been relieved. Lord Rodger was removed from the panel of judges although we have no way of knowing whether this was due to our strong representations and those of supportive politicians. A transcript of the last three days of the Greenock trial, together with the testimony of some of the expert witnesses there was ordered. Some of Angie's costs are being covered by the Crown and, most significantly, the actual panel of judges have shown themselves happy to go behind and beyond the Lord Advocate's questions. A network was set up to take the best advice from legal experience worldwide on how to approach the hearing.

Marcus Armstrong and Louise James were fined in Helensburgh District Court on 9th May for their August swim to Trident, when they had only made it right up to the floating barrier at Faslane. Marcus gave a simple but brilliant summary of the moral case against Trident and ended by saying: "If anything ever happened and if any of my children, grandchildren or any person asks me, did you know? What did you do? Although it would give me little comfort, I would be able to say yes, I did know and although I wish I'd found the strength to do more, I did what I could at the time, given the circumstances." Turning to Justice of the Peace Scullion he asked him directly: "What would you say to your children or grandchildren?" There was a silence and then the JP said: "I will not answer that question."

On May 13th Trident Ploughshares along with Scottish CND arranged a 'Carnival' at Faslane. While Scottish based activists were happy that the main attention during May was going to be in Aldermaston they wanted to keep the pressure on the Clyde bases and give thereby a message of solidarity for the action in the south. Barbara McGregor described it: "May Carnival: a festival of fertility and earthy eroticism.



Maypole, 13th May 2000

Traditionally young men and women went to the woods the night before Mayday to find a suitable maypole “grooving the dark earthy groves vicarless and knickerless” in search of a sturdy trunk. Our El had been on the case though. Up came an erection made with love in Lochgoilhead. More of a totem than a mere pole, with sea creatures, birds and cute beasts all the way up, crowned by a golden sun. And the revellers danced round it - weaving patterns of creative chaos. At the appointed hour, cleverly liaising with the North gate and a run on the Barricades by riot grrl Morag, nine whirling dervishes laid the pole to rest across the middle of the road, punched holes into the papier-mâché coating and locked their assorted jewellery onto the centrally running chain inside. A cheer went up, funky music went on, the police roasted, and we toasted under a benevolent sun, chewing on liquorice and succumbing to sloppy kisses from wayward dogs. HOLD ON by the Soulmasters was never so apt. “Too many to arrest” was the word on the police walkie-talkie - even the bobbies were languorous. At 3 we all traipsed off to catch the bus home. A jolly splendid summer sortie.”

Thames Valley Police had written to us in April, hoping to identify organisers for the planned event at Aldermaston and asking us to confine our activities on the 22nd May (the day of the planned blockade) to a designated car park. We pointed out that: “There are no ‘organisers’ or ‘leaders’. Different people take on different responsibilities at different times but the bottom line is always individual responsibility and autonomy along with respect for others.” We were pleased to learn later from an MOD leaflet that this point had been accepted. We also took the opportunity to challenge TVP about their failure to act, in the following terms: “The Trident system



Sonnerie perform at Aldermaston, May 2000

threatens innocent civilians in their millions and presents a long-term and serious threat to the natural environment. What action is Thames Valley police taking on this urgent and desperately serious matter?” Although TVP had been in touch with Strathclyde to gain from their experience of dealing with our activities they opted for intimidation, but they relaxed into a more reasonable line when their bluff was called. This extended to an understanding that we would use the informal camping site we had intended. There was also a letter from AWE plc threatening legal action against the campaign should there be any disruption or damage.

The weekend began with a concert at the gates by the baroque ensemble Sonnerie with world famous violinist Monica Huggett who said: “Maybe doing a concert at Aldermaston will present a stark enough contrast to nudge peoples’ minds.” There was a march from Reading the next day and the first arrests. Ulla Roder, Roger Franklin, Joan Meredith and Fungus (Zoe Weir) got into the base and were arrested. The police bail conditions were that they did not come within five miles of Aldermaston. Eric Wallace, of the Scottish affinity group The Local

Heroes describes the blockade that took place on the Monday: “The decision to use karabiners and tubes in our action seemed a bit daunting to some of us at first, but Fungus persuaded us otherwise and it all turned out for the best since the equipment stopped the police trying to pull and push us apart and we were able to hold the gate shut for more than three hours. Even when special constables arrived to cut us loose we were able to hold on or let go as individuals, always it seemed that control rested with us. If we had merely linked arms then our line would almost certainly have been broken when one irate motorist decided to call our bluff and drive through the line. Only when it became apparent to him that we were unable to move did he back off. Another advantage of this tubing arrangement was that we were able to move our

location at will and indeed the police cleared a way for us as we required!” there were 46 arrests that day



*Blockade at Aldermaston,
22nd May 2000*

and 55 for the whole weekend. Very few of these were charged -most having been bailed to come back to a police station at a later date. The weekend was a considerable success, and it was especially helpful to have those involved who have long targeted that location. As Helen Harris put it: "Overall, despite some of the usual ill informed hostility, I felt the TP camp raised the local awareness of Aldermaston, leading to a high level of local interest and support." There were concerns about making a blockade the core of the weekend, some taking the view that particularly at Aldermaston, with its many gates and dangerous roads, it was not the best form of mass action and not ideal as a first action for newcomers.

In a joint Trident Ploughshares/Menwith Hill Women's Peace Campaign action on 19th June, Helen John, Angie Zelter and Anne Lee got through the new high security fence at the U.S. National Security Agency Space-War Spy Base at Menwith Hill in Yorkshire, in an attempt to dismantle the new fence that serves to protect the systems designed to support the new US anti-ballistic missile system (ABM). They were apprehended when starting to cut an inner fence - the one around the satellite communication area. Angie said: "Ballistic missile defence undermines the entire international order. Even if we get rid of Trident tomorrow they are still planning to have nuclear weapons in space." Three days later a group of Walkers For Peace set off from Aldermaston to cover the 400 miles to Faslane. The core of the group were the monks and nuns of Nipponzan Myohoji, a small Buddhist order committed to peace. The following Thursday Helen



Susan van der Hijden, Barbara Sunderland and Davida Higgin at Aldermaston, May 2000

Harris was sent to prison for seven days after refusing to pay a fine and a heavy compensation order. At that time the number of days spent in prison by Trident Ploughshares campaigners was already over 700.



The Peace Walk arrives at Faslane, 1st August 2000

Preparations were by now well under way for the third August camp at Coulport and the Faslane blockade on the 1st of that month. In our July press release about these events we noted that the UK was defending itself in the High Court against the islanders of Diego Garcia, who had been evicted from their island as part of a treacherous Polaris deal with the US in the 1960s. The British Government's tendency

to recognise international law only when convenient has a long pedigree. In the run up to the blockade we wrote an open letter to the Chief Constable of Strathclyde Police, John Orr, asking him not to arrest us or move us forcibly from the scene. This was the beginning of an interesting correspondence in which Orr showed willingness to discuss the issues of legality, at least to a certain point. The Greenock verdict was still having its impact.

On the 1st August, the beginning of the blockade was signalled by the arrival of the 30 peace walkers who had been on the road since June 26th from Aldermaston, where the Trident warheads are made. The walkers, led by the monks and nuns, went right up to the gate and attempted to attach the thousands of paper cranes they had brought with them. This was refused and after a brief ceremony activists blocked the gateway by sitting down or locking on to each other. After warnings police moved in to remove, arrest and charge them. Leeds MP Harold Best and Scots writer A.L. Kennedy were present to give their support and encouragement.



Kath McNulty, Faslane, 1st August, 2000



Scottish writer Alison Kennedy (centre, in baseball cap), Faslane, 1st August 2000

The day brought its own ironic twist, as many of the women on the Peace Walk from Aldermaston who had received a warm and high profile reception from West Dumbartonshire Council on their way through Clydebank, now found themselves in the police cells in the same town after being arrested at the blockade. Media coverage was good and the pick of the pictures showed Ray Davies from Wales with his mouth open in apparent agony as the police moved in to disentangle the blockading group. Actually, Ray was singing. Another fine picture, which appeared all over, was of Hoosey and Teapot on top of the tripod at the South gate which kept it closed for 7 hours until they came down voluntarily. The presence of A.L. Kennedy obviously touched a new constituency for within a few days we had a visit from Scottish sculptor George Wylie, who pledged his full support.

The camp itself began with Jenny Gaiawyn being sent to Cornton Vale for refusing to pay a fine. The following days brought a whole variety of actions: a Shift To Peace Work action at Coulport; several blockades; graffiti for peace; getting into the protected area at Coulport by inflatable boat; fence cutting galore (especially at the Sponsored Fence Cut). The action highlight was again a swim to Trident. On 6th August Ulla Roder and Marcus Armstrong were arrested after swimming into the

main security area of the base, getting through the boom and right up to the shiplift, and were only discovered by chance a few metres from the Trident. The bandit alarm was then set off. On Hiroshima Day we gathered at Faslane for a moving and extended ceremony, moving through a sequence of emotional responses to nuclear crime, from anger, to hope and empowerment, all symbolised in the giant statue of a woman. The evening ceremony was on the shore of Loch Long and began with a Buddhist ceremony on the beach. The floating lanterns we had prepared were in danger of being blown inshore so we sought the help of the MOD marine unit. Several campers waded out to the inflatable boat with the lanterns held aloft which the sailors took on board with great gentleness and understanding. There were a total of 161 arrests during the fortnight. Several campers had multiple arrests, Marcus Armstrong leading with



Loading lanterns onto MOD boat, Hiroshima day 2000

seven. As well as being an action camp the event provided many opportunities for activists old and new to renew their vision and commitment, to develop their skills in a whole range of areas, such as court work, the principles and practice of nonviolence, communication, boat-handling etc., and to reflect on strategies for the future. At the end of the camp Krieb Dragonrider was sent to Greenock prison on remand. He had failed to turn up for a previous trial and had broken bail conditions. On 4th September, although soundly defended by solicitor Liz Ross he had the misfortune to be before Justice of the Peace Fraser Gillies in Helensburgh District Court who fined him a total of no less than £850. Our patience with the shenanigans of that court was wearing very thin indeed and Sylvia Boyes showed a proper disrespect for its authority on 11th September when she was up for swimming into Faslane and locking on to a bus at Coulport the previous August. Sylvia refused to give her testimony from the witness box saying that as a Quaker it did not matter where she stood -she would tell the truth. JP McPhail listened patiently to her powerful summary but said he was not there to judge the legality of Trident. She was fined £100 and said she would not pay and



Rage against nuclear crime personified, Faslane, Hiroshima Day 2000

would not leave the court until the question of all her unpaid fines was dealt with. The next case was called and Roger Franklin sat down in the dock beside Sylvia. His case was then adjourned and Sylvia was still sitting there. The JP gathered up his papers and he and the clerk and the Fiscal scuttled out the door, ignoring the fact neither Sylvia nor the four supporters present had obeyed the instruction to stand up.

The trial of Rachel Wenham and Rosie James began the same day in Manchester Crown Court. The Navy mechanic who accompanied them off the boat at the time of their disarmament action against HMS Vengeance admitted that the vessel had been delayed in sailing after the action. On the next day of the trial another Crown witness said the sub had sailed without its radar surveillance system being in working order

through the lack of testing equipment to replace the equipment disarmed by Rosie and Rachel. Rosie then gave her own moving testimony and her realisation that direct action was the only way to make a difference. She was followed by Rosie on the 14th, and the court heard of her

extreme trepidation swimming in the filth infested waters of Barrow docks. She told of German Judge Ulf Panzer and his blockading of a Pershing missile base in Germany to the evident surprise of the judge who joked that he might have to find a wetsuit! On the 15th three expert witnesses appeared for the defence. Angie Zelter spoke of the need to take direct action after every conventional avenue was exhausted. Professor Paul Rogers explained how the threat posed by the Trident fleet is fundamental to Britain's current posture. Rebecca Johnson of the Acronym Institute described how that threat had operated in the context of heightened international tension at the time of the disarmament action. The judge said that the threat or use of Trident does not contravene existing English law and ruled that the part of the defence founded on that matter could not be put to the jury. Rachel dispensed with the services of her barrister before the summing up and appealed herself to the jury to follow their consciences in accordance with the Nuremberg Principles. The women were found not guilty on the charge of criminal damage relating to the spray painting of peace slogans on the Trident submarine HMS vengeance in Barrow last year. Even after extra time

the jury was not able to reach a verdict on the first charge relating to the damage to testing equipment on the conning tower - so the result was a 'hung jury'. In the light of the fact that the women have never denied that they carried out the spray painting it would follow that the jury has decided that the women's defence was valid. It was a tremendous achievement. The case clearly caused a serious dilemma for the jurors. Fellow AWTT member Helen Harris said: "Perhaps the best part of the trial was hearing, through the guarded statements of prosecution witnesses that the action had indeed worked - for a certain length of time, perhaps weeks, perhaps even months, one quarter of Britain's nuclear fleet was delayed from deployment." After a considerable delay the Crown has indicated that the women will be tried again in the new year. This

means that the legal process to bring them to book for preventing crime and upholding the law will take at least two years, an appalling abuse of process.

The 4th October was another of those long days in Helensburgh District Court, with 24 TP cases being discussed, and six trials due to take place. In the end none of these trials materialised and we



Hammers for peace outside Manchester Crown Court during the September 2000 trial of Rosie James and Rachel Wenham

were subjected to the usual chorus of adjournments, stretching well into next year. Late in the afternoon the court rose but our day was far from over. Why not make all our travelling worthwhile? A dozen or so of us made our way westward to Couplport where we set about the perimeter fence. Seven of us were arrested. Everyone was out again in a few hours and next morning the TV in Scotland ran the story in its morning bulletins, with a library picture of a Trident sub in the Gareloch.

The hearing of the Lord Advocates Reference of the Gimblett ruling began as scheduled on the 9th October. The process involves the Crown and the other interested parties (called Respondents -in this case Angie, Ulla and Ellen) putting their arguments before a panel of three High Court judges. In essence it is a government appeal by the back door against the Gimblett verdict. While it cannot actually overturn the women's acquittal, a negative outcome would obviously carry the implication that they should have been found guilty. All three Respondents have raised issues arising from the Convention on Human Rights (called Devolution Issues), one of which claims that the process amounts to a retrial of the accused. However -the real source of criminality

is being discussed -Trident itself. The presiding judge, Lord Prosser, and the panel are obviously thoroughly engaged. They have shown that they will not be restricted by the terms of the Lord Advocate's questions but will look at all the relevant issues. Each of the interested parties will participate in two rounds of speeches. Simon Di Rollo opened for the Crown. The core of his argument is that Britain is not breaking any rule of customary international law by deploying Trident and that it is not threatening to use it and never has. Intriguingly he read out great chunks of the ICJ Opinion of 1996.

Then came Angie. Representing herself, the only lay person, she said that the proceedings would relate to whether there is a right for ordinary citizens to prevent innocent people from being murdered. She strongly refuted the Crown statement that she, Ulla and Ellen were engaged in some kind of opposition or protest. They had acted to try to prevent preparations for war crimes. Citizens had time and again attempted to have this criminality addressed through the legal system. No prosecutions had taken place - a "serious indictment of the criminal prosecution service in both England and Scotland". In concluding she said: "The nuclear crime prevention will continue whatever the outcome of the LAR but if the court is wise and courageous it will also grapple with the underlying problems arising out of the Greenock trial - that of the vital question of the illegality of Trident and how to remove it from Scotland." Sitting there in the court we pinched ourselves to check this was really happening at last - a legal demolition of Trident before an attentive bench and busy public seats in the highest court in Scotland.

She was followed by Gerry Moynihan QC. His view was that the only reason the ICJ judges did not come out with a blanket ban on nuclear weapons was that some of them felt that a legal use of a small yield weapon against a ship at sea or an isolated military objective in a desert was a possibility. This reservation did not, of course, apply to Trident, which was clearly illegal. Advocate John Mayer, appearing for Ulla, whom he had successfully defended at Greenock, stated that there was no such thing as mere possession of a fleet of Trident nuclear submarines, each armed with live and targeted 100 kiloton warheads. Deploying nuclear weapons means having them in a state of readiness for war.

On Friday 13th October the hearing was adjourned and was due to take up again on the 14th October. On the Friday evening Edinburgh City Council (a Nuclear-Free Zone Council) laid on a civic reception for Trident Ploughshares. This was preceded by a seminar organised by the World Court Project (UK) in the City Chambers with short speeches from Angie and Stale Eskeland from the University of Oslo. Angie pointed out that it was only the action and pressure of ordinary people that changed things. Stale said that there was considerable room for optimism but that we would continue to need "hard work, cool



Justice waits outside the High Court in Edinburgh

minds and warm hearts". The warm and practical welcome from St. Augustine's United Church in the centre of the city included office and accommodation space and enabled us to maintain a regular presence in Parliament Square sometimes accompanied by a very tall woman in white, Justice herself, with a Trident missile in one hand and constructive alternatives such as hospitals and schools in the other, and all the while looking poignantly towards the grey building of the High Court of Justiciary.

In spite of the high level examination of the issues in Edinburgh, Helensburgh District Court was still doing its own muddled thing. Jane Tallents was fined £300 on 23rd October for a straightforward blockade action in August 1999 and two days later Clive Fudge, Marilyn Croser and Joy Mitchell were all fined £50 for their part in the February Crimebusters blockade. The same morning Faslane Peace Campers Marjan Willemsen had been due to appear along with Fungus to explain why they had not paid fines for previous anti-Trident actions. Instead of coming to court they entered Faslane naval base by cutting a hole in the perimeter fence, climbed a lighting mast at one of the shipping berths within the base and draped from the mast banners reading: "Trident Subs Threaten The World." After being released at midday from MOD custody they appeared at the afternoon session in the court. Fungus was given another week to pay while Marjan was sent straight to prison for seven days. She was out on Friday and straight back to Faslane to get on with the work.

Acknowledgements

This section was written by David MacKenzie.

Thanks to everyone who contributed photographs which were used in this chapter. Because the photographers were so numerous, and many were unknown, it was decided the most egalitarian solution was not to credit any of them!

PART 5: PRACTICAL TRIDENT DISARMAMENT

5.1 Background Information on Trident, Faslane and Coulport

In the mid to late 1970s the British Government set up a secret committee to determine a replacement for the Polaris fleet. That led to the decision to build four submarines designed to carry the US Trident missiles, armed with British-built nuclear warheads. The UK Trident submarine-launched nuclear missile programme has been aided and abetted throughout its design, development and deployment by the US Government.

Although the US has not directly provided the UK with a complete nuclear warhead for Trident, it has done everything but, through discussion groups, the supply of design, development and manufacturing information and the provision of materials and technology. All British nuclear weapons are almost entirely dependent on US technology and support. Some 30 per cent of the total Government estimated cost of Trident is being spent in the United States.

The British Trident missiles are leased from a central US missile pool. The missiles will also be refurbished in US facilities.

The US has also supplied:

- Highly enriched uranium to fuel the nuclear reactors onboard Trident submarines;
- Assistance with the design and testing of the Trident warhead;
- All sixteen missile tubes for the first Trident submarine, HMS Vanguard and technical assistance to aid in the installation of the missile tubes in the other three Trident submarines; and
- Targeting, communication and guidance systems for Britain's Trident missiles and the use of US navigation satellites.

The submarine's pressurised water reactor power plant is designed to operate seven years without overhaul. The original prototype of this reactor is kept at HMS Vulcan, next door to Dounreay.

Trident is a major escalation in Britain's nuclear war fighting capability. The previous Polaris/Chevaline system was only able to hit one target per missile regardless of how many warheads were being carried. Trident on the other hand has independently

Specifications for the British Trident Submarines:				Specifications for the Trident-II D5 Missiles:			
Length	491 feet			Length	44.6 feet		
Hull diameter	43.3 feet			Diameter	83 inches		
Height	4 stories			Launch weight	130,000 lbs		
Displacement	16,000 tonnes submerged.			Weight	130,000+ lbs		
Speed	25 knots submerged			Number of motors (stages)	3 plus post-boost control system		
Power plant	1 pressurized water PWR-2 nuclear reactor, geared steam turbines, 1 shaft			Range	4,000+ nautical miles		
Crew	132			Navigation system	Two-dimensional stellar inertial guidance (SIG) NAVSTAR GPS update to position the sub before launch		
Armaments	4 torpedo tubes for Spearfish torpedos, 16 Trident-II D5 SLBMs carrying a maximum of 48 Mk-4/100-kt MIRVs			Accuracy	400-500 feet CEP		
				Max. warhead loading	8 Mark-5/W-88,475 kt. MIRVs, or 12 Mark-4/W-76, 100 kt MIRVs		
<i>Comparison of Polaris with Trident</i>							
	No. of subs	Yield per warhead (kt)	Warhead deployment per sub.	Max. warhead deployment on 3 operational subs	Max. no of targets per sub.	Range (kms)	Accuracy (metres)
Polaris	4	200	32	96	16	4,700	900
Trident	4	100	48	144	48	7,400	120

targetable warheads. Every warhead that is carried on Trident can hit its own target. Trident also has a far greater range, is far more accurate and can hit its targets in a far shorter time period.

The four British Trident submarines are HMS Vanguard (first patrol 13/12/94), HMS Victorious (first patrol 7/1/96), HMS Vigilant (first patrol 1997), and HMS Vengeance (first patrol estimated early 2001).

British Trident submarines are based at the Clyde Submarine Base, Faslane, in Scotland, where the routine maintenance between patrols is carried out. RNAD Coulport handles the nuclear warheads. Normally there are 144 nuclear warheads on submarines plus between 30 and 50 at RNAD Coulport. Coulport inspects warheads and carries out basic maintenance work on them. From time to time small numbers of warheads are removed from each submarine and replaced. This is done at Coulport. Trident missiles can also be removed and there are bunkers to store up to 16 missiles on land, but normally the missiles remain on the submarine at all times. The missiles are loaded and unloaded at the US Navy Base at Kings Bay, Georgia. Coulport is also the storage and loading/unloading port for the conventional torpedoes.

The British Trident missiles are serviced at Kings Bay. The British missiles are ordered and stored with the US missiles and not assigned to Britain until they are drawn out of inventory to install in a British submarine. The missiles normally stay in the submarine for the duration of its seven-year commission, but capabilities are available at RNAD Coulport for the removal of missiles in an emergency. The Navy submarine museum at Gosport is worth a visit. It does not have a Trident but the old subs are there and will give you a feel of what a sub is like. They are basically all the same with minor modifications for electronics and different weapons systems etc. The address is The Royal Sub Museum, Haslar Jetty Rd, Gosport, Hampshire, PO12 2AS. Tel: 01705-529217.

5.2 How To Safely Disarm a Trident Submarine

General common sense is your best guide plus thorough thought, discussion and role play. Remember that it is more important to be peaceful, loving and accountable than to get to the submarine, road or pylon to disarm it at a particular time. The intention and commitment is what matters - the intention to peacefully disarm and the commitment to keep coming back and trying again. This total commitment means that there will be no excuse for the authorities to treat us badly - they can just arrest us quietly - but then they will have to put us in prison to stop us trying again and

yet again. The more peaceful and accountable we are the more we will attract others to join us and with hundreds and thousands of people joining us we have more chance of total and complete disarmament.

The easiest way the authorities have of stopping Trident Ploughshares growing is to portray us as violent and terroristic, therefore we must be careful to act in ways that can never honestly be interpreted as such. Of course, we may have to contend with dishonest slurs on our behaviour but these slurs will not hold up if we really are loving and open in all our actions.

5.2.1 Some General Safety Considerations

Emergency vehicles - to ensure that ambulances and fire engines can still operate in the base please ensure that any blockades and road digging can be easily cleared or bridged for emergency access.



Razor Wire - is very sharp so you can get a serious cut and not notice it. It can sometimes spring back at you when you cut it, so be careful to allow it room to do so without harming yourselves. It is best to remove whole bits back to their ties and all bits that stick out rather than risk getting snagged. There is usually a coil of razor wire on top of the 3 metre weld mesh and usually three coils piled up on the ground inside the fence, sometimes more. It is possible to climb over the coils without cutting it if you use a piece of strong carpet laid over the coils. Choose a place

where the coils are most dense and strongest. Take First Aid with you in case you get cut and a torch for night cutting. There is fencing within fencing, and once you have managed to get through one area there are often several other areas that will need similar treatment.

Dogs - are always near their handlers and are well trained. Keep still and wait until the handler calls the dog off. Usually you are warned by the handler before the dog is let loose and the dog usually goes for any person running away. They are often used to find people hiding or to search rough ground. Keep calm and if in doubt just keep still and quiet.

Guns - as far as we know the only Ministry of Defence Police with guns are those at the gates. However, armed Marines guard all the high security areas, like the warhead bunkers and the submarine berths. If challenged by them identify yourself as an unarmed protester. A Faslane Peace Camper who swam onto a submarine tapped a marine on the shoulder and said "Hi, I'm from the Peace Camp" and he fainted with shock! Remember he may be as freaked out to see you as you are him. It is best to assume that there is a shoot to kill policy in operation in all highly secure areas. We will not know their exact orders but if discovered make sure you stay still and quiet and

hold your hands out to show they are empty and you pose no threat. Speak quietly and calmly and say you will do no harm. Unarmed protesters have been discovered over the years by armed guards in very difficult circumstances without being shot. This is because it would be highly politically embarrassing for an unarmed peace protester to be shot whilst protesting about the illegality and immorality of weapons of mass destruction. Bear in mind that the guards may be very nervous and unsure of when or if to pull the trigger so make it clear that you pose no threat. Be sensitive. Not only do we not want any activist shot but we also do not want any guard to have that on their conscience either.

Cliffs - Coulport is a very big base, much of it on rough hillside which is unlit. There are steep cliffs and ravines. Don't run if you cannot see where you are going.

Water - the water in the Clyde is always cold so wear suitable clothing. It is tidal and there are currents. And remember that the weather conditions can change quite rapidly. It is advisable to talk to someone with local knowledge (contact the Peace Camp or Scottish CND office for contacts) and study the tide tables and maps before going onto the water. Police and Marines drive about in fast powerful boats of various kinds. If the only way to stop you in your boat or canoe is to capsize you they won't think twice, they will however then rescue you from the water. Swimmers will be blocked and hauled out of the water. The police can get tens of boats into the water quite fast. There are eight special guard boats plus armed guards with Trident and there are thirteen launchers and many inflatables for both Faslane and Coulport. With the warning we are giving them they may easily be able to call on reinforcements if necessary. At night, police and marines drive about fast with no lights on. Tugs and other boats may also be moving about. Armed Marines patrol the decks of the submarines and the dockside.

Typical security for escorting Trident subs might include two large tug boats, two or three police launches (one of which leads the procession with a blue flashing light), six special forces rigid inflatables (with armed soldiers) which seem to be almost glued to the sub, three on each side. Then there are any number of aquaplods whose role it is to keep us away. A recent defence security exercise at Coulport involving a sea action by Royal Marines succeeded in overwhelming the security. They had about eight fast boats and managed to land folk on both the old Polaris jetty and the newer Trident Explosives Handling jetty. Greenpeace have also managed to get people onto HMS Revenge using four boats. Anyone wanting maps of the area showing the restricted zones around the base waterfronts should contact the Core Group or Faslane Peace Camp.

There is a pump-jet (an internal propeller) which sucks in water along the sides of the sub, so avoid this area of large water intake. Also be careful of the area of water around all moving vessels that can draw small craft in. An MoD Policeman was killed in an

exercise when he was manoeuvring his boat at high speed at night in front of a Trident submarine.

When Clyde Sea Action began in 1986 with the widening of the entrance to the Gareloch the reaction to the waterborne actions was a bit heavy. There was ramming and capsizing of boats. However, relationships have improved and there tends to be less of this now. A rough law might be "The level of MoD response is proportional to the level of embarrassment caused". If you outmanoeuvre an aquaplod who has spent a lot of time training then they may respond in a fairly irresponsible way.

You are less obviously a protester if you wear a wetsuit. Sometimes there are exercises on the base when thunder flashes (powerful fireworks) are thrown into the water. They can make a swimmer unconscious. However, several protesters have managed to swim in and enter submarines without harm. Wearing protective wet-suits will protect you from the cold and any possibility of unlikely stings of ordinary jellyfish. During all three of the Disarmament camps held in August 1998, 1999 and 2000, pledgers have got within a few yards of the Trident berth at Faslane by swimming across the loch and through the floating boom at night.

There are many ways of getting into the base - not only through the wires, but also over, under, around, by sea, land, or air, by balloon, parachute, hang-glider, canoe, raft, diving, bicycle, stilts, misleading costumes, old cars, with all kinds of tools.

Nuclear reactor and nuclear warheads - A Trident submarine is a floating nuclear power plant. Damaging unidentified equipment could affect the safe operation of the nuclear reactor. Some equipment in the main control room is related to reactor operations. Do **not** interfere in any way with the nuclear reactor areas, the warheads, the missiles or the missile fire control computers or bunkers where the warheads are stored. On the submarine these areas are situated to the back of the conning tower, the long end of the sub, but the front area contains the torpedoes which are also a problem, and there are reactor-safety-critical components are throughout the submarine. Any fire on a Trident submarine is a major incident with potentially disastrous consequences. Great care should be taken to avoid taking any action, such as damaging electrical equipment, which could result in a fire. Any cables or pipes that go into the submarine from the dockside should be left alone as we do not want to risk cutting through the back-up emergency systems for the nuclear reactor. See the photo for a glimpse of just how many wires and cables there can be. Trident missiles each contain over 50 tonnes of high explosive and rocket fuel, in addition to the nuclear warheads. The third stage of the rocket around which the warheads are placed is made of a type of rocket fuel which is particularly prone to accidental detonation.

The Spearfish torpedoes are powered by Otto fuel which is both a toxic and an explosive hazard. There has been at least one fatal accident during early trials on these torpedoes. An accidental explosion is more

likely to occur on Spearfish torpedoes than on the older ones which used to be in service.

The submarine casing on the outside should be safe to hammer upon as it has to withstand very high pressures when it dives in deep seas but do not hammer or strike the missile tubes or the area under which the nuclear reactor can be found. The pouring of sticky substances or paint over the entire outer surface of the submarine would be safe however.

It is best to be absolutely safe and sure of what you are doing and if in doubt do not do it. If you do not know for certain what a piece of equipment is for, then leave it alone. The front of the submarine, in front of the conning tower, (the short end), is away from both nuclear reactor and nuclear missiles and therefore is the safest place to hammer, drill or cut. Also remember that any "secret" or "unannounced" Ploughshares actions must still be accountable. We are not doing a sabotage action but a considered disarmament action and are willing to take the consequences of our actions and explain why we are doing them. There may be a greater risk of violence from security personnel in "secret" actions as they will not be expecting us. So make sure you have thought up ways of making your sudden presence unthreatening and obviously peaceful.

5.2.2 Ideas for Disarmament

It is up to each affinity group to decide what and how it will disarm - within the nonviolent and safety ground-rules of the whole project. Only do what your whole group feels comfortable and safe doing and what you are capable of doing.

Inside the Trident submarine - some general ideas are to superglue the lock to the safe where the firing codes are held or blockade yourself inside the control room, sleeping quarters, toilets, kitchen area or lock-on anywhere inside the submarine except the areas indicated in the diagram of HMS Victorious (areas 11,16, 20 and 27) where no-one should go. The subs cannot go to sea with an activist on board. Drill holes from the inside to the outside to create leakages. Find the periscope and communications controls and make them unworkable. Damage the door fixings to prevent the doors from sealing properly.

Please refer to the diagram of the Trident submarine, HMS Victorious, with numbered areas.

The following areas should be left alone:-

- Area 11** - the nuclear reactor
- Area 16** - the Trident missile tubes
- Area 20** - the diesel generator as this is vital for reactor safety
- Area 27** - the torpedo stores

Caution should be exercised in **Area 18** - the missile control centre - equipment to control the safety of the environment in which the missiles sit onboard the sub are within this room. Damage to any equipment in this room could affect the missiles. However, the liberal spreading of syrup, paint, jam and glue should be safe and effective. Also be careful in **Area**

33 as there may be some torpedoes here and be cautious in **Area 10** as the engine room controls may also contain reactor controls.

Key areas that are safe to disarm using all available nonviolent means are:

Areas 3 & 4 - the rudder machines and the clutch. Like any vehicle if you damage the steering and the gears it will not go very far.

Area 13 - the evaporator/distiller. This provides fresh water for the sub and recycles the air the crew breathe. Putting this out of action means the sub cannot go anywhere.

Area 17 - navigation centre. This area is self-explanatory and the same applies to this area as to areas 21 & 29.

Area 21 - the main control room. This is the brains of the submarine, running the entire operating system. Any substance poured into computers in here will create havoc with the electronics but be careful of the reactor controls and leave them alone.

Area 28 - hydroplane machinery. This area controls whether the sub goes up or down. Any disarming done in here will render Trident inoperable.

Area 29 - the operations room. Like the main control room this is another key area of the sub. From here threats to the sub are assessed and responded to. Again there are plenty of electronics to damage that would render the sub inoperable but leave alone the reactor controls.

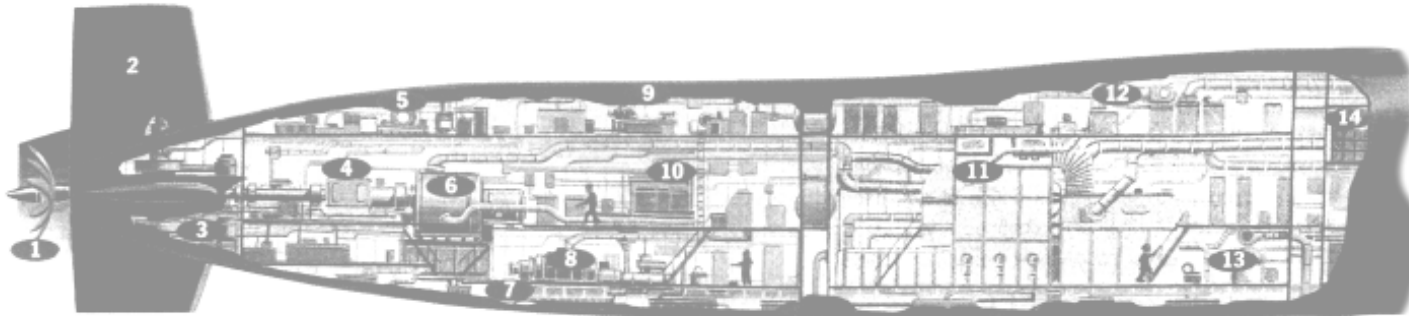
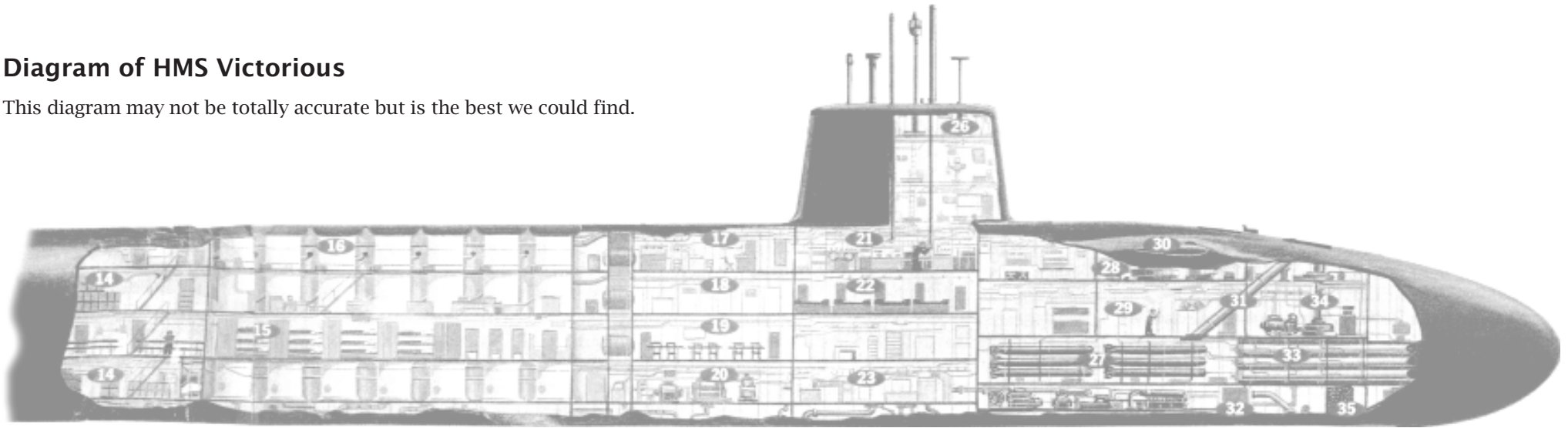
On the outside of the Trident submarine - hammer on the openings and flaps. Hammer the sonar arrays around the front. Damage any sonar arrays that are for dragging behind the sub (called the towed array) and that may be somewhere near the docked sub and slightly submerged. They are also often on the top of the submarine. If you look at the photo overleaf, you can see at the back an object that looks just like a huge cotton reel. This is part of the towed array and the cables on the reel can be cut through to great effect!

The submarine surface is covered with anechoic tiles that deafen and absorb any sound, therefore making the submarine harder to detect. Any anomaly in these tiles will create a noise. By removing the tiles, throwing paint or any other substance over them, you will make it more visible and audible to the 'enemy' and therefore unusable. In practice they often come into port with tiles missing so you would have to remove quite a few to make much difference.


On top of the conning tower there are numerous holes and cavities where radio and radar antennae and periscopes are usually kept. Most of these are usually retracted. These can be damaged through the use of metal punches, screwdrivers or any long piece of metal being driven into them and then superglued in place. The communication equipment on the conning tower (periscope, antennae etc) could also be

Diagram of HMS Victorious

This diagram may not be totally accurate but is the best we could find.



Double Decker
bus to scale

 = Do not go in this area

- | | | | | |
|-------------------|--------------------------|---------------------------|-----------------------------|-------------------------|
| 1 propeller cone | 8 turbo generator | 15 crew accommodation | 22 officers' accommodation | 29 operations room |
| 2 rudder | 9 workshop | 16 nuclear missile tubes | 23 auxiliary machinery room | 30 hydroplane |
| 3 rudder machines | 10 engine room controls | 17 navigation centre | 24 periscopes | 31 torpedo entry tube |
| 4 clutch | 11 nuclear plant space | 18 missile control centre | 25 radar | 32 oil fuel |
| 5 air compressors | 12 air conditioner plant | 19 wardroom | 26 bridge | 33 torpedo tubes |
| 6 main turbine | 13 evaporator/distiller | 20 diesel generator | 27 torpedo stowage | 34 machinery/winch room |
| 7 ballast tanks | 14 stores | 21 main control room | 28 hydroplane/machinery | 35 ballast |

cut, hammered, or bent in various ways. All of this will damage these very sensitive items of equipment rendering the sub blind and therefore unable to go to sea before repairs are carried out.

Sticky jam, syrup, treacle, glue, and other adhesive materials are also useful and can be used to bung up the periscopes and radar antennae if poured into these cavities. Syrup or treacle with sand, salt and water added have been found to be more effective than jam. Concrete and arc welders could be used on the diving planes at the front of the submarine.

The Hunter-Killer submarines that accompany the Tridents are part of the system and can be disarmed in a similar way to Trident. At present (January 2001), six of the fleet of twelve Trafalgar and Swiftsure class subs have been found at risk of the same cooling and system cracking as HMS Tireless that is still docked at the emergency (Z) berth in Gibraltar undergoing repair after a near reactor meltdown.

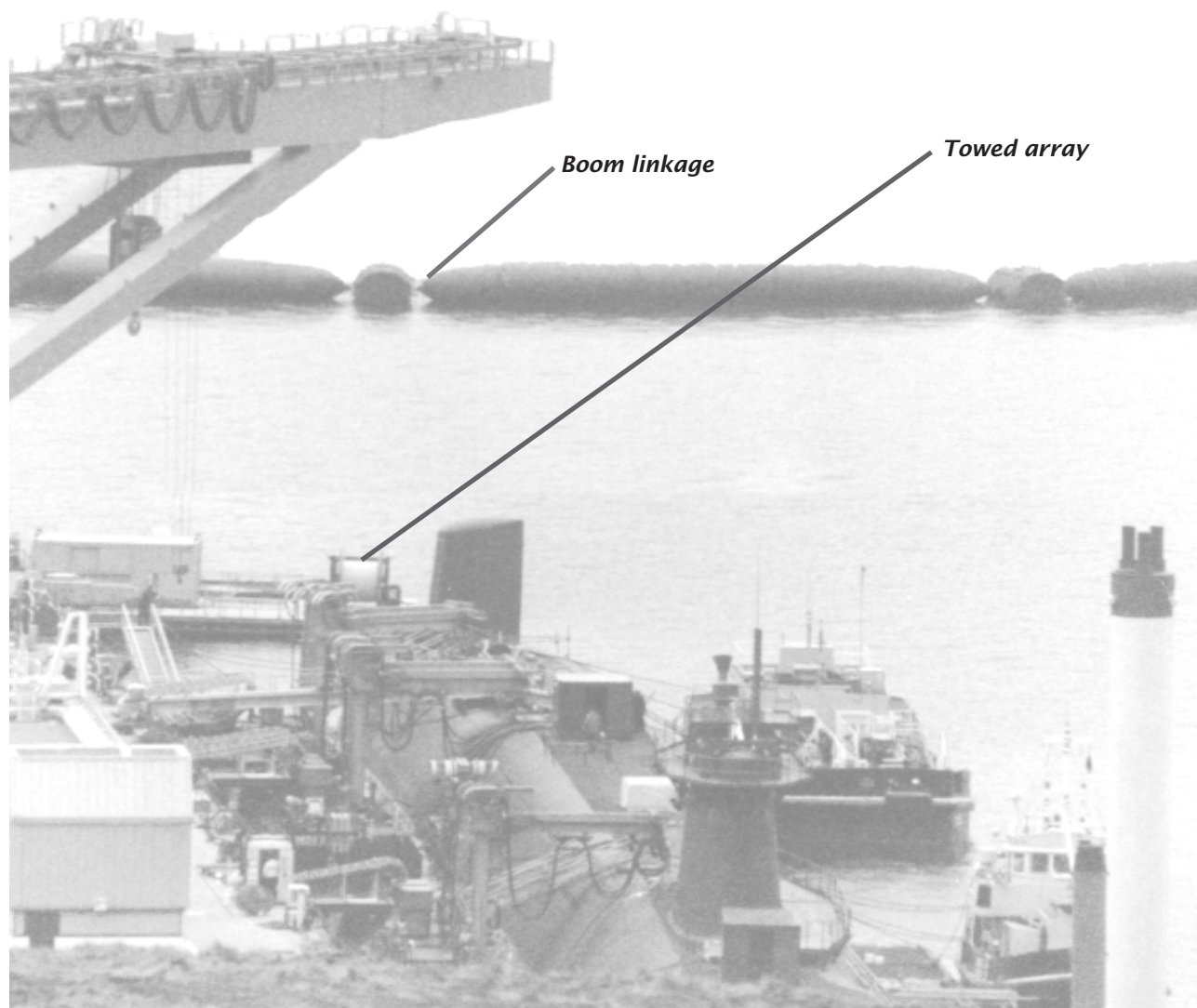
You might feel that the tugs and police launches that guard the Trident subs and guide it into port, are also part of the system and need disarming.

In March 1998 four TP women whilst on a pre-August reconnoitre found a police boat with its keys in it at the dock at Coulport. They borrowed it for a War Crimes

Inspection and after inspecting the Explosives Handling Jetty at Coulport took it 14 miles round the loch to Faslane where they landed one of the women on the floating boom before being arrested. When the opportunity presents itself military equipment can be quite useful in disarmament work! Such opportunistic work however, inevitably carries an increased element of risk, because it isn't planned. Practise the skills of quick decision making in your affinity groups.

The ship-lift at Faslane - the ship-lift building contains facilities for the 491 foot Trident submarines to be lifted clear of the water to carry out the maintenance work that is essential to keep Trident operational and would have to stop if peace activists were also there. There are three levels from which workers can reach the 80 foot high sub. By using a saw or some other useful tool you could damage the various cranes, gantries and other equipment. Damaging cranes at Faslane in the Trident area would stop repairs or loading of stores to Trident subs. Damage can also be done by unscrewing screws or bolts and by drilling holes in vulnerable places.

Access routes - the Rhu Narrows are a bottleneck for Trident submarines coming in and out of Faslane and blockading them or other parts of the channel is a possibility. Buoys and weights joined by steel cables can be floated in the water. Fishing nets can be laid and also boats can be turned over to get in the way. How



about sending messages to all boat and ship owners to come and block the narrows? There is a 12 knot speed limit. How about a Reclaim the Seas action? There are lights and radar towers on the Rhu Narrows that could be occupied although there are probably alternative guidance systems for Trident to use.

All actions should take into account the fact that a submarine running aground could result in a nuclear accident. The sub has to have clearance underneath for nuclear safety - there are water intakes for the reactor cooling system on the bottom of the sub. Also a collision with the ground could affect reactor operations, so put up warnings along with the blockades and contact the base too.

Locking on to the boom would also restrict access. See the photo opposite for details of linkage between the boom parts where you can lock on. There is an infra-red system that is meant to pick up canoes and boats approaching from the sea but all security systems are fallible. Part of the boom round the Trident area is like a gate and is opened to let subs in and out. You can stand on it and it is possible to lock on to various parts of it as well as to get through or over it quite easily. Check it out for size. We have had almost 20 incursions into the high security boom area over the three years of the project. It would be a good idea if your affinity group visits Faslane at least once before your planned action to get your bearings and check the feasibility of your plans.

Digging up various access roads with pick-axes or JCBs and setting up barricades with old cars and locking on to them, in and outside the bases could be good. The access road from the nuclear warhead storage bunkers is vital. When thinking about digging up roads remember access for emergency vehicles. There are two roads to the Explosives Handling Jetty at Coulport, one is too steep for warhead transport, but could be used for emergency vehicles. A nuclear accident could happen at any time with so many nuclear reactors in the various subs there or with the nuclear warheads and there needs to be access for all the emergency vehicles. If you plan any blockade or road digging then make sure you have safe and workable plans and equipment to bridge any hole in the road or to lift the blockade for access to emergency vehicles. We are trying to stop the movement of heavy warhead transport and of supplies to and from the sites not access by emergency ambulances and fire engines. There are many minor accidents and emergency vehicles go in and out on a very regular basis.

5.3 Background information on Aldermaston and Burghfield

5.3.1 What are AWE Aldermaston and Burghfield?

The Atomic Weapons Establishment (AWE) Aldermaston has been at the centre of British nuclear weapons production during most of Britain's nuclear programme. And from the marches of the 1950s and 1960s to the present day, the site has attracted a fluctuating amount of interest from anti-nuclear campaigners, environmentalists and anti-militarists.

AWE plc (the company), at the Aldermaston site, specifically, is currently responsible for the production, maintenance and (eventual) decommissioning of Britain's Trident warheads. It is also engaged in developing other areas of nuclear science: including laser technology and materials testing. AWE also retains the capacity for developing a new generation of nuclear weapons, should the British government decide to upgrade/replace

Trident at some point in the future (something which, it has been suggested, is already in the pipeline).

Aldermaston is owned by the British government, specifically the Ministry of Defence, but since the early 1990s AWE has had 'GOCO' status, that is Government Owned - Contractor Operated. This means that while the Ministry own the site, private companies manage day to day operations, and somehow (we've never quite figured this one out), make a profit. This status also applies to AWE Burghfield - Aldermaston's sister site, located approximately seven miles away. At Burghfield, high explosives (necessary to detonation) are packed into the warheads (and also removed - for maintenance and in decommissioning). Burghfield is also an occasional home to the nuclear warhead convoy - 'greens' (when it pops by to collect/deliver warheads for deployment/servicing). Though the 'greens' do not visit Aldermaston directly, the site has special status as home to Special Nuclear Materials convoy vehicles ('Blues'). These small trucks trundle around Britain with the MoD's 'Special Escort Group', collecting/depositing nuclear materials. Their favourite destinations include: Sellafield (BNFL, Cumbria), Chapelcross (MoD reactor, Scottish borders), Harwell (AEATech, Oxfordshire) and Rolls Royce Nuclear (submarine nuclear reactor manufacturers, Derby).

"-now hold your breath and carefully remove the lump of plutonium by the detonator..."



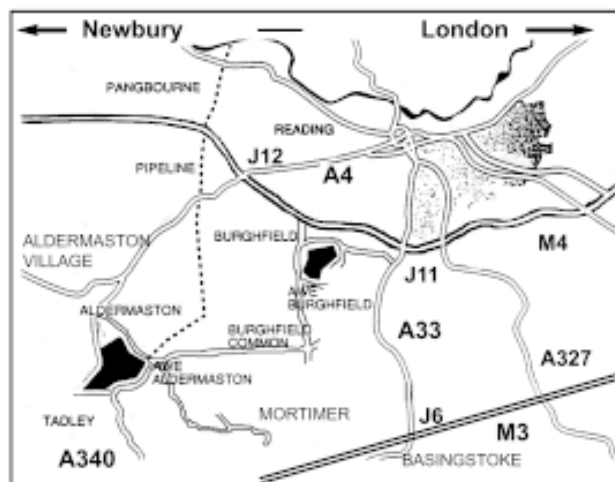
Editor's note: This is a *joke*. We really *don't* want people trying this sort of thing!

For seven years, until April 2000, the AWEs were managed by the Hunting-BRAE consortium (Hunting Plc, Brown & Root and AEATech). However since Hunting-BRAE's contract expired on 31 March 2000 the government chose a new consortium to manage the site from 1 April 2000. This consortium is comprised of BNFL, Lockheed Martin and Serco. Most British activists probably know a thing or two about BNFL, whereas Lockheed and Serco may be less well known. In fact Lockheed is one of the biggest weapons manufacturers in the world (responsible for the Trident missile bodies, the stealth bomber and manages several US nuclear installations such as Oak Ridge in Tennessee). Serco is a 'facilities management' company who have been the beneficiaries of many British contracts, particularly in the field of private prisons, rail and hospitals. They all have websites where you can find out more information about their dodgy corporate goings-on.

In terms of waste, AWE Aldermaston is engaged in burning, burying, flushing and storing all grades of radioactive waste. BNFL's Drigg site and Southampton's Shanks incinerator have contracts with AWE, for burying and burning respectively, other waste is deposited into small brooks which flow from the site itself, or through the (now infamous) Pangbourne pipeline, where it is deposited into the Thames. Yum. Aldermaston has many unpleasant features, including 'hot-spots' (from historic dumpings/accidents), chemical contamination of parts of the site and its environs, and a large store of radioactive waste on-site. Both sites do have dangerous areas both intended and otherwise, so if you are taking action try to find out as much information as possible beforehand about all the possible health and safety consequences of your action.

We hope from the above text, you can see how critical it is that anti-nuclear, environmental and anti-militarist activists apply and maintain pressure on Aldermaston (and Burghfield) as part of our continuing resistance to Trident.

5.3.2 Where are they?



AWE Aldermaston, location map
Junction 11 or 12 on M4 or junction 6 on M3

5.3.3 Some Ideas for Action

General

AWE Aldermaston is a hard nut to crack unless you have the right tools for the job. Choose your methods carefully and hope for a healthy dose of luck. However, nowhere can be perfectly defended and there are several weak points around the site. Ultimately if police resources are stretched by several incursions or there is a strong element of surprise (like taking action NOT at a TP disarmament camp), one or more groups have a good chance of getting somewhere. Unlike Faslane and Coulport, the site has the luxury of being at least 40 miles from the sea, and is surrounded by useful bushes and trees, with several dark areas. The perimeter is about six miles, so without a vast increase in policing, it is impossible for the entire site to be observed at all times, although there are many cameras.

Safety

Like Faslane and Coulport, both AWEs at Aldermaston and Burghfield are defended by Ministry of Defence Police (MDP). They are armed with pistols and machine guns. They also have the usual range of dogs, cuffs and possibly other non-lethal weapons (though women from the regular peace camp have never seen them with any). There is no history of serious injury being inflicted on protesters at the AWEs, although several women have regularly received minor injuries and had dogs released on them (and in some cases been bitten!).

At **Aldermaston** the A90 area (the 'dark side') is 'protected' by up to three extra fences (depending on where you approach from) and has armoured vehicles patrolling (Tacticas).

At **Burghfield** commando-style MDP 'Response Force' personnel defend the high security area from foxholes. So be prepared!

Radiation: At **Aldermaston** there are several contaminated areas on the site and around the perimeter, resulting from both radioactive and chemical spills/dumps etc. These are located at the Northwest and Southeast corners of the site (external) and internally around the old reactor site (see map on page 84). The entire 'A' area should be assumed to be mildly radioactive and also the storage areas (large amounts of radioactive waste are stored on site). The North Ponds area is the site of historic radioactive contamination and is also the store for Tritiated water being released into the Aldermaston brook (which is also contaminated - some times more than others), so try not to fall in!

Security

The entire **Aldermaston** site is surrounded by a minimum of two fences. The first perimeter is a regular chainlink fence topped with barbed wire. The second is a 15 foot (2.5m) high weldmesh fence, topped with rolls of razor wire. There are approximately five thin sensor wires held taut about

two foot out from the fence and running from about one foot from the ground to near the top. A mixture of static and highly manoeuvrable infrared cameras also surrounds the site. The 'A' area is surrounded by a further chainlink fence. You may encounter several more depending on which way you travel across the site.

At **Burghfield** the perimeter is chain-link with five sensor wires held off the inner wall of the fence by struts. However, it is possible to cut through the fence and very carefully slip through between two sensors (if you are lucky, skinny, take your time etc).

Possible targets for disarmament work

At Aldermaston

Convoy vehicles (both blue and green). For technical information about these vehicles you could try Nukewatch or Scottish CND (see Part 10.1 for contact information).

The admin building/home to the Chief Executive. There are lots of lovely bits of paper and computers in these officers which it would no doubt be tragic to lose. There would also be opportunities for using their power supply/ phone lines etc for broadcasting out during an occupation.

The A90/'A' complex. This building is vital to the production of Trident, because of this it is also potentially very dangerous to interfere with its operations. If you seriously intend taking action here or at other sensitive sites in the 'A' complex please seek lots of advice first. Even interfering with ventilation systems could have catastrophic results. Never do anything unless you know the consequences of your actions are safe.

The Special Escort Group. These personnel and their vehicles are required in order for the convoy to move anywhere. Their HQ and garages are located to the left and ahead of Tadley Gate (see map on page 84).

At Burghfield

Convoy vehicles/high security area (HSA). In order to get near here you either have to approach from the south side, minding ditches, walls, the many cameras and the Rapid Response Force. This is possible (others have done it), but requires both skill and luck. Alternatively you could approach from the east and take your time (less obvious, but more chance of getting caught en route). The convoy support vehicles hang around **outside the HSA** and are much easier to reach (see map on page 85). The convoy cannot travel without these vehicles.

Blockading. Burghfield only has two gates and can (and has been) effectively blockaded by just two women before now. A larger and better-resourced group could hold the base for a long time. If the warhead convoy is on-site and about to take Trident up to Scotland then this would be the most politically effective time to launch such an action.

5.4 Other Trident-Related Sites

Some affinity groups will want to disarm essential parts of the Trident system that are not located at Faslane, Coulport, Aldermaston or Burghfield.

Trident submarines were built at **Barrow** by Vickers Shipbuilding and Engineering Ltd (VSEL), now BAE systems. Nuclear materials for Sellafield are also received at Barrow.

Trident submarines are based at **Faslane** and their warheads are stored at **Coulport**. The missiles - which the subs themselves bring across from the US - stay on board. They are taken back to the US for maintenance. Coulport is the only place in Britain that we know of where rocket fuel, high explosives and plutonium are kept in close proximity.

Most components for Trident warheads are built at the Atomic Weapons Establishment, **Aldermaston**. This site has cradle to grave responsibility for all British nuclear weapons. It is however highly radioactive in certain areas and large quantities of explosives are stored in other areas. Caution is advised if entering this site.

All components for British nuclear weapons are transported to Atomic Weapons Establishment, **Burghfield**. Here they are assembled into nuclear weapons. They are transported by road to Coulport with overnight stopping places at **Wittering, Albermarle and Longtown**. There are regular convoys taking small numbers of warheads to Burghfield for detailed inspection - they are then either refurbished, or replaced with newly-built warheads.

The nuclear reactors that power the Trident submarines are built by Rolls Royce at **Derby** before being moved by rail to Barrow for installation. The fuel that powers Trident's nuclear reactors is also made here. Little is known of this site yet it plays a key role in the Trident programme. The fuel rods are manufactured at **Springfields**. The prototype of the reactor used on Trident submarines is at HMS Vulcan which is run by Rolls Royce Associates at Dounreay. The reactor was refuelled in 1998 with a fuel core designed to run for 15 years.

The major nuclear elements in the warheads are plutonium, tritium and Highly Enriched Uranium (HEU). Plutonium has always been produced and stored at **Sellafield**, through the reprocessing of spent nuclear fuel from the nuclear reactors at **Calderhall** and **Chapelcross**. No plutonium for use in nuclear weapons is currently being produced here but large stocks of military plutonium are held in special vaults at the site.

Uranium enrichment took place at **Capenhurst** up until a few years ago. Owing to the large stocks of HEU now held by Britain the special military enrichment plant at Capenhurst is no longer in use.

Tritium production goes on at Chapelcross. The same reactors that used to produce plutonium for the bomb



now help to produce tritium. Tritium is one of the key ingredients in modern day nuclear weapons. Without a continuing fresh supply of tritium Trident warheads would wither and die.

When on patrol, each Trident submarine is escorted by a nuclear-powered hunter-killer submarine. These are also built at Barrow and are based at Faslane or **Devonport**.

Anti-submarine helicopters used to support Trident will be based at **RAF Culdrose** in Cornwall, and will continue to operate from **Prestwick**. The Nimrod aircraft support base for Trident is at **Kinloss**.

The Trident submarines will all be refitted at Devonport. New facilities for these refits are being constructed over the next few years. Any delays or cost overruns to this construction programme will have a serious knock-on effect for the operational viability of Trident.

Some of the hunter-killers are at present refitted at **Rosyth** but all this work will soon be transferred to Devonport.

Rosyth and Devonport dockyards are also the dumping grounds for old, withdrawn nuclear submarines. Both sites have extracted the nuclear fuel (the reactor core) from several submarines as part of refitting or decommissioning. These cores are transported to Sellafield where they are stored until someone finds a way of reprocessing and/or disposing of them. Rosyth and Devonport also have large quantities of low and medium level nuclear waste stored on-site.

Command and control systems begin with the Ministry of Defence in **Whitehall**, London. Actual operational instructions are transmitted from **RAF Northwood**. However, Trident is also linked into the US command and control system and with various NATO systems.

The main sites for command and control of Trident submarines include **Criggion, Rugby, Anthorn** and **Inskip**. These sites normally consist of radio masts and little else. Radio masts are easily taken down through the removal of the odd bolt here and there or through the severing of the wires that hold them up but be very careful where and how they fall. Some of these sites also have civilian uses so caution and the gathering of information prior to any action should be used to ensure the right masts are rendered inoperable.

Pitreavie (HQ of RN Flag Office for Scotland and Northern Ireland); **Bristol** (MOD Procurement HQ) and **Bath** (RN Procurement HQ) are key administrative centres.

Sites on **St Kilda** and **Uists** monitor missile - but not Trident missile - tests.

The massive US spy base at **Menwith Hill** in Yorkshire has links with the radio transmission station near **Rugby**, now run by BT on behalf of the MoD. Menwith Hill is a vital part of the US' worldwide intelligence gathering network and is linked into the

Command and Control system for Trident.

All new British submarines, including the Tridents, undergo sonar and torpedo trials east of **Skye**. These are monitored by BUTEC (British Underwater Test and Evaluation Centre) whose administrative base is at **Kyle of Lochalsh** with range operations control sites at **Rona** and **Applecross**.

Emergency (Z) berths for submarines are dotted along the West coast of Scotland, including **Coulport, Loch Goil, Loch Ewe, Rothesay** and **Skye**. In England there are Z berths in **Plymouth Sound, Spithead, Southampton, Cardiff** and **Liverpool**.

Devonport Royal Dockyard in **Plymouth** is currently undergoing a £350 million dock expansion in preparation for re-fitting HMS Vanguard in early 2002. The other submarines will then follow suit.

Loch Goil is also a noise range which is used to listen to the noise generated by individual vessels. It is used on a regular basis by Trident and other submarines.

Cove - there is an electronic range off Cove which is regularly used by Trident and other submarines.

Loch Long, South of Coulport, is used regularly for submarine trials.

The area of water between **Arran** and **Bute** is used for submarine diving trials, mostly at weekends.

References and Acknowledgements

Many thanks to Faslane Peace campers and various CND members who gave advice and help as well as to Faslane and Coulport security and police for opportunities for practical experience! This section was updated with the help of Lionel Trippett, John Ainslie, Clive Fudge and Joe Button.

5.1 Background information on Trident, Faslane and Coulport

Trident Resister's Handbook - Bob Aldridge.

Trident - 30 years of the Polaris Sales Agreement - Ministry of Defence 1993.

5.2 How to safely disarm a Trident submarine

The Safety of Trident - an assessment of the radiation risks associated with the UK Trident programme - John Ainslie, Scottish CND, February 1994.

Safe in our Hands? RNAD Coulport - Faslane Peace Camp and Scottish CND, 15th July 1993.

We all live in a Nuclear Submarine - Article and diagram in *Radio Times*, 10-16th August 1996.

5.3 Background information on Aldermaston and Burghfield

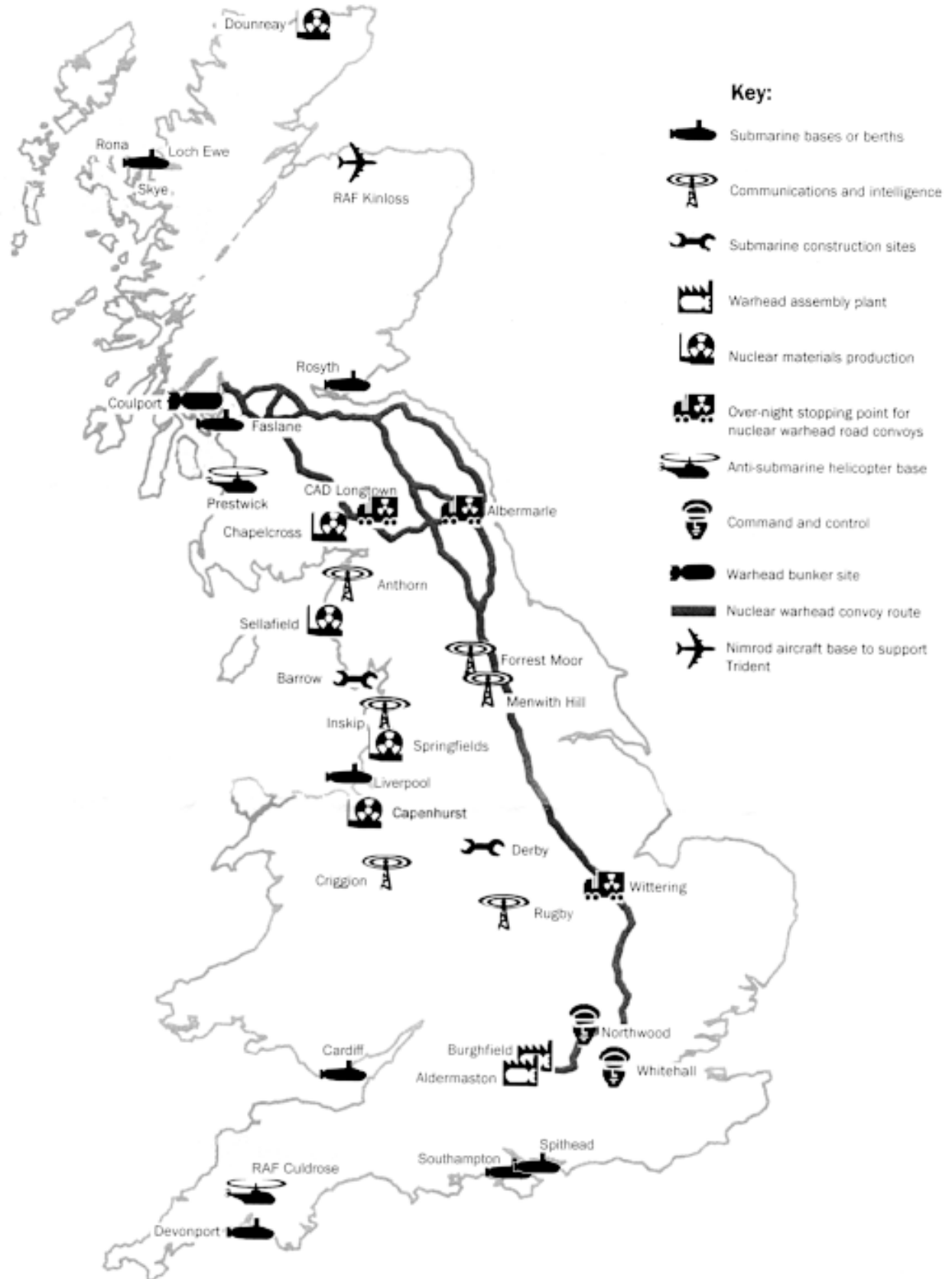
This section was written by Ippy.

5.4 Other Trident related sites

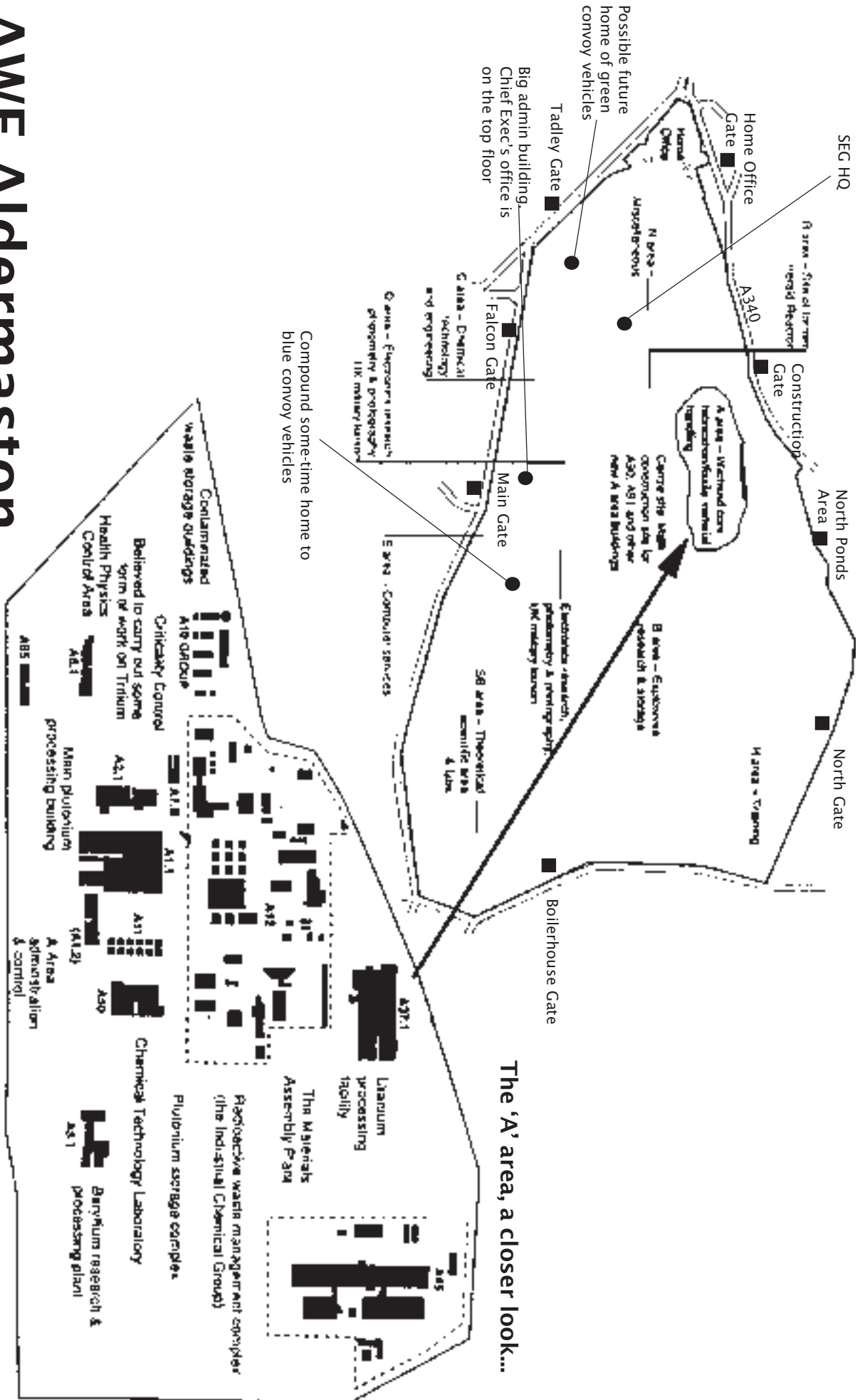
Nuclear Scotland in the 1990s - Scottish CND.

Main Trident Sites in the UK - CND.

Main Trident sites in the UK

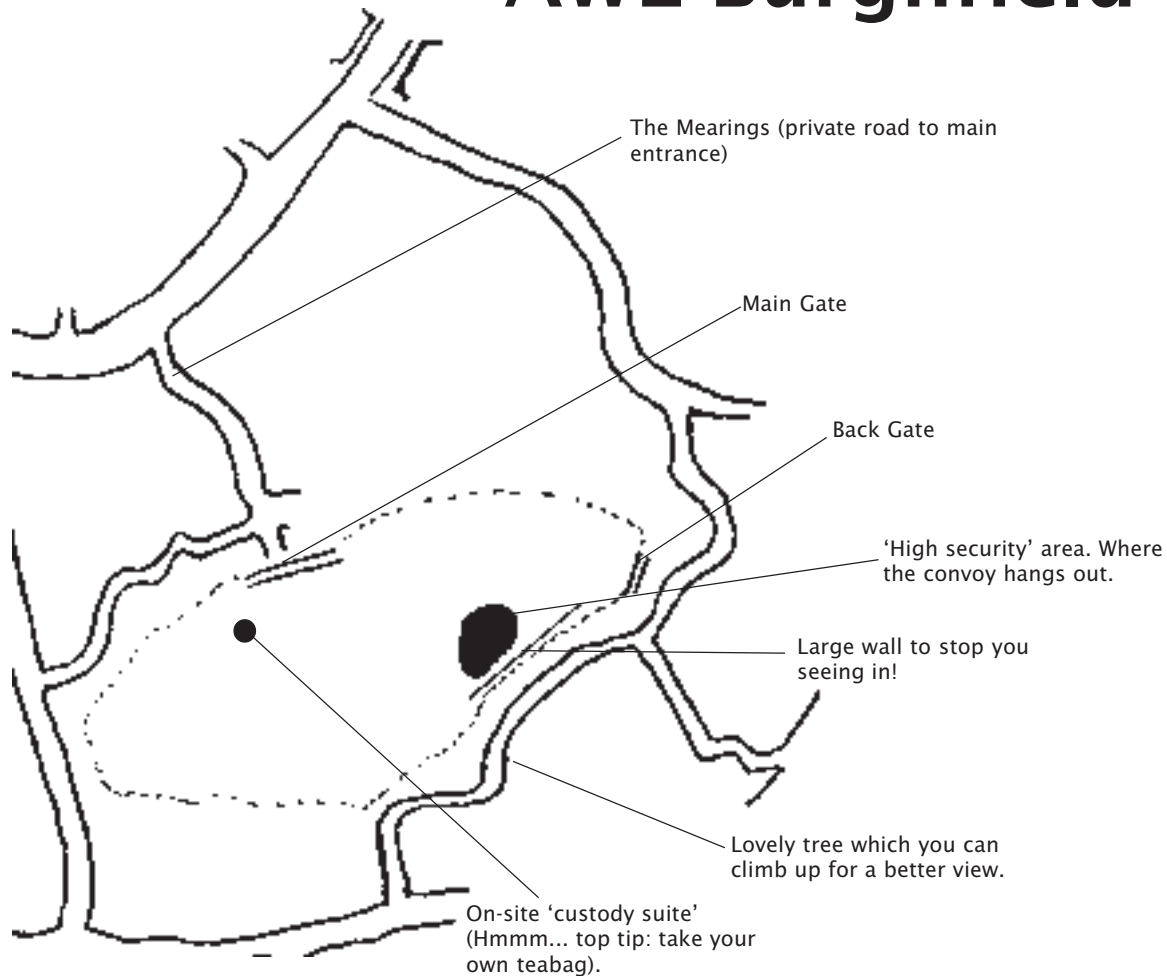


AWE Aldermaston



The 'A' area, a closer look...

AWE Burghfield



Aldermaston: local facilities (inc opening times)

Toilets	Mulfords Hill (Tadley) 24hrs M&F
Post Offices	Mulfords Hill, Pamper Heath Rd (9-5)
Photocopying facilities	Mulfords Hill PO (5p), Tadley Library (10p) Pamber Heath Rd PO/shop (open Sundays too!)
Faxing facilities	Mulfords Hill - Redwood Estate Agents
Public phones	Aldermaston Rd (01265 314700), Burnham Rd
Hospital/A&E	Royal Berks, London Rd, Reading (01189 877020)
Chemists	Next to Budgens Supermarket (9-7)
DIY equipment	56 Bishopswood Rd, Tadley & Mulfords Hill
Cashpoints	Link and RBS (Old Forge - Heath End Rd TSB Mulfords Hill) Barclays - Mulfords Hill

Travel Information

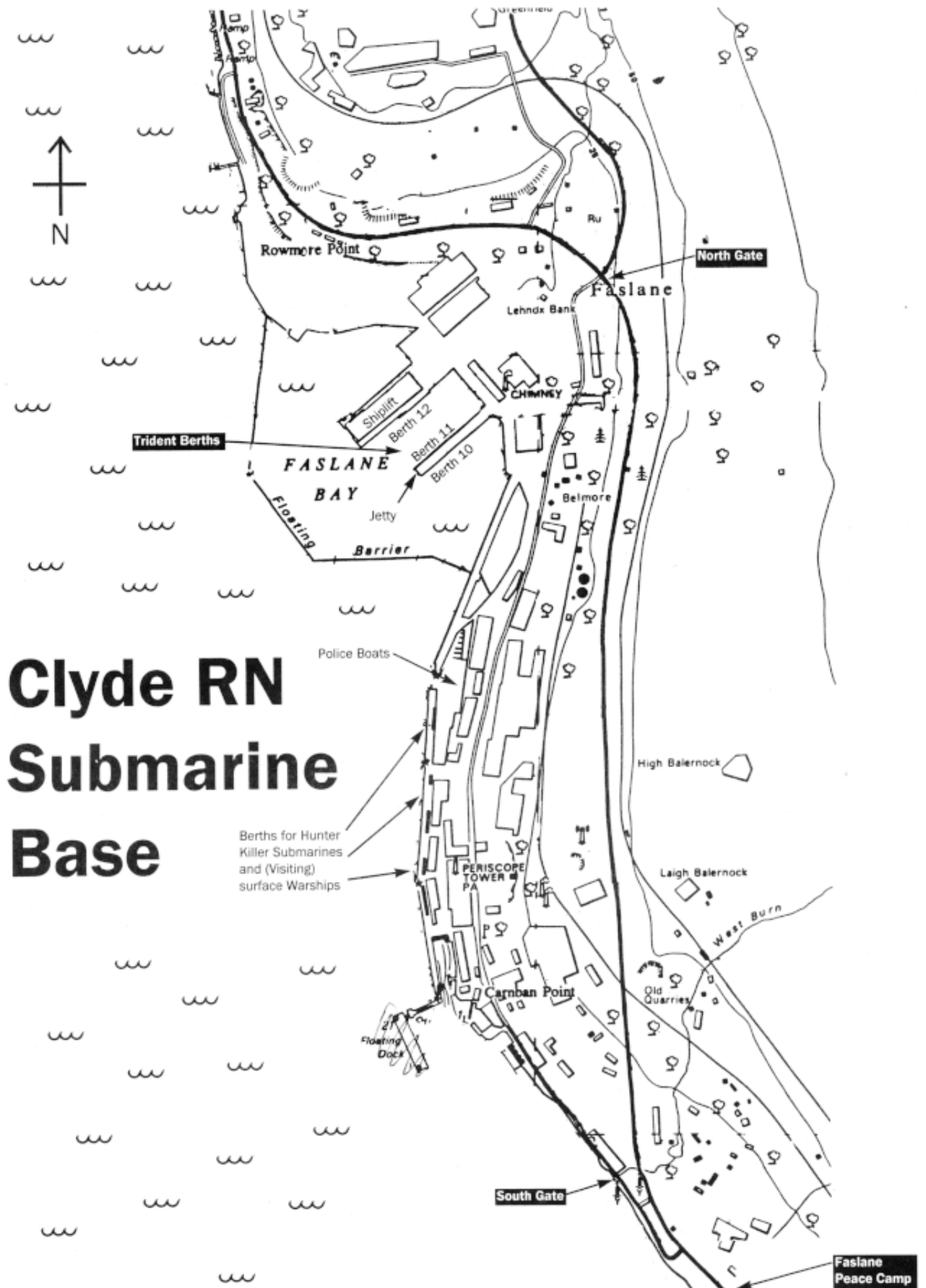
Reading Buses (143)	01189 594000
Hampshire Bus	01256 464501
The Bee Line (Bus)	01344 424938

Nearest Bus stops:

From Reading train station - Franklin Rd	Bus no. 143
From Basingstoke train station - Falcon Inn	Bus no 50/51 (A)

Nearest train stations (in order of closeness - first = nearest)

Mortimer	(10 mins) but better connected
Aldermaston	(10 mins)
Reading	(25 mins) On bus route to Tadley (143)
Basingstoke	(25-30 mins) On bus route to Tadley (50/51)

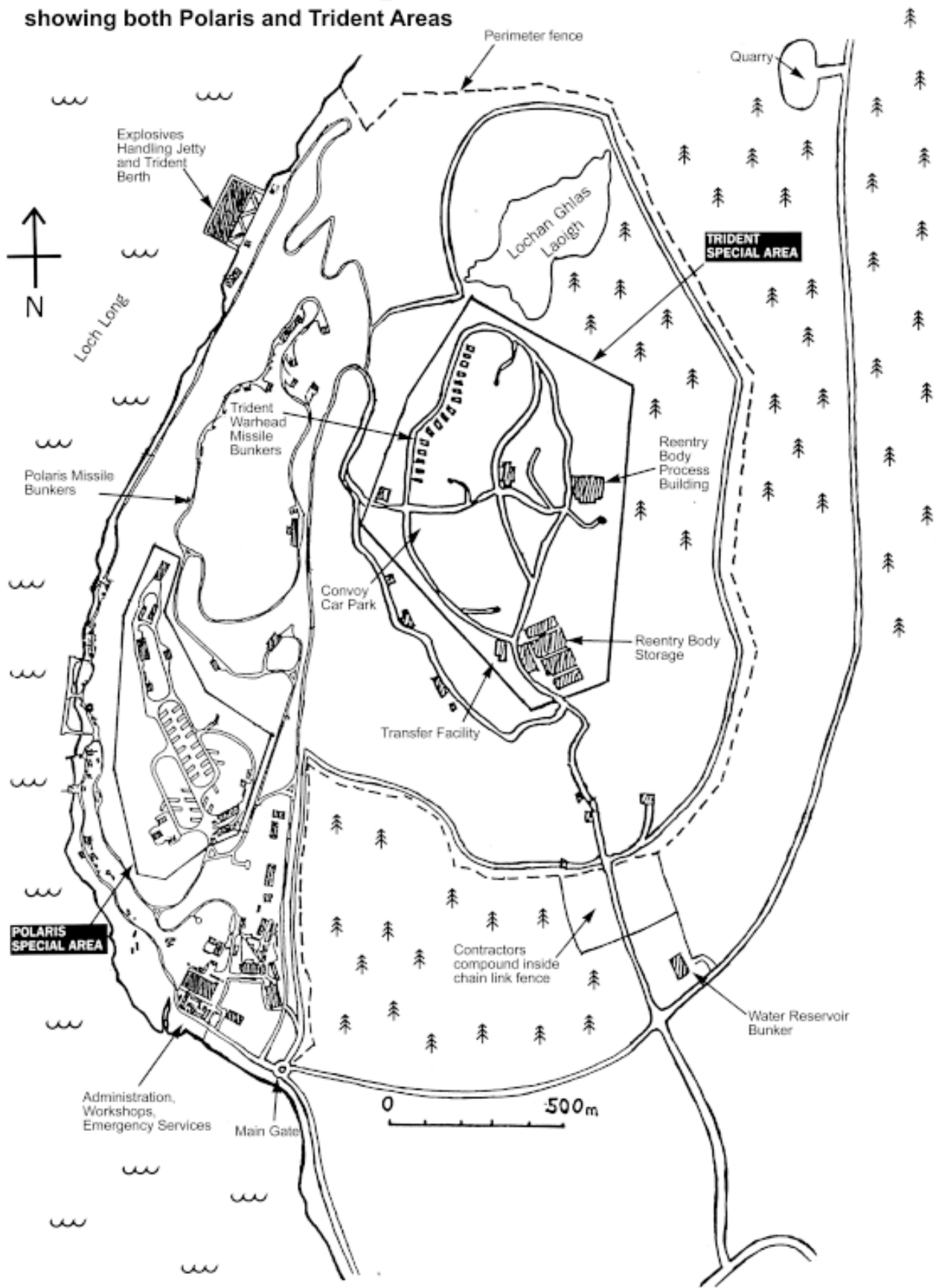


Clyde RN Submarine Base

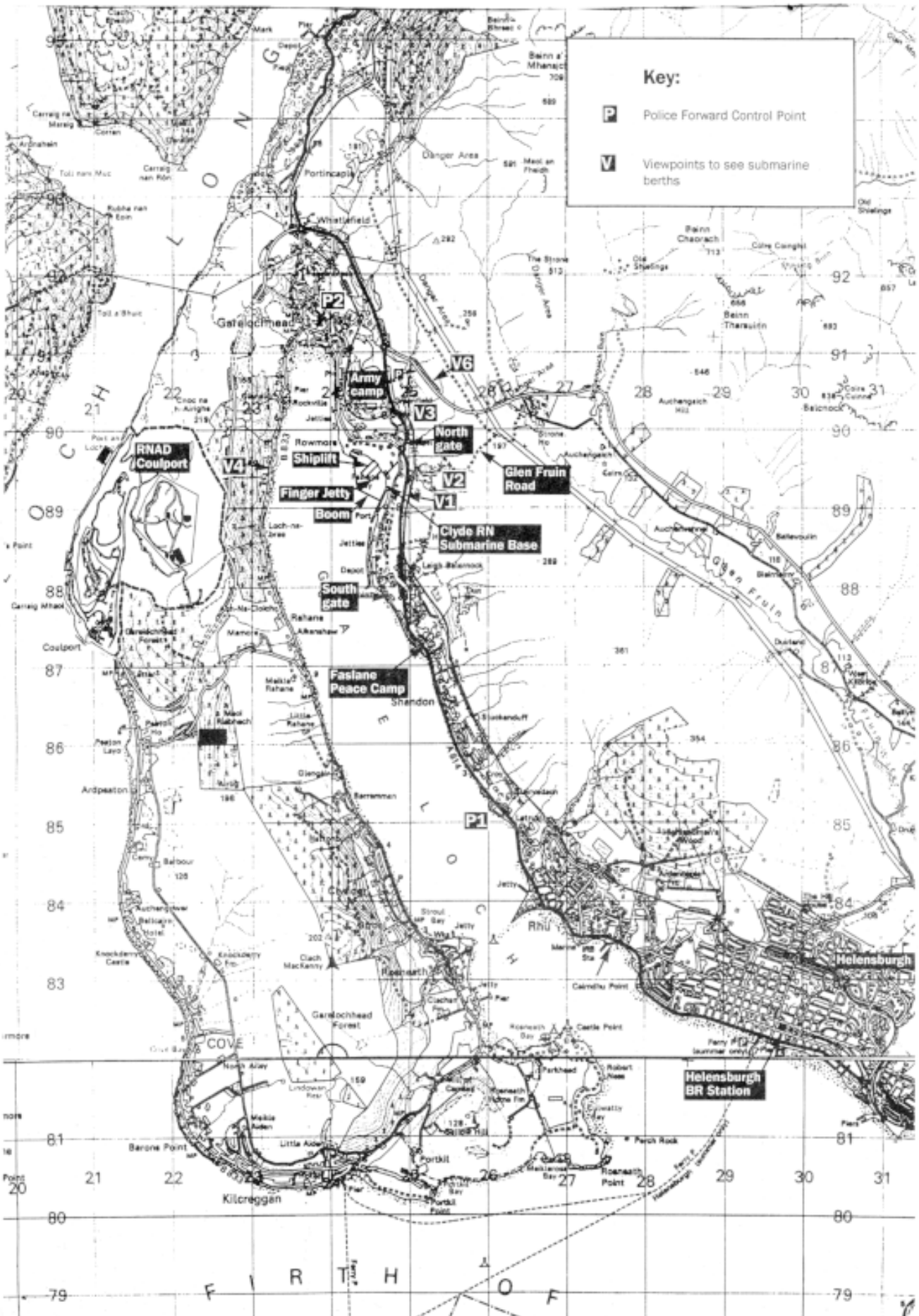
Berths for Hunter
Killer Submarines
and (Visiting)
surface Warships

RNAD Coulport

showing both Polaris and Trident Areas



Faslane and Coulport



PART 6: STATUS OF NUCLEAR WEAPONS

6.1 Background to the State of Nuclear Weapons in the World

There are eight known nuclear weapon states in the world: the **United States, Russia, Britain, France, China, India, Pakistan and Israel**. South Africa has now admitted that it did have nuclear weapons but it has now scrapped them. Three states, the **Ukraine, Belarus and Kazakhstan**, formerly part of the Soviet Union, did have nuclear weapons but have now either scrapped them or sent them back to Russia. **Iraq, Iran and North Korea** have had, and may still have nuclear weapons construction programmes. **Belgium, Germany, Greece, Holland, Italy and Turkey** as well as **Britain**, as members of the North Atlantic Treaty Organisation (NATO), have US nuclear weapons based on their soil. Since many nuclear weapons are installed on submarines, they can in practice be found **almost anywhere in international waters**.

6.2 Inventories of Nuclear Weapons

The US and Russia have by far the largest numbers of nuclear weapons. Even though they are scrapping many of their warheads under the terms of recent treaties they still have around 11,500 warheads (US) and 7,500 (Russia) in active service and they both have more in reserve. Although both the US and Russia have some free-fall bombs most are ground- or submarine-launched Intercontinental Ballistic Missiles (ICBMs). Britain's nuclear weapons consist of the

Trident nuclear missile submarine system, probably 185 warheads in all. France has submarine-launched intercontinental missiles as well as shorter-ranged air-launched missiles, likely to number around 450 warheads. China's nuclear forces are difficult to estimate but they have very little in the way of long-range delivery systems. They have 100+ obsolete Russian-designed bombers, a few very long range and rather more intermediate-range, land-based missiles. They are also building between four and six missile firing submarines and are modernising fast. They may have up to 500 warheads. It is not known how many warheads India or Pakistan have. A reasonably informed estimate for Israel is around 200.

For those requiring more detailed information on numbers of warheads and delivery systems please contact CND but remember that the details are very variable due to the secrecy of the sources. No-one knows for sure exactly how many warheads there are at any particular moment in time and when you start comparing different data and tables the figures are always different.

The most authoritative estimates of the total number of nuclear warheads in the world (including those actively deployed, those in reserve and those withdrawn but not yet scrapped) is approximately 30,000.

6.3 The British Nuclear Arsenal

Britain's strategic nuclear force is now the Trident submarine-launched intercontinental ballistic missile system. This replaced the old Polaris system, the last submarine of which was scrapped in 1996. Britain has had other nuclear weapons but all of these have been withdrawn and are being dismantled at Burghfield.

Trident is a submarine-launched ballistic missile system consisting of four submarines. At any one time three of these submarines are operational. There is a total of 42 operational missiles and it is assumed that there are 14 missiles on each submarine. Each of the three operational submarines carries 48 100 kiloton nuclear warheads, each of which can hit a different target.

One Trident warhead is 8 times more powerful than the Hiroshima bomb. It is estimated that 140,000 people lost their lives as a result of the Hiroshima bomb.

One Trident submarine is at sea at all times - 24 hours a day, 365 days a year. Commander Jeffrey Tall (Captain of the nuclear submarine HMS Repulse from 1989 - 1991) described what these patrols are like - "there is no doubt that when we went to sea, we went to war". Both Commander



Tall and his successors have said that they would fire their missiles without ever knowing where the targets were. The coordinates would all be relayed by computer.

Although Trident is known as Britain's independent nuclear defence system the missile that carries the warhead is not a British missile; it is leased from the US. This has two important consequences: Trident is not a fully independent weapon, as the US could refuse to return the missiles when they are handed back for maintenance and repair; and a British Trident missile is indistinguishable in flight from a US Trident missile. The significance of the latter is that Washington has long been pursuing and has not yet renounced the acquisition of a First Strike capability - the capacity to launch a devastating first nuclear strike that destroys virtually all of the enemy's nuclear weapons before they can be launched, thus 'winning' a nuclear war. If even one British Trident missile is fired, it could be mistaken for the cutting edge of a US First Strike, and Russia might respond with a full-scale 'retaliation' in order not to be disarmed by the strike (a 'use them or lose them' situation).

The first Trident submarine, HMS Vanguard, conducted its first patrol in December 1994. HMS Victorious followed in 1996 and HMS Vigilant in 1998. The fourth Trident submarine, HMS Vengeance, is now due for its first patrol in early 2001.

CND estimates that the annual running costs of Trident is around one and a half thousand million pounds. Several thousands of tonnes of intermediate level military nuclear waste are in storage at the three main nuclear sites of Rosyth, Devonport and Aldermaston, with some 750 tonnes added each year. These figures do not include the decommissioned nuclear powered submarines (11 so far) awaiting disposal decisions. The problems associated with the safe disposal of the toxic and radioactive wastes associated with the military nuclear programme have still not been solved.

Nuclear weapons were first introduced into Britain by the Attlee Government in secrecy and without consulting Parliament or

the British people. There has been a lack of any significant level of democratic accountability ever since. There has always been a significant part of the British population who have opposed nuclear weapons and this has been much greater in Scotland than in England or Wales. The Scottish National Party, The Scottish Trade Union Congress, 13 Scottish local authorities, the general Assembly of the Church of Scotland, the Roman Catholic Bishops in Scotland, are amongst the many in Scotland who oppose Trident. And yet, Trident has been forced upon the Scots. The National Steering Committee for Nuclear Free Local Authorities commissioned a Gallup Opinion Poll from 5th-10th September 1997 to find out the attitudes of British citizens as a whole. 59% of British citizens polled thought it would be best for the security of their community if Britain did not have nuclear weapons - only 36% thought it would be best to have them. 54% thought that Trident's nuclear warheads should be withdrawn from deployment at sea and placed in storage and 87% agreed that Britain should help negotiate a global treaty to eliminate nuclear weapons.

6.4 British Nuclear Defence Policy

Britain claims to be committed to a world free of nuclear weapons, saying that Trident is now Britain's only nuclear system, with 21% fewer warheads and with 59% less explosive power than during the 1970s. However, this is a distortion of reality. Although there will be fewer warheads and less explosive power in Britain as a whole (the Government figures disingenuously include the withdrawal of US weapons from Britain!).

Trident is, nonetheless, a massive escalation in Britain's nuclear capability.

Similar in explosive power to Polaris, it has three times the range, is faster, far more accurate and, because each of the warheads on any missile is independently guided, it can hit up to eight times as many targets. In addition there is growing evidence that Britain continues to research and develop a further generation of nuclear warheads. New tritium-producing reactors are likely to be built at both Chapelcross and Sellafield.

By escalating its nuclear capabilities, by only getting rid of those weapons systems that are out of date and by replacing them with Trident, even though the Cold War is now over, Britain is not committing itself to disarmament but committing itself to rearmament.

Britain has said it will not consider putting Trident into arms control negotiations until a parity of numbers has been reached



Steve Bell

between all nuclear weapons states. Yet this attitude of maintaining and escalating British nuclear capability is seen as pure hypocrisy by most of the non-nuclear weapons states. They continually ask why they should abide by the provisions of the Non-Proliferation Treaty when clearly Britain and the other nuclear weapon states have no intention of abiding by their obligations.

In July 1998 the Government announced the results of its Strategic Defence Review. This leaves the nuclear weapons policy virtually unchanged. Those carrying out the review were not allowed to consider recommending that Trident be scrapped, this option was ruled out by Defence Secretary George Robertson at the start of the process. The decision to keep Trident is described in the review in the following terms: "The Government's General Election Manifesto therefore promised to retain Trident as the ultimate guarantee of the United Kingdom's security" (SDR Essay 5).

The decision to keep Trident was in direct contrast with the threat assessment in the Review which stated that "... there is today no direct military threat to the United Kingdom or Western Europe. Nor do we foresee the re-emergence of such a threat". (SDR Chapter 1, para 3). The Government has also said that "We do not see any immediate nuclear threats to the United Kingdom" (Hansard 10/6/98).

The Review decided not only to keep Trident but to "maintain continuous-at-sea patrols" with one submarine on patrol at all times.

Britain also opposes any attempt to change NATO nuclear doctrine. When the German Government suggested that NATO switch to a 'no first use' doctrine, Britain and the US forced the Germans to recant from what was regarded as a nuclear heresy.

During the Cold War, Trident was justified as a deterrent to the Soviet Union. The Ministry of Defence is now desperately seeking an additional role for Trident. Britain has therefore attempted to adapt its

rationale for Trident to the new strategic situation by redefining Trident as a strategic and sub-strategic or tactical deterrent to a 'potential aggressor' who might wish to threaten UK 'national interests'. This could be any country who by aggression or other means threatens Britain's interests. This aggression need not be nuclear, it could be conventional if the aggressor has an alliance with a state that possesses nuclear weapons.

Britain's national interests have been listed specifically in the 1995 Defence White Paper as being British trade, the sea routes used by such trade, raw materials from abroad, and British investments abroad worth an estimated \$300 billion.

Britain's nuclear defence policies fall into two categories: **national doctrine** and **alliance doctrine**. In Alliance doctrine, we have to consider the nuclear weapons alliances that Britain is a part of - NATO and the Western European Union (WEU).

The WEU set out a 'Platform on European Interests' in October 1987 which stated that, "To be credible and effective, the strategy of deterrence and defence must continue to be based on an adequate mix of appropriate nuclear and conventional forces, only the nuclear element of which can confront a potential aggressor with an unacceptable risk". This formula left open the possibility of the use or threat of nuclear weapons against enemies who had not themselves used nuclear weapons, or who did not even possess nuclear weapons.

Britain's NATO commitments can be divided into two areas: explicit Alliance commitments on the one hand, and integration into US planning on the other hand. As for **Alliance commitments**, NATO's policy has always permitted the First Use of nuclear weapons. The classic formula of 'Flexible Response', set out in 1967, permits, "a flexible and balanced range of appropriate responses, conventional and nuclear, to all levels of aggression or threats of aggression". This actually permits the use of nuclear weapons in



response to the threatened use of conventional weapons, and before aggression has taken place. In recent years, NATO has sought a less bellicose appearance, and now has a policy of Last Resort use of nuclear weapons. This policy, however, still permits First Use, whenever NATO thinks that the time has come to resort to the Last Resort.

Because Britain has been the only non-U.S. nuclear power integrated into NATO **strategy** (France for many years preserving its independence), British nuclear weapons have been 'dedicated' to NATO, with Britain having the option of pulling out of its NATO commitments to use them 'independently' whenever its national interests were under threat and not defended by the rest of the Alliance. British nuclear weapons are given targets by the US as part of the US Single Operational Plan (SIOP) for waging nuclear war. SIOP has changed dramatically over the years - one new option is SIOP Echo, an option for despatching "a Nuclear Expeditionary Force ... primarily for use against China or Third World targets" according to a top-level Pentagon study leaked in early 1992 - but it continues to govern nuclear warfare plans on both sides of the Atlantic. In other words there are circumstances in which British nuclear weapons could be fired according to a pre-determined US plan which may or may not have been agreed with the rest of NATO.

Britain's national nuclear doctrine has now evolved into two categories: strategic deterrence and sub-strategic deterrence. The main difference between the two doctrines is that the former is concerned with all-out nuclear attacks, and the latter with smaller-scale nuclear attacks. In the 'strategic' field, we are talking about firing off all 16 Trident missiles, with all their warheads; in the 'sub-strategic' field we are talking about firing off a single Trident missile carrying a single warhead. Both strategic and sub-strategic deterrence are concerned with Britain's 'interests', as Malcolm Rifkind, the then Defence Secretary, made clear on 16th November, 1993 when he defined 'deterrence' as follows:- "Deterrence is about sustaining in the mind of the potential aggressor a belief that our use of the weapons could not prudently be altogether discounted; and this in turn requires that the hypothetical use should be credibly proportionate to the importance to us of the interests which aggression would damage."

'Sub-strategic deterrence' was defined slightly differently. Rifkind conceded that an all-out nuclear attack might not always be an appropriate response to an international crisis, and a threat to carry out such an attack might not be believed by the enemy. "It is therefore important for the credibility of our deterrent that the United Kingdom also possesses the capability to undertake a more limited nuclear strike in order to induce a political decision to halt aggression by delivering an unmistakable message of our willingness to defend our vital interests to the utmost."

Quite what this meant was spelled out in an article in International Defence Review the following Septem-



Accepting nuclear weapons as the ultimate arbiter condemns the world to live under a dark cloud of perpetual anxiety.

ber: "At what might be termed the 'upper end of the usage spectrum, [single warhead 'Tactical Trident' missiles] could be used in a conflict involving large-scale forces to reply to enemy nuclear strikes. Secondly, they could be used in a similar setting, but to reply to enemy use of weapons of mass destruction, such as bacteriological or chemical weapons, for which the British possess no like-for-like retaliatory capability. Thirdly, they could be used in a demonstrative role: i.e. aimed at a non-critical, possibly uninhabited area, with the message that if the country concerned pursued its present course of action, nuclear weapons would be aimed at a high-priority target. Finally, there is the punitive role, where a country has committed an act, despite specific warnings that to do so would incur a nuclear strike."

The targets would, we are informed, always be 'counter-force' targets - "such as nuclear weapons facilities, missile-testing grounds or hardened leadership bunkers" - never population or industrial centres. It is not explained how the effects of blast, heat, radiation and fall-out are to be kept from population or industrial centres which might lie near the 'hardened leadership bunkers' etc.

On the 5th April, 1995 the British representative at the Conference on Disarmament in Geneva restated an existing commitment by the British government not to use nuclear weapons against non-nuclear weapon states who had signed the NPT: "The United Kingdom will not use nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons except in the case of

Trident in the 1990s

Several developments in Britain during the 1990s served to give the impression that Britain had embarked on a substantial programme of nuclear disarmament that amounted to a fundamental change in its nuclear posture.

There certainly was a process of partial de-nuclearisation, but whether that amounted to a real change in posture was much more debatable.

During the Cold War years, Britain had diverse nuclear forces and was also a base for numerous US deployments. At the height of the Cold War tensions of the early 1980s, Britain maintained a force of four Polaris submarines, and a mixed fleet of around 200 Tornado, Jaguar, Vulcan and Buccaneer nuclear strike aircraft, all carrying British-made nuclear warheads. The Royal Navy maintained Sea Harrier nuclear-capable strike aircraft and scores of helicopters that could deliver nuclear depth bombs. The RAF deployed Nimrod anti-submarine aircraft that could deliver American nuclear depth bombs, and British Army units were equipped with nuclear-capable 155 mm and 203 mm howitzers and Lance battlefield missiles, all intended to use US nuclear shells or warheads. Britain was also used by the United States for basing ballistic missile submarines, nuclear-capable strike aircraft and cruise missiles.

By the mid-1990s, all of the US systems except a small number of nuclear bombs had been withdrawn, as had the US warheads for use by British forces. Furthermore, all of the British tactical nuclear weapons had been withdrawn, with the exception of a small number intended for Tornado strike aircraft. This process was conducted under the Conservative administration of John Major, prompting the ironic notion that it was a singularly unilateralist government - while Russia was also withdrawing many nuclear forces, none of the changes in Britain, apart from the removal of cruise missiles, was covered by arms control treaties.

The Labour Government after 1997 took some further modest steps. It speeded up the removal of the last of the tactical nuclear bombs, introduced a greater degree of transparency concerning the level of nuclear forces, eased the alert status of the Trident missile submarine force, and stated a commitment to maintain loadings of nuclear forces on Trident submarines at substantially below the design capability. Even so, while the withdrawal of the last of the tactical nuclear bombs, meant that Trident became the sole British nuclear weapon system, it had, in the process, been developed into a highly versatile system, capable of being deployed in 'sub-strategic' (tactical) and 'strategic' roles.

To take on the sub-strategic role previously undertaken by bombers, a proportion of the missiles on a Trident submarine, perhaps 6 out of 16, will be equipped with small single warheads with a destructive power of about 5 to 10 kilotons, compared with the standard Trident warhead of about 100 kilotons. As well as

being available for independent use by Britain, these sub-strategic Trident missile warheads will also be available to NATO.

There are interesting nuances in the history of British nuclear attitudes that are particularly relevant in the coming decades. Although most aspects of British nuclear strategy have related to the Cold War strategic and NATO contexts, a significant subsidiary thread has been the perceived value of nuclear weapons as counterbalancing relative weaknesses in conventional forces, not just in relation to the Soviet Union during the Cold War era, but also in regional confrontations outside the NATO area.

Tactical and strategic nuclear weapons were deployed during the Falklands War of 1982, and Britain had a regional nuclear capability, and indicated a willingness to consider nuclear use, during the Gulf War of 1991, as it apparently had had during the much earlier Indonesian confrontation in the early 1960s. This should not come as any great surprise, since it forms part of a continuum in military thinking about nuclear weapons that has parallels in the United States, the Soviet Union, post-Soviet Russia and France, as well as being clearly represented in NATO's planning for early first use of nuclear weapons.

Britain reserves the right to deploy Trident independently of NATO. According to one of the more detailed assessments of the range of options for sub-strategic Trident warheads: "At what might be called the 'upper end' of the usage spectrum, they could be used in a conflict involving large-scale forces (including British ground and air forces), such as the 1990-91 Gulf War, to reply to an enemy nuclear strike. Secondly, they could be used in a similar setting, but to reply to enemy use of weapons of mass destruction, such as bacteriological or chemical weapons, for which Britain possesses no like-for-like retaliatory capability. Thirdly, they could be used in a demonstrative role: i.e. aimed at a non-critical uninhabited area, with the message that if the country concerned continued on its present course of action, nuclear weapons would be aimed at a high-priority target. Finally, there is the punitive role, where a country has committed an act, despite specific warnings to do so would incur a nuclear strike."

It is worth noting that three of the four circumstances envisaged would involve the first use of nuclear weapons by Britain, but such scenarios resemble aspects of United States and Russian nuclear targeting and strategy at present and for the foreseeable future. Britain's Trident missile system is due to remain in service for the first quarter of the 21st Century and it is seen as a versatile nuclear system capable of operating in diverse conflict environments. The idea of withdrawing Trident, and with it Britain's commitment to nuclear forces, is not currently on the UK political agenda.

by Professor Paul Rogers

an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State." This is not worth a lot. If a state is deemed by Britain to be 'associated' with a nuclear weapons state, and its troops fire on British troops - or even on US troops - Britain reserves the right to use nuclear weapons in such circumstances. The last government also said that if a signatory to the NPT fell foul of the International Atomic Energy Authority (IAEA), and was judged to be 'in material breach' of its non-proliferation obligations, it could also be treated as a nuclear weapon state. 'Material breach' could just mean not reporting all the information or permitting all the access that the IAEA judges necessary - it does not necessarily mean that the country concerned has a nuclear bomb or even a nuclear bomb programme.

British nuclear policy is assumed to be defensive, concerned with protecting this country against nuclear attack. But in both its own national policy and the policies of the alliances to which it is party, Britain has expressed its willingness to use nuclear weapons in other ways, and has not ruled out the use or threat of nuclear weapons against non-nuclear weapon states (note that three of the four scenarios for using Tactical Trident do not require the enemy to possess or use nuclear weapons).

In the light of the above we can see that nuclear weapons are not just defensive, they are not just for defence of the UK, they are not just for retaliation against nuclear attack and they are not just for use against nuclear weapon states.

Britain seems determined to maintain a nuclear capability. A core assumption of British nuclear weapons policy seems to be that it enhances Britain's international standing. By this logic as long as Britain faces adversaries armed with virtually any kind of weapons and as long as Britain wishes to retain its seat at the UN Security Council, the government will continue to justify having Trident as the only way to "guarantee this country's future security".

The security challenges facing Britain and the rest of the world include social, economic and ethnic instability and environmental degradation. Nuclear weapons cannot help us with the solution to these problems - indeed they only add to the general instability of the world as well as contributing to economic and environmental problems.

6.5 The Use of British Trident in War

Although there are few details of British nuclear targeting policy in the public domain, it is possible to indicate the effects of an attack by a Trident-sized nuclear force if it was conducted against a country such as Britain. By using Britain as an example, it is easier to appreciate the effects of a nuclear force such as Trident.

Direct information on British nuclear targeting is available from some declassified sources and from occasional government statements. There is more substantial information available on alliance nuclear

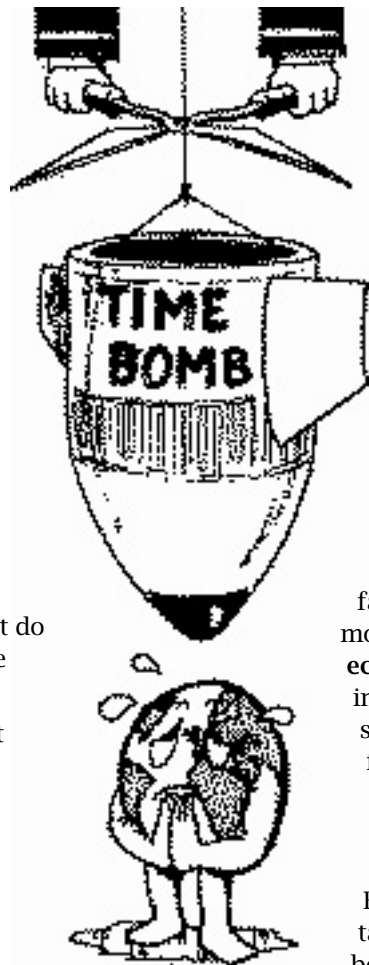
targeting strategy, and there are indications of the manner in which Britain would be targeted by an opposing state stemming from civil defence exercises especially the 'Square Leg' exercises of the Cold War years.

Alliance targeting is known to have been made up of four groups of targets. **Nuclear and related facilities comprised 5% of the total and conventional military targets, including naval and air bases, barracks and supply depots made up 50%. About 8% of targets concerned the political and military leadership including command bunkers and key communications and intelligence facilities. The remaining targets, rather more than a third of the total, comprised economic and industrial targets, including war-supporting industries such as munitions and weapons factories, transport and energy facilities and industries that might contribute to economic recovery after a nuclear war.**

Because British independent nuclear targeting has placed a premium on being able to destroy the Greater Moscow region, there would be a

concentration on the targeting of this centre, but this would form part of a wider targeting process analogous to the alliance targeting just described.

The British Trident fleet is theoretically capable of providing four boats each with 16 missiles each carrying three 100 kiloton warheads. In practice, government statements and data on missile orders from the United States indicates that there is provision for missiles sufficient to arm three boats. Some missiles might carry single 'sub-strategic' (tactical) warheads, but such a limitation could be countered by arming other missiles with more than three warheads. Assuming a Trident capability amounting to 144 warheads, each of 100 kilotons, is a reasonable indication of the power of the Trident force.



The September 1980 'Square Leg' civil defence exercise was based on an attack on Britain involving 130 Soviet warheads. Knowledge from that exercise, from a Soviet map of UK military locations, and from material on alliance targeting makes it possible to indicate the range of targets that a nuclear force of the size of Trident fleet might attack, if applied to Britain.

Nuclear Bases

The main targets would be the Trident base at Faslane and the nuclear armaments site at Coulport, both close to Glasgow. Supporting facilities at bases including Rosyth (near Edinburgh) and Devonport (near Plymouth) would also be attacked. US nuclear facilities at Lakenheath in Suffolk would be targeted, as would the support base and possible forward-operating base for B-2 nuclear bombers at Fairford in Gloucestershire. Communications facilities directly related to Trident, including the ELF transmitting station near Rugby, would be targeted, as would the Ballistic Missile Early Warning Station at Fylingdales near Scarborough. The nuclear weapons production centre at Aldermaston/Burghfield, close to Reading and west of London, would be a key target.

Conventional Forces

A range of some scores of conventional military facilities would be targeted, with this including civilian facilities available to the military in time of war. Included in this would be RAF and RN Aviation bases throughout the UK, including RAF Leuchars, RNAS Lossiemouth, several RAF bases in the East Midlands and East Anglia and transport bases such as Brize Norton near Oxford and Lyneham in Wiltshire. In addition to Faslane, Rosyth and Devonport, Portsmouth would be a direct naval target, and ports available to the navy including Hull and Aberdeen would also be targeted.

Army bases throughout Britain, most notably the larger bases such as Aldershot and Catterick would be targeted, as would supply depots. Civil airports, especially those with substantial facilities and long runways, would be targeted, including Heathrow, Stanstead, Gatwick, Birmingham, Manchester, Glasgow, Prestwick and Edinburgh. Most are necessarily close to large centres of population.

Command and Control and Political and Military Leadership.

Major military command centres would include Northwood (Navy) and High Wycombe (RAF) near London, Dunfermline (Navy) near Edinburgh and Portsmouth (Navy). District army centres include London, Colchester, Brecon, York, Preston and Edinburgh. Intelligence centres include MI5, MI6 and Defence Intelligence Staff in Central London, GCHQ at Cheltenham and Menwith Hill near Leeds and Bradford. Political leadership is in London, Edinburgh, Cardiff and Belfast.

Economic and Industrial Targets

Commercial and industrial centres would include London, Edinburgh, Glasgow, Belfast, Cardiff, Swansea, Bristol, Birmingham, Coventry, Manchester, Leicester, Nottingham, Derby, Middlesbrough, Newcastle, Dundee and Aberdeen.

Energy resources would be particularly significant and would include refineries and petrochemical complexes such as Grangemouth, Teeside, Stanlow/Ellesmere Port, Milford Haven, Fawley and the Thames Estuary. North Sea oil and gas facilities, especially those in Scotland, would be prime targets, as would the remaining large coal-field at Selby in North Yorkshire and major power stations such as Drax and Tilbury.

Transport concentrations would include the Severn, Forth and Dartford river crossings, major rail junctions and motorway interchanges, and communications facilities would include the more powerful radio and TV transmitters and microwave towers, many of them in or close to centres of population.

Casualties

The targeting outlined above gives no more than a limited indication of the total target list if a Trident-sized force was targeted on Britain, but the Trident force itself would have a broadly similar targeting capability against another state. Total casualties are very difficult to estimate, but the 'Hard Rock' and other civil defence exercises of the Cold War years presupposed many millions of immediate deaths with many more millions in the days and months afterwards.

The Hiroshima bomb was rated at about 13 kilotons and killed over 100,000 people. Each Trident warhead is about eight times as powerful. Many of the targets attacked would be in or adjacent to large centres of population and casualty figures would be of the order of those expected if Britain was similarly attacked, measured in many millions.

6.6 The Effects of Nuclear Weapons

An atomic bomb has certain special characteristics distinguishing it from a conventional weapon, which were summarised by the United States Atomic Energy Commission in these terms: "It differs from other bombs in three important respects: first, the amount of energy released by an atomic bomb is a thousand or more times as great as that produced by the most powerful TNT bombs; secondly, the explosion of the bomb is accompanied by highly penetrating and deleterious invisible rays, in addition to intense heat and light; and, thirdly, the substances which remain after the explosion are radio-active, emitting radiation capable of producing harmful consequences in living organisms."

The following more detailed analysis is based on materials presented to the International Court of Justice and which were not contradicted at the hearings, not even by the States contending that the use of nuclear weapons is not illegal. They constitute the essential factual foundation on which the legal arguments rest, and without which the legal argument is in danger of being reduced to mere academic disputation.

(a) Damage to the environment and the ecosystem

The extent of damage to the environment, which no other weapon is capable of causing, has been summarised in 1987 by the World Commission on the Environment and Development in the following terms: "The likely consequences of nuclear war make other threats to the environment pale into insignificance. Nuclear weapons represent a qualitatively new step in the development of warfare. One thermonuclear bomb can have an explosive power greater than all the explosives used in wars since the invention of gunpowder. In addition to the destructive effects of blast and heat, immensely magnified by these weapons, they introduce a new lethal agent - ionising radiation - that extends lethal effects over both space and time."

(b) Damage to future generations

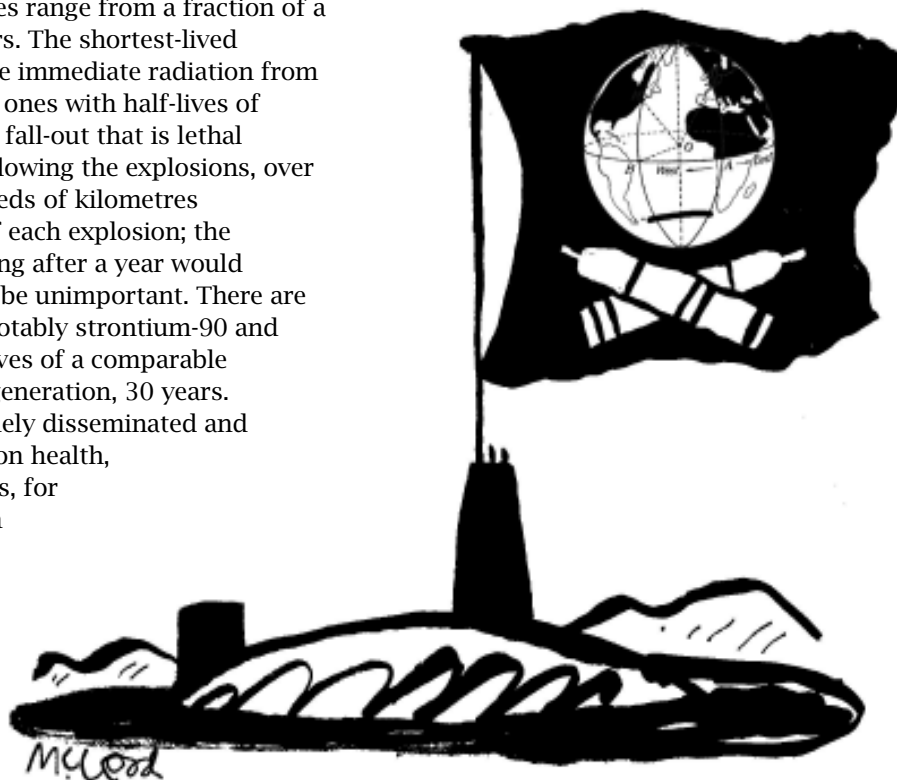
The radioactive products of nuclear explosions, called 'fall-out', are a mixture of short-lived and long-lived radioactive elements, usually called isotopes. Each isotope has a characteristic time period called its half-life. In one half-life the radioactivity falls to one half of its original level, in 10 half-lives it falls to approximately one thousandth, and in 20 half-lives to one millionth. Half-lives range from a fraction of a second to billions of years. The shortest-lived isotopes contribute to the immediate radiation from the bomb explosion. The ones with half-lives of hours and days form the fall-out that is lethal during the few weeks following the explosions, over an area extending hundreds of kilometres principally down-wind of each explosion; the amount of these remaining after a year would usually be so small as to be unimportant. There are a few fission products, notably strontium-90 and caesium-137, with half-lives of a comparable duration to one human generation, 30 years. These would become widely disseminated and have deleterious effects on health, including causing cancers, for several generations. Even in small amounts, radioactivity increases the mutation rate in humans and all living species.

In addition, a large proportion of the initial fissile material

is not consumed in the explosion, but is vapourised, and condenses as dust. The older nuclear bombs use uranium-235; newer designs and fusion bombs (hydrogen bombs) use plutonium-239 for the initial explosion, and uranium-238 fission as a supplement to the fusion stage. The uranium isotopes, with half-lives of many millions of years, are not radioactive enough to do serious damage. Plutonium-239 has a half-life of 24,000 years, and can cause cancer if it is inhaled or gets into the food chain. It causes effectively permanent and worldwide contamination of the environment, in terms of the time-scale of human history.

(c) Damage to civilian populations

This needs no elaboration, for nuclear weapons surpass all other weapons of mass destruction in this respect. But perhaps an eye-witness from Michihiko Hachiya who was in Hiroshima will drag us out of our complacency: "It was a horrible sight. Hundreds of injured people who were trying to escape to the hills passed our house. The sight of them was almost unbearable. Their faces and hands were burnt and swollen; and great sheets of skin had peeled away from their tissues to hang down like rags on a scarecrow. They moved like a line of ants. All through the night they went past our house, but this morning they had stopped. I found them lying on both sides of the road, so thick that it was impossible to pass without stepping on them... And they had no faces! Their eyes, noses and mouths had been burned away, and it looked like their ears had been melted off. It was hard to tell front from back. One whose features had been destroyed and was left with his white teeth



sticking out, asked me for some water but I didn't have any... I clasped my hands and prayed for him. He didn't say anything more... His plea for water must have been his last words."

(d) The Nuclear Winter

One of the possible after-effects of an exchange of nuclear weapons is the nuclear winter, a condition caused by the accumulation of hundreds of millions of tons of soot in the atmosphere, in consequence of fires in cities, in forests and the countryside, caused by nuclear weapons. The smoke cloud and the debris from multiple explosions blots out sunlight, resulting in crop failures throughout the world and global starvation. Starting with the paper by Turco, Toon, Ackerman, Pollack and Sagan (known as the TTAPS study after the names of its authors) on "Nuclear Winter: Global Consequences of Multiple Nuclear Explosions", an enormous volume of detailed scientific work has been done on the effect of the dust and smoke clouds generated in nuclear war. The TTAPS study showed that smoke clouds in one hemisphere could within weeks move into the other hemisphere. TTAPS and other studies show that a small temperature drop of a few degrees during the ripening season, caused by the nuclear winter, can result in extensive crop failure even on an hemispherical scale. Such consequences are therefore ominous for non-combatant countries also.

There is now a consensus that the climatic effects of a nuclear winter and the resulting lack of food aggravated by the destroyed infrastructure could have a greater overall impact on the global population than the immediate effects of the nuclear explosions. The evidence is growing that in a post-war nuclear world Homo Sapiens will not have an ecological niche to which he could flee. It is apparent that life everywhere on this planet would be threatened.

(e) Loss of life

The WHO estimate of the number of dead in the event of the use of a single bomb, a limited war and a total war vary from one million to one billion, with, in addition, a similar number of injured in each case.

Deaths resulting from the only two uses of nuclear weapons in war - Hiroshima and Nagasaki - were 140,000 and 74,000 respectively, according to the representative of Japan, out of total populations of 350,000 and 240,000 respectively. Had these same bombs been exploded in cities with densely-packed populations of millions, such as Tokyo, New York, Paris, London or Moscow, the loss of life would have been incalculably more.

An interesting statistic given to the International Court of Justice by the Mayor of Nagasaki is that the bombing of Dresden by 773 British aircraft followed by a shower of 650,000 incendiary bombs by 450 American aircraft caused 135,000 deaths - a similar result to a single nuclear bomb on Hiroshima - a 'small' bomb by today's standards.

(f) Medical effects of radiation

Nuclear weapons produce enormous blast and heat, much more intense than ordinary high explosives, and blindingly bright light. Their additional factor, absent from ordinary explosives, is their more energetic radiation, i.e. ionising radiation. Part of this is an instantaneous burst of very high-energy electromagnetic radiation called X-rays and gamma rays. The explosion also produces radioactive isotopes that form the 'fall-out' in the form of dust and coarser particles. Radioactive isotopes emit fast-moving and ionising sub-atomic particles called alpha-particles and beta-rays, as well as more gamma-rays. Neutrons are another type of ionising sub-atomic particle formed in the explosion.

The ionising X-rays, gamma-rays, and fast particles are what cause 'radiation effects' by splitting molecules (ionising them) within the cells and tissues of the body. These chemical changes are harmful to living cells. The severity of damage to the body as a whole depends very much on the number of cells affected in a given time, because the damage can be partly counteracted by limited natural powers of repair. Some organs and tissues of the body are more sensitive to radiation than others.

People within a few hundred metres of a nuclear explosion, unless screened from it by thick metal or masonry, would receive a lethal dose of radiation, and would die within hours from irreparable damage, mainly to the brain. However, in the case of 'strategic' bombs that are much larger than ones dropped on Hiroshima and Nagasaki, say 100 kiloton and up, nearly everybody within that lethal range for radiation would be killed by the effect of the blast. A little further away there would be some survivors of the blast, and those survivors would have received enough radiation to reduce the body's ability to heal wounds and burns.

The biggest impact of radiation on the population attacked would be on those people who received radiation from the fall-out, in the days and weeks following the attack. Whole-body radiation accumulated from gamma-rays of radioactive isotopes affects the gastro-intestinal system (stomach and intestines), the bone marrow and other blood-forming organs, and the kidneys. Early symptoms are nausea, vomiting, and diarrhoea, which may go on to haemorrhage. Later there is anaemia, and a generalised bleeding tendency. The natural defences against infection - the white blood cells and the immune response - are diminished or abolished. According to the dose received and to the individual victim's resistance, death may occur within a few days with predominantly gastro-intestinal symptoms, or later, after a partial recovery followed by deterioration due to anaemia, haemorrhages, and infection. An incidental conspicuous symptom is the hair falling out.

The effects of radioactive fallout absorbed into the body from the air and from food and water, are broadly similar but influenced by the route of

absorption and by the chemical properties of the radioactive material and the tendency of some substances to concentrate in particular body areas. A unique property of the thyroid gland is to concentrate the element iodine (whether radioactive or not) very highly. Radioactive iodine in sufficient quantity gradually destroys the function of the gland; there is also a tendency later for a radiated thyroid gland to form tumours, some of which can be malignant.

Victims who survive the combined trauma of burns, blast injuries, and the initial effects of radiation, will have their health impaired over a long period and, at least to some extent, permanently. They will always be at increased risk of leukaemia, and of many forms of cancer. The long-lived strontium-90 is incorporated into bone and can cause bone cancer. Airborne plutonium particles can be deposited in the lungs, where they are believed (from the results of animal experiments) to have a high probability of causing lung cancer; or they can be absorbed and carried by the blood stream to bones and to other organs. This increased risk of cancer had been a persistent reason for anxiety among the long-term survivors of Hiroshima and Nagasaki.

Other impairments of health in survivors include diminished immune response and thus diminished resistance to infection of all kinds, and impaired healing, for example of burns and bone fractures incurred at the time of the bombing. These injuries were inadequately treated in the disasters of Hiroshima and Nagasaki, as they would be after any nuclear explosion because of the numbers of injured; the radiation also impaired natural powers of healing. Prominent problems have been keloid scars and limb deformities.

A sinister long-term effect of radiation, that also affects subsequent generations, is to increase the frequency of mutations in the reproductive cells of the body. This has been a major cause of anxiety and social problems.

The effects of radiation are not only agonising, but are spread out over an entire lifetime. Deaths after a long life of suffering have occurred in Hiroshima and Nagasaki, decades after the nuclear weapon hit those cities. The Mayor of Hiroshima gave the International Court of Justice some glimpses of the lingering agonies of the survivors - all of which is amply documented in a vast literature that has grown up around the subject. A reference was made to Antonio Cassese's *Violence and Law in the Modern Age* (1988), which draws attention to the fact that "the quality of human suffering ... does not emerge from the figures and statistics only ... but from the account of survivors".



(h) Heat and blast

The distinctiveness of the nuclear weapon can also be seen from statistics of the magnitude of the heat and blast it produces. The representative of Japan drew the International Court of Justice's attention to estimates that the bomb blasts in Hiroshima and Nagasaki produced temperatures of several million degrees centigrade and pressures of several hundred thousand atmospheres. In the bright fireball of the nuclear explosion, the temperature and pressure are said indeed to be the same as those at the centre of the sun. Whirlwinds and firestorms were created approximately 30 minutes after the explosion. From these causes 70,147 houses in Hiroshima and 18,400 in Nagasaki were destroyed. The blastwind set up by the initial shockwave had a speed of nearly 1000 miles per hour, according to figures given to the Court by the Mayor of Hiroshima.

(i) Congenital deformities

The intergenerational effects of nuclear weapons mark them out from other classes of weapons. Apart from damage to the environment which successive generations will inherit far into the future, radiation also causes genetic damage and will result in a crop of deformed and defective offspring, as proved in Hiroshima and Nagasaki (where those who were in the vicinity of the explosion - the hibakusha - have complained for years of social discrimination against them on this account), and in the Marshall Islands and elsewhere in the Pacific.

According to the Mayor of Nagasaki: "the descendants of the atomic bomb survivors will have to be monitored for several generations to clarify the genetic impact, which means that the descendants will be forced to live in anxiety for generations to come". The Mayor of Hiroshima told the Court that children "exposed in their mothers' womb were often born with microcephalia, a syndrome involving mental retardation and incomplete growth". In the Mayor's words: "For these children, no hope remains of becoming normal individuals. Nothing can be done for them medically. The atom bomb stamped its indelible mark on the lives of these utterly innocent unborn babies."

In Japan the social problem of hibakusha covers not only persons with hideous keloid growths, but also deformed children and those exposed to the nuclear explosions, who are thought to have defective genes which transmit deformities to their children. This is a considerable human rights problem, appearing long after the bomb and destined to span the generations.

Mrs. Lijon Eknilang, from the Marshall Islands, told the Court of genetic abnormalities never before seen on that island until the atmospheric testing of nuclear

weapons. She gave the Court a moving description of the various birth abnormalities seen on that island after the exposure of its population to radiation. She said that Marshallese women “give birth, not to children as we like to think of them, but to things we could only describe as ‘octopuses’, ‘apples’, ‘turtles’, and other things in our experience. We do not have Marshallese words for these kinds of babies because they were never born before the radiation came... Women on Rongelap, Likiep, Ailuk and other atolls in the Marshall Islands have given birth to these ‘monster babies’... One woman on Likiep gave birth to a child with two heads... There is a young girl on Ailuk today with no knees, three toes on each foot and a missing arm ... The most common birth defects on Rongelap and nearby islands have been ‘jellyfish’ babies. These babies are born with no bones in their bodies and with transparent skin. We can see their brains and hearts beating. ... Many women die from abnormal pregnancies and those who survive give birth to what looks like purple grapes which we quickly hide away and bury ... My purpose for travelling such a great distance to appear before the Court today, is to plead with you to do what you can not to allow the suffering that we Marshallese have experienced to be repeated in any other community in the world.”

From another country which has had experience of deformed births, Vanuatu, there was a similar moving reference before the World Health Assembly, when that body was debating the reference to the International Court of Justice on nuclear weapons. The Vanuatu delegate spoke of the birth, after nine months, of “a substance that breathes but does not have a face, legs or arms”.

(j) Transnational damage

Once a nuclear explosion takes place, the fall-out from even a single local detonation cannot be confined within national boundaries. According to WHO studies, it would extend hundreds of kilometres downwind and the radiation exposure from the fall-out could reach the human body, even outside national boundaries, through radioactivity deposited in the ground, through inhalation from the air, through consumption of contaminated food, and through inhalation of suspended radioactivity. Such is the danger to which neutral populations would be exposed.

All nations, including those carrying out underground tests, are in agreement that extremely elaborate protections are necessary in the case of underground nuclear explosions in order to prevent contamination of the environment. Such precautions are manifestly quite impossible in the case of the use of nuclear weapons in war - when they will necessarily be exploded in the atmosphere or on the ground. The explosion of nuclear weapons in the atmosphere creates such acknowledgedly deleterious effects that it has already been banned by the Partial Nuclear Test Ban Treaty.



The transboundary effects of radiation are illustrated by the nuclear meltdown in Chernobyl which had devastating effects over a vast area, as the by-products of that nuclear reaction could not be contained. Human health, agricultural and dairy produce and the demography of thousands of square miles were affected in a manner never known before. On 30 November 1995, the United Nation's Under-Secretary-General for Humanitarian Affairs announced that thyroid cancers, many of them being diagnosed in children, are 285 times more prevalent in Belarus than before the accident, that about 375,000 people in Belarus, Russia and Ukraine remain displaced and often homeless and that about 9 million people have been affected in some way. Ten years after Chernobyl, the tragedy still reverberates over large areas of territory, not merely in Russia alone, but also in other countries such as Sweden. Such results, stemming from a mere accident rather than a deliberate attempt to cause damage by nuclear weapons, followed without the heat or the blast injuries attendant on a nuclear weapon. They represented radiation damage alone - only one of the three lethal aspects of nuclear weapons. They stemmed from an event considerably smaller in size than the explosions of Hiroshima and Nagasaki.

(k) Potential to destroy all civilisation

Nuclear war has the potential to destroy all civilisation. Such a result could be achieved through the use of a minute fraction of the weapons already in existence in the arsenals of the nuclear powers. As Former Secretary of State, Dr. Henry Kissinger, once observed, in relation to strategic assurances in Europe: “The European allies should not keep asking

us to multiply strategic assurances that we cannot possibly mean, or if we do mean, we should not want to execute because if we execute, we risk the destruction of civilisation.”

So, also, Robert McNamara, United States Secretary of Defence from 1961 to 1968, has written: “Is it realistic to expect that a nuclear war could be limited to the detonation of tens or even hundreds of nuclear weapons, even though each side would have tens of thousands of weapons remaining available for use? The answer is clearly no.”

Stocks of weapons may be on the decline, but one scarcely needs to think in terms of thousands or even hundreds of weapons. Tens of weapons are enough to wreak terrible destruction. Such is the risk attendant on the use of nuclear weapons that no single nation is entitled to take it, whatever the dangers to itself.

(l) Social Institutions

All the institutions of ordered society - judiciaries, legislatures, police, medical services, education, transport, communications, postal and telephone services, and newspapers - would disappear together in the immediate aftermath of a nuclear attack. The country's command centres and higher echelons of administrative services would be paralysed. There would be social chaos on a scale unprecedented in human history.

(m) Economic Structures

Economically, society would regress to the levels of man's most primitive past. One of the best known studies by Jonathan Schell, examining this scenario summarises the situation in this way: “The task ... would be not to restore the old economy but to invent a new one, on a far more primitive level. ... The economy of the Middle Ages, for example, was far less productive than our own, but it was exceedingly complex, and it would not be within the capacity of people in our time suddenly to establish a medieval economic system in the ruins of their twentieth-century one. ... Sitting among the debris of the Space Age, they would find that the pieces of a shattered modern economy around them - here an automobile, there a washing machine - were mismatched to their elemental needs. ... they would not be worrying about rebuilding the automobile industry or the electronics industry: they would be worrying about how to find non-radioactive berries in the woods, or how to tell which trees had edible bark.”

(n) Cultural treasures

Another casualty to be mentioned in this regard is the destruction of the cultural treasures representing the progress of civilisation through the ages. The nuclear bomb is no respecter of such cultural treasures and will incinerate and flatten every object within its radius of destruction, cultural monument or otherwise. Despite the blitz on many great cities during World War II, many a cultural monument in those cities stood through the war. That will not be



the case after nuclear war. Together with all other structures, they will be part of the desert of radioactive rubble left in the aftermath of the nuclear bomb.

(o) The electromagnetic pulse

Another feature distinctive to nuclear weapons is the electromagnetic pulse. This effect was not predicted, and was discovered by accident early in the days of atmospheric testing. A weapon was detonated at a very high altitude over the Pacific Ocean, and caused massive failures of electrical equipment in Hawaii.

In the near-vacuum at high altitude, high-speed electrons from the explosion travel great distances (which electrons in air at low levels do not) and are deflected in spirals by the magnetic field of the earth. The electrons are travelling at nearly the speed of light, and they cause a very sharp pulse of electromagnetic radiation, that induces an instantaneous high voltage in all electrical conductors within its range.

War plans include detonating a small number of nuclear weapons high above enemy territory with the purpose of disrupting electrical communications and all electronic equipment. A single detonation at a great height can disrupt equipment over distances of hundreds of kilometres. This would be done at the start of an attack, and the fact that the military need to retaliate before it happens is one of the reasons for the very dangerous policy of 'launch-on-warning'.

With added complexity and at considerable expense, military electrical equipment is partially protected against the EMP. Civil equipment is normally not protected, so this initial salvo of a nuclear attack would drastically disrupt all civilian activities involving electrical or electronic equipment (including computers). The disruption would not be limited to the belligerent countries, as it extends

radially in a circle hundreds of kilometres in radius, from each high-altitude detonation. As modern societies are so dominated by electronic communications such disruption would prove to be a very serious and unwarranted interference in the normal functioning of such neutral states.

(p) Damage to nuclear reactors

The enormous area of devastation and the enormous heat released would endanger all nuclear power stations within the area, releasing dangerous levels of radioactivity apart from that released by the bomb itself. Europe alone has over 200 atomic power stations dotted across the continent, some of them close to populated areas. In addition, there are 150 devices for uranium enrichment. A damaged nuclear reactor could give rise to, "lethal doses of radiation to exposed persons 150 miles downwind and would produce significant levels of radioactive contamination of the environment more than 600 miles away".

A nuclear weapon used upon a country in which any of the world's current total of 450 nuclear reactors is situated could leave in its wake a series of Chernobyls. The effects of such radiation could include anorexia, cessation of production of new blood cells, diarrhoea, haemorrhage, damage to the bone marrow, convulsions, vascular damage and cardiovascular collapse.

(q) Damage to food productivity

Unlike other weapons, whose direct impact is the most devastating part of the damage they cause, nuclear weapons can cause far greater damage by their delayed after-effects than by their direct effects. The detailed technical study, *Environmental Consequences of Nuclear War*, while referring to some uncertainties regarding the indirect effects of nuclear war, states: "What can be said with assurance, however, is that the Earth's human population has a much greater vulnerability to the indirect effects of nuclear war, especially mediated through impacts on food productivity and food availability, than to the direct effects of nuclear war itself."

The nuclear winter, should it occur in consequence of multiple nuclear exchanges, could disrupt all global food supplies. After the United States tests in the Pacific in 1954, fish caught in various parts of the Pacific, as long as eight months after the explosions, were contaminated and unfit for human consumption, while crops in various parts of Japan were affected by radioactive rain. These were among the findings of an international Commission of medical specialists appointed by the Japanese Association of Doctors against A- and H-bombs. Further: "The use of nuclear weapons contaminates water and food, as well as the soil and the plants that may grow on it. This is not only in the area covered by immediate nuclear radiation, but also a much larger unpredictable zone which is affected by the radioactive fall-out."

(r) Multiple nuclear explosions resulting from self-defence

If the weapon is used in self-defence after an initial nuclear attack, the eco-system, which had already sustained the impact of the first nuclear attack, would have to absorb on top of this the effect of the retaliatory attack, which may or may not consist of a single weapon, for the stricken nation will be so ravaged that it will not be able to make fine evaluations of the exact amount of retaliatory force required. In such an event, the tendency to release as strong a retaliation as is available must enter into any realistic evaluation of the situation. The eco-system would in that event be placed under the pressure of multiple nuclear explosions, which it would not be able to absorb without permanent and irreversible damage.

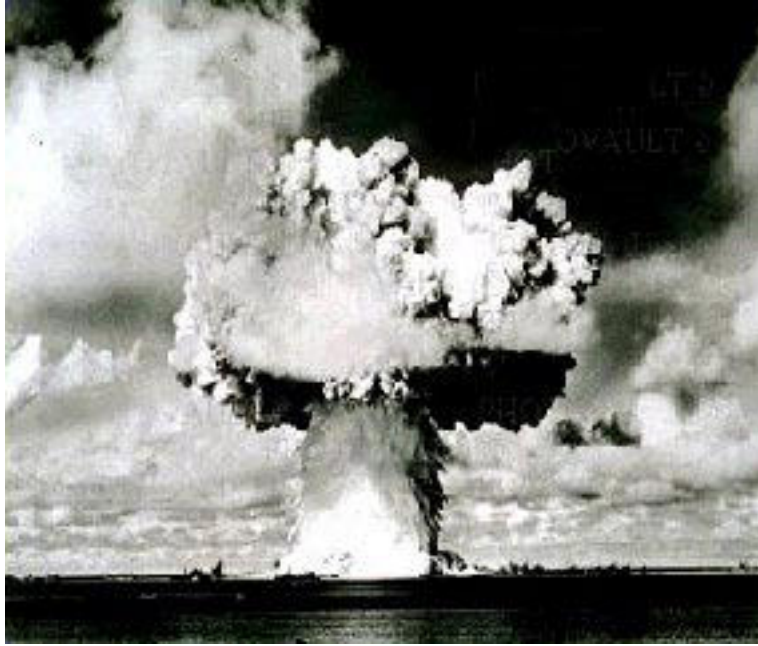
(s) 'The Shadow of the Mushroom Cloud'

As pointed out in the Australian submissions to the International Court of Justice the entire post-war generation lies under a cloud of fear - sometimes described as the 'shadow of the mushroom cloud', which pervades all thoughts about the human future. This fear, which has hung like a blanket of doom over the thoughts of children in particular, is an evil in itself and will last so long as nuclear weapons remain. The younger generation needs to grow up in a climate of hope, not one of despair that at some point in their life, there is a possibility of their life being snuffed out in an instant, or their health destroyed, along with all they cherish, in a war to which their nation may not even be a party.

(t) Distortion of mentality

A nuclear strategy requires a genocidal mentality according to Lifton and Markusen. They argued in their book 'The Genocidal Mentality' that there are important parallels between nuclear strategies and the Nazi policies that led to the gas chambers. In particular, after conducting interviews with nuclear physicists and senior military strategists, they concluded that there were many underlying traits shared with the professionals who conceived and carried out the policies of Nazi extermination. This 'genocidal mentality' consists of dissociative processes of the mind such as 'psychic numbing' and the 'language of non-feeling' and together with distancing, ideological ethics and a passion for problem-solving have the effects of allowing people to remain sane whilst carrying out insane policies.

Governments also have to psychologically prepare their populations for the idea that such insane and evil strategies are rational and necessary. This requires demonising the enemy. During the Cold War for example, the Russians were demonised in order to try to make it acceptable that in some circumstances it would be justifiable to kill millions of them within minutes, in retaliation for something their government may or may not have done.



This body of information shows that, even among weapons of mass destruction, many of which are already banned under international law, the nuclear weapon stands alone, unmatched for its potential to damage all that humanity has built over the centuries and all that humanity relies upon for its continued existence. Professor Joseph Rotblat, a member of the British team on the Manhattan Project in Los Alamos, a Rapporteur for the 1983 WHO investigation into the Effects of Nuclear War on Health and Health Services, and a Nobel Laureate said in his statement to the International Court of Justice: "I have read the written pleadings prepared by the United Kingdom and the United States. Their view of the legality of the use of nuclear weapons is premised on three assumptions: a) that they would not necessarily cause unnecessary suffering; b) that they would not necessarily have indiscriminate effects on civilians; c) that they would not necessarily have effects on territories of third States. It is my professional opinion that on any reasonable set of assumptions their argument is unsustainable on all three points."

After this factual review, legal argument becomes almost superfluous, for it can scarcely be contended that any legal system can contain within itself a principle which permits the entire society which it serves to be thus decimated and destroyed - along with the natural environment which has sustained it from time immemorial.

The words of the General Assembly, in its 'Declaration on the Prevention of Nuclear Catastrophe' (1981), aptly summarise the entirety of the foregoing facts: "all the horrors of past wars and other calamities that have befallen people would pale in comparison with what is inherent in the use of nuclear weapons, capable of destroying civilisation on earth".

In summary, nuclear weapons:

- cause death and destruction;
- induce cancers, leukaemia, keloids and related afflictions;
- cause gastro intestinal, cardiovascular and related afflictions;
- continue for decades after their use to induce the health-related problems mentioned above;
- damage the environmental rights of future generations;
- cause congenital deformities, mental retardation and genetic damage;
- carry the potential to cause a nuclear winter;
- contaminate and destroy the food chain;
- imperil the eco-system;
- produce lethal levels of heat and blast;
- produce radiation and radioactive fall-out;
- produce a disruptive electromagnetic pulse;
- produce social disintegration;
- imperil all civilisation;
- threaten human survival;
- wreak cultural devastation;
- span a time range of thousands of years;
- threaten all life on the planet;
- irreversibly damage the rights of future generations;
- exterminate civilian populations;
- damage neighbouring States;
- produce psychological stress and fear syndromes as no other weapons do;
- distort our perceptions.

'If it's useful it's not legal. If it's legal it's no use'
World Court Project

6.7 The Criminality of British Trident

This section is an extract from Angie Zelter's first submission to the High Court in Edinburgh at the Lord Advocates Reference Proceedings Part 1, held from October 9th-13th 2000. The full submission plus the full transcripts can be found on the website.

International Law and Nuclear Weapons

The July 8th 1996 Advisory Opinion of the International Court of Justice (ICJ)¹ outlines the sources of international law as they relate to nuclear weapons.

Advisory Opinions are intended to provide UN bodies guidance regarding legal issues and are not *directly* binding on the UN or its member States. However, the ICJ has authoritatively interpreted laws which States, including the UK, acknowledge they must follow, including humanitarian law and the UN Charter. I further contend, as I did at Greenock, that the Advisory Opinion is *controlling* because it is the authoritative articulation of customary international law on the legality of the use or threatened use of nuclear weapons. It is thus of exceptional relevance to this Court, providing guidance on whether and in what circumstances the 100 kiloton nuclear warheads on Trident are in breach of international law.

In my opinion the Advisory Opinion of July 8th 1996 makes it quite clear that nuclear weapons would generally breach all of the following:

- **The Declaration of St. Petersburg, 1868** because unnecessary suffering would be caused;²
- **The Martens Clause, 1899** because humanity would not remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience;³
- **The Hague Conventions, 1907** because unnecessary suffering would be caused and there would be no guarantee of the inviolability of neutral nations;⁴

1. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.75.

2. Ibid, para 77.

3. Ibid, paras 78 and 87.

4. Ibid, para 77.

- **The UN Charter, 1945** because such a use of force would not be proportionate;⁵
- **The Universal Declaration of Human Rights, 1948** because long-lasting radioactive contamination would interfere with innocent people's inherent right to life and health;
- **The Geneva Conventions, 1949** (which has been brought directly into UK law through the 1957 Geneva Conventions Act) because protection of the wounded, sick, the infirm, expectant mothers, civilian hospitals and health workers would not be ensured;⁶
- **The Protocols Additional to the Geneva Conventions, 1977** (which have also been directly brought into UK law through the 1995 Geneva Conventions (Amendments) Act) because there would be massive incidental losses of civilian lives and widespread, long-term and severe damage to the environment.⁷

Serious violations of these treaties and declarations are defined as criminal acts under the **Nuremberg Principles**⁸, in that Principle 6 defines crimes against peace, war crimes and crimes against humanity. Specifically, Nuremberg Principle VI (a) defines Crimes against Peace as:

"Planning, preparation, initiation or waging of ... a war in violation of international treaties, agreements or assurances ... Participation in a common plan or conspiracy for the accomplishment of any of the acts mentioned."

Nuremberg Principle VI (b) defines War Crimes as

"violations of the laws or customs of war"

and Nuremberg Principle VI (c) defines Crimes against Humanity as

"murder, extermination ... and other inhumane acts done against any civilian population ... when ... carried on in execution of, or in connection with any crime against peace or any war crime".⁹

In addition **The Non-Proliferation Treaty (NPT), 1968** is being violated now, in that the United Kingdom is not fulfilling its obligation to negotiate in good faith a nuclear disarmament.

Cardinal Principles

Charles Moxley has analysed the various rules of international law applicable to a consideration of whether Trident is in breach of international law.¹⁰

5. Ibid, para 42.

6. Ibid, para 81.

7. Ibid, para.84 and also look closely at Part IV, Article 48 of Protocol 1.

8. Principles of the Nuremberg Tribunal, 1950.

9. Ibid.

10. Charles.J.Moxley, Nuclear Weapons and International Law in the Post Cold War World, Austin and Winfield, 2000, p39-40.

These can be summarised thus:

(a) **Rule of Proportionality**

“The Rule of Proportionality... prohibits the use of a weapon if its probable effects on combatant or non-combatant persons or objects would likely be disproportionate to the value of the anticipated military objective.”¹¹

(b) **Rule of Necessity:**

“The Rule of Necessity provides that, in conducting a military operation, a State, even as against its adversary’s forces and property, may use only such a level of force as is “necessary” or “imperatively necessary” to achieve its military objective and that any additional level of force is prohibited as unlawful. The State must have an explicit military objective justifying each particular use of force in armed conflict and there must be a reasonable connection between the objective and the use of the particular force in question. If a military operation cannot satisfy this requirement, the State must use a lower level of force or refrain from the operation altogether.”¹²

(c) **Rule of Moderation:**

“The law of war recognises a general principle of moderation, expressed in the Hague Regulations by the maxim that ‘the right of belligerents to adopt means of injuring the enemy is not unlimited’ (Article 22). This principle is a basis of and generally overlaps with the principles of necessity and proportionality.”¹³

(d) **Rule of Discrimination including the Requirement of Controllability:**

“The Rule of Discrimination prohibits the use of a weapon that cannot discriminate in its effects between military and civilian targets. This is a rule designed to protect civilian persons and objects. The law recognises that the use of a particular weapon against a military target may cause unintended collateral or incidental damage to civilian persons and objects and permits such damage, subject to compliance with the other applicable rules of law, including the principle of proportionality. However, the weapon must have been intended for – and capable of being controlled and directed against – a military target, and the civilian damage must have been unintended and collateral or incidental.”¹⁴

As to the requirement of controllability:

“On the question of the controllability of nuclear weapons, the issue becomes central as to whether the controllability element of the discrimination rule requires only that the attacking State be capable of delivering the weapons accurately to a particular military target, or whether it also requires that the State be able to control the weapon’s effects, including radiation, upon delivery.”¹⁵



The Peace Palace, The Hague, home of the International Court of Justice

(e) **Rule of Civilian Immunity**

“Occupying much the same ground as the Rules of Discrimination and Proportionality is the Rule of Civilian Immunity. The law of armed conflict prohibits ‘the directing of attacks against civilians, making them immune from such attack’.”¹⁶

Moxley’s analysis of these fundamental principles of international law and the ICJ advisory opinion clearly show that Trident, as a high yield nuclear weapon system, is in breach of all of these rules. Moreover, Trident is also in breach of the two cardinal principles of international law that the ICJ¹⁷ details as being contained in the above “fabric of humanitarian law”. It explains that:

“The first is aimed at the protection of the civilian population and civilian objects and establishes the distinction between combatants and non-combatants. 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. According to the second principle, it is prohibited to cause unnecessary suffering to combatants: it is accordingly prohibited to use weapons causing them such harm or uselessly aggravating their suffering. In application of that second principle, States do not have unlimited freedom of choice of means in the weapons they use.”

The United Kingdom confirmed these fundamental, intransgressible rules as customary laws at the Nuremberg International Military Tribunal and the

11. Ibid, p39.

12. Ibid, p52.

13. Ibid, p63.

14. Ibid, p64.

15. Ibid, p66.

16. Ibid, p69.

17. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.78.

Tokyo Tribunals in which it was involved, and supported them strongly in the United Nations Security Council creation of the International Criminal Tribunal for the former Yugoslavia and in the International Criminal Tribunal for Rwanda.

In other words the international humanitarian principles used to assess the legality of nuclear weapons are well established in the international legal order. These customary rules are binding on all states at all times. Moreover many of these customary law principles have now been brought directly into UK Statute Law through the Geneva Conventions Act 1957 and the Geneva Conventions (Amendments) Act 1995.

General Illegality

The whole text and tenor of the ICJ Advisory Opinion make it arguable that even *in extremis*, any threat or use of nuclear weapons is likely to be unlawful.

- The ICJ held that the

“fundamental rules [of humanitarian law] are to be observed by all States whether or not they have ratified the conventions that contain them, because they constitute *intransgressible* principles of international customary law”¹⁸ (emphasis added).

- The ICJ specified that,

“the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law”.¹⁹

- The ICJ also envisioned no circumstances in which the use of nuclear weapons would be compatible with international law saying,

“none of the states advocating the legality of the use of nuclear weapons under certain circumstances, including the ‘clean’ use of smaller, low yield, tactical nuclear weapons, has indicated what, supposing such limited use were feasible, would be the precise circumstances justifying such use; nor whether such limited use would not tend to escalate into the all-out use of high yield weapons”.²⁰

- The ICJ acknowledged the

“unique characteristics of nuclear weapons, and in particular their destructive capacity, their capacity to cause untold human suffering, and their ability to cause damage to generations to come”.²¹

- The ICJ refers to

“the principles and rules of law applicable in armed conflict at the heart of which is the *overriding* consideration of humanity” and states “In view of the unique characteristics of nuclear weapons, ... the use of such weapons in fact seems *scarcely reconcilable* with respect for such requirements”²² (emphasis added).

In conclusion, the ICJ Advisory Opinion, as a whole, gives a strong presumption of illegality. Of the fourteen Judges sitting, ten determined that the use of nuclear weapons would generally be unlawful.

Further, six judges were of the view that all uses of nuclear weapons would be unlawful *per se*.

Possible Lawful Use?

The only possible loophole that *may* have been left by the ICJ was when the Court stated in para 105, 2E:

“However, in view of the current state of international law, and of the elements of fact at its disposal, the Court cannot conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an

extreme circumstance of self-defence, in which the very survival of a State would be at stake.”²³

However, it is clear that this possible exception cannot apply to the British Trident 100 kiloton nuclear warheads. If a nuclear weapon existed that was of low yield and where its effects could be confined to a particular military target then it might be that its use would not be unlawful under this exception of self-defence. The point is well put by the dissenting opinion of Judge Shahabuddeen where he says,

“An ‘extreme circumstance of self-defence, in which the very survival of a State would be at stake’ ... is the main circumstance in which the proponents of legality advance a claim to a right to use nuclear weapons. This is so for the reason that, assuming that the use of nuclear weapons is lawful, the nature of the weapons, combined with the limitations imposed by the requirements of necessity and proportionality which condition the exercise of the right of self-defence, will serve to confine their lawful right to that ‘extreme circumstance’. It follows that to hold that humanitarian law does not apply to the use of nuclear weapons in the main circumstances in which a claim of a right of use is advanced is to uphold the substance of thesis that humanitarian law does not apply at all to the use of nuclear weapons. That view has long been discarded; as

18. Ibid, para 79.

19. Ibid, para 105, 2E.

20. Ibid, para 94.

21. Ibid, para 36.

22. Ibid, para 95.

23. Ibid, para 105, 2E.

the court itself recalls, the NWS [Nuclear Weapons States] themselves do not advocate it. I am not persuaded that a disfavoured thesis can be brought back to an exception based on self-defence.”²⁴

What is beyond doubt is that Trident could never be justified in an “extreme circumstance of the self-defence” because 100 kiloton warheads would always fail the test of proportionality, necessity, controllability, discrimination, and civilian immunity. Most important of all it breaches the cardinal, or intransgressible, rule of humanitarian law in its inability to discriminate between military and civilian targets. I will return to the question of “extreme circumstances of self-defence” in more detail later.

Paragraph 2E of 105 cannot be detached from the other five paragraphs 2A, B, C, D and F and the ICJ’s formal conclusions in this paragraph must be read in the light of the Advisory Opinion as a whole. Paragraph 104 states,

“the Court emphasises that its reply to the question put to it by the General Assembly rests on the totality of the legal grounds set forth by the Court above (paragraph 20 to 103), each of which is to be read in the light of the others. Some of these grounds are not such as to form the object of formal conclusions in the final paragraph of the Opinion; they nevertheless retain, in the view of the Court, all their importance”.

Paragraph 2E of 105 was agreed only with the casting vote of President Bedjaoui which made the vote 8 to 7. Judge Bedjaoui, President of the ICJ, specifically wrote his Declaration to explain why he used his casting vote for the adoption of paragraph 105 2E. He states,

“I cannot sufficiently emphasise that the Court’s inability to go beyond this statement of the situation can in no way be interpreted to mean that it is leaving the door ajar to recognition of the legality of the threat or use of nuclear weapons.”²⁵

“...at no time did the Court lose sight of the fact that nuclear weapons constitute a potential means of destruction of all mankind.”²⁶

“By its very nature the nuclear weapon, a blind weapon, therefore has a destabilising effect on humanitarian law, the law of discrimination which regulates discernment in the use of weapons.”²⁷

It is essential to assess the Court’s replies in the light of the judges appended statements, many of which were very detailed and closely reasoned. A good summary can be found in Chapter 3 of Charles

Moxley’s useful book ‘Nuclear Weapons and International Law in the Post Cold War World’. As he points out,

“Three of the dissenting judges – Judges Shahabuddeen, Koroma and Weeramantry – did so on the basis that the Court’s decision did not go far enough: They concluded that all uses or threatened uses of nuclear weapons would be per se unlawful. This brings to ten the number of judges determining that the use of nuclear weapons would generally be unlawful, a substantial majority on this overriding point.”²⁸

‘It seems we are asked to believe that the only purpose of the possession and deployment of hundreds, and in some cases, thousands, of existing nuclear weapons is the use or threat of use of weapons of extremely low yield in the middle of the desert or in the oceans in a desperate situation of the impending destruction of the state itself.’

Pax Legalis, 8th July 1997

Illegality of the United Kingdom’s Nuclear Weapons

The ICJ was asked to consider a *general* question and did not have the “elements of facts at its disposal” to enable it to be more specific. However, if we apply the principles and rules of international law confirmed by the ICJ to the Trident system presently deployed, along with the current U.K. deterrence policy as outlined in the Strategic Defence Review of 1998 and the NATO Strategic Concept Document, and place this within the context of the destructive capacity of the warheads and their likely targets then it is quite clear that Trident is unlawful.

As we established at Greenock through the expert witnesses, British Trident nuclear warheads are 100 to 120 kilotons each – that is around 8 to 10 times larger than the ones used at Hiroshima and Nagasaki,²⁹ and have military targets in and around Moscow.³⁰

Such use of these particular nuclear weapons could not distinguish between civilian and military targets,

28. Charles J.Moxley, Nuclear Weapons and International Law in the Post Cold War World, Austin and Winfield, 2000, p.158.

29. Transcript i.c. H M Advocate v. Zelter, Roder and Moxley. October 1999, see Professor Paul Roger’s evidence on pp6-9 where he explains the present structure of British nuclear forces.

30. Ibid, see Professor Paul Roger’s testimony on p10 and pp14-15, also, Greenock Defence Production - No.5 - “Trident, Britain’s Weapon of Mass Destruction”, John Ainslie, p.1. March 1999, and Written Parliamentary Answer 28/11/91, and Strategic Nuclear Weapons Policy, House of Commons Defence Committee Minutes 17/3/82 on replacement of Chevaline with Trident.

24. Dissenting Opinion of Judge Shahabuddeen, p34-35. Appended to the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996.

25. President Judge Bedjaoui’s Declaration, para 11. Appended to the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996.

26. Ibid, para 9.

27. Ibid, para 20.

nor are they intended to do so. Indeed it is a nonsense to suggest that a nuclear bomb 8 times larger than the Hiroshima bomb could possibly do so. The reason nuclear weapons are targeted in this way is to try to deter war by threatening mass destruction. The tragic flaw in this logic being that if nuclear deterrence fails and the United Kingdom's bluff is called, the threat of mass destruction must be carried out. It follows that the purpose of Trident is to terrorise and to create "incalculable and unacceptable" risks, just as the NATO Strategic Concept Document specifies.³¹ Whilst politicians and others fudge the issue, the very point of 'nuclear deterrence' is to threaten mass destruction.

It was submitted at Greenock that the British Trident system is an immediate and ongoing danger to life on Earth, a threat to international peace and specifically unlawful as a breach of the intransgressible rules of humanitarian law as expressed by the ICJ. I continue to submit that we are all still in imminent danger of extinction. As our expert witness, Professor Jack Boag, so graphically explained at Greenock, the sword of Damocles remains perilously over our heads.

Self-Defence

The ICJ held that,

"a use of force that is proportionate under the law of self-defence must, in order to be lawful, also meet the requirements of the law applicable in armed conflict which comprise in particular the principles and rules of humanitarian law".³²

The main stumbling block for the United Kingdom can be found by examining the oral presentation given by Sir Nicholas Lyell to the ICJ on November 15, 1995. This illustrates the mind-set of a state so used to the thinking behind nuclear deterrence that it has forgotten what international humanitarian law is about. After admitting that:

"there is no doubt that the customary law of war does prohibit some uses of nuclear weapons, just as it prohibits some uses of all types of weapons",³³

he then undermines this by elaborating a situation in which states are faced with invasion by overwhelming enemy forces:



"If all other means at their disposal are insufficient, then how can it be said that the use of a nuclear weapon must be disproportionate? Unless it is being suggested that there comes a point when the victim of aggression is no longer permitted to defend itself because of the degree of suffering which defensive measures will inflict."³⁴

Yet this is the point of international humanitarian law. It is intended to limit the terrible effects of war and to ensure that there is a world left after a conflict ends. This means self-restraint even in the midst of justified self-defence.

According to the President of the Court, Judge Bedjaoui,

"self-defence - if exercised in extreme circumstances in which the very survival of a State is in question - cannot engender a situation in which a State would exonerate itself from compliance with 'intransgressible' norms of international humanitarian law. In certain circumstances, therefore, a relentless opposition can arise, a head on collision of fundamental principles, neither one of which can be reduced to the other. The fact remains that the use of nuclear weapons by a State in circumstances in which its survival is at stake risks in its turn endangering the survival of all mankind, precisely because of the inextricable link between terror and escalation in the use of such weapons. It would thus be quite foolhardy unhesitatingly to set the survival of a State above all other considerations, in particular above the survival of mankind itself."³⁵

As Professor Christopher Greenwood QC who represented the United Kingdom at the hearings before the ICJ, has observed,

"To allow the necessities of self-defence to override the principles of humanitarian law would put at risk all the progress in that law which has been made over the last hundred years or so".³⁶

The 'Humanitarian Law' as it is known as - 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"³⁷ is reflected in Article 48 of the Additional Protocol 1 of 1977 to the Geneva Conventions of 1949, and various Commentaries of the International Committee of the Red Cross. These

31. 1991 NATO Strategic Concept Document, Article 38.

32. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.42.

33. Nicholas Lyell's November 15th 1995 Oral Statement, CR 95/34, p45. Appended to the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996.

34. Ibid, pp45-47.

35. President Judge Bedjaoui's Declaration, para. 22. Appended to the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996.

36. Christopher Greenwood, International Committee of the Red Cross No.316, p.65-75, January 1997.

37. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para. 78.

sources have been recognised by the House of Lords.³⁸

Article 48 requires that parties to any conflict,

“shall at all times distinguish between civilian populations and combatants and between civilian objectives and military objectives”.³⁹

The International Committee of the Red Cross 1987 commentary states,

“The basic rule of protection and distinction is confirmed in this article. *It is the foundation on which the codification of the laws and customs of war rests:* the civilian population and civilian objects must be respected and protected in armed conflict, and for this purpose they must be distinguished from combatants and military objectives. The *entire system* established in The Hague in 1899 and 1907 and in Geneva from 1864-1977 is founded on this rule of customary law.”⁴⁰

The significance of the Humanitarian Rule for the deployment of British Trident Nuclear weapons is not that all nuclear weapons are prohibited as such, though they *will* generally be contrary to international law; nor, *necessarily*, that there can be no use of smaller, low yield, tactical nuclear weapons yet to be invented; or that there could be no policy of some kinds of nuclear deterrence; or no reservation for use in an extreme circumstance of self-defence in which the very survival of the State would be at stake. The point is that the Humanitarian Rule *governs* any such weapons or uses. Any low yield weapon, or deterrence/self-defence policy must comply with the Humanitarian Rule; any weapon or use which cannot comply is unlawful. For the Rule is a ‘cardinal’, ‘intransgressible’ rule.



38. R v. Ministry of Defence, ex p Walker [2000] 1 WLR 806, 812B.

39. Additional Protocol 1 of 1977 to the Geneva Conventions of 1949, Article 48.

Note: When ratifying these protocols in 1998 the UK stated that the rules “do not have any effect on, and do not regulate or prohibit the use of nuclear weapons”. However, this Reservation is clearly incompatible with the object and purpose of the protocols, which is to protect civilians in armed conflicts. All Reservations are covered under Article 2(i)(d) of the Vienna Convention on the Law of Treaties and Article 19(c) states that Reservations are invalid if they are incompatible with the object and purpose of the Treaty. Moreover, the statements put out by the Foreign Office on this not being a Reservation but a ‘Statement of Understanding’ which ‘reflects a widespread position’ is misleading in that it is only the Nuclear States and their allies that have this ‘understanding’. Treaties cannot be abused in this way. Interestingly no Reservation or Understanding seems to be included in the 1995 Act that directly incorporates these Protocols into UK law. If you look at para.85 and 86 of the ICJ Advisory Opinion you can see it states that “there can be no doubt as to the applicability of humanitarian law to nuclear weapons”.

40. Commentary of the International Committee of the Red Cross, 1987, para.1863.

If you take into account the blast, heat and radioactive effects of the detonation of a 100 kiloton nuclear warhead, especially in view of the fact that radioactive effects cannot be contained in either space or time, the use of even a single British Trident warhead in *any* circumstance, whether a first or second use and whether targeted against civilian populations or military objectives, would inevitably violate the prohibitions on the infliction of unnecessary suffering and indiscriminate harm as well as the rule of proportionality including with respect to the environment. Further, since the UK deploys its nuclear forces in a state of readiness for use pursuant to a declared policy contemplating use of nuclear weapons in a variety of circumstances, including first use, the deployment of Trident warheads is a threat in violation of humanitarian and other international law.

There is extensive literature on the intransgressible rules of humanitarian law, nuclear weapons and the ICJ Advisory Opinion. I am presenting only a summary here. But I would like to bring to your attention a useful recent paper prepared in 1999 by the International Committee of the Red Cross which clearly equates “the use of indiscriminate weapons with a deliberate attack upon civilians”.⁴¹

The *categorical* nature of the principle protecting civilians was recently affirmed by the Trial Chamber of the International Criminal Tribunal for the Former Yugoslavia in a decision reconfirming Milan Martić’s indictment for ordering rocket attacks on Zagreb which killed and wounded civilians. Applying humanitarian law including Article 1 common to all Geneva Conventions, which sets forth minimum standards of customary international law, the Trial Chamber stated that,

“no circumstances would legitimise an attack against civilians even if it were a response proportionate to a similar violation perpetrated by the other party”.⁴²

Many citizens and organisations have asked for examples of what the Government would consider to be a *lawful* use of its Trident nuclear weapons. They have never been given a straight answer. This is not surprising since, simply put, each Trident warhead is a potential holocaust. Instead, the government states that:

“Maintaining a degree of uncertainty about our precise capabilities is a key element of a credible minimum deterrent. It is precisely to retain this degree of uncertainty and so sustain our minimum deterrent that secrecy must be maintained in this area.”⁴³

41. Preparatory Commission for the International Criminal Court, PCNICC/1999/WGEC/INF2/Add.1(30 July 1999) p14.

42. Prosecutor v. Milan Martić (Rule 61 Decision), Case No. IT-95-11-1 (8 March 1996), para.15.

43. Letter of 3rd July 2000 from Alan Hughes, Directorate of Nuclear Policy, MoD, to Angie Zelter, para.4.

But hiding behind this veil of secrecy allows the fudging and crooked thinking to continue.

The fact remains that Trident nuclear weapons are being used to frighten and intimidate and to threaten mass destruction. This is unlawful. There *might* conceivably be some uses of a *one*-kiloton nuclear warhead targeted on military forces in the middle of an ocean, or at a tank in the middle of a desert, which *might* be lawful, but conventional weapons would suffice for such objectives without carrying the unconscionable risk of nuclear escalation. This is because according to the ICJ's Advisory Opinion, the use and threat of nuclear weapons are illegal, save possibly in an extreme circumstance of self-defence in which the very survival of a State is at stake; in other words, where the State is facing annihilation. Unless such *in extremis* circumstances exist, the use and threat of nuclear weapons are illegal.

Besides which, this is *not* what Trident is configured to do. If one looks at the warheads currently deployed on British Trident submarines then you can see that the United Kingdom has not reduced all its warheads to one kiloton or below, nor has it separated itself from joint NATO and US plans and strategies and their integrated targeting structures. Moreover, most, if not all, targets envisaged by the Ministry of Defence are in the vicinity of towns and cities with civilian populations. Any targeting of these places with the warheads currently deployed on Trident would lead to large-scale loss of *civilian* life in violation of humanitarian law.

Moreover, present United Kingdom policy statements show that the United Kingdom does not limit its use of nuclear threats to "extreme circumstances of self-defence". The government clearly recognises that the United Kingdom is not in danger of a threat to its "very survival".

The Strategic Defence Review conducted by the government states,

"The end of the Cold War has transformed our security environment. The world does not live in the Shadow of World War. There is no longer a direct threat to Western Europe or the United Kingdom as we used to know it, and we face no significant military threat to any of our Overseas Territories".⁴⁴

Given that the survival of the United Kingdom is not presently in question, the current *deployment* of Trident nuclear submarines is an unlawful threat even if the government vouches that there is only one nuclear warhead of below one kiloton deployed, let alone the 144 warheads of up to 120 kilotons each that could be deployed.

Moreover, in a recent letter of 28/9/00 that I received on behalf of Trident Ploughshares from Stephen Willmer, the Ministry of Defence stated that the UK,

"will not use nuclear weapons [against non-nuclear-weapon States party to the NPT] ... except in the case of

One probable target of the British Trident system is Yulyamy, a town in Northern Russia, close to the border with Norway. It has a population of over 28,000 and it is close to several Russian Navy shipyards which are used to repair nuclear powered submarines. A Trident warhead exploding in the air above the shipyard would create a fireball 870 metres across. The town would be completely flattened. Around 90% of the population would be killed by a combination of radiation, extreme heat and collapsing buildings. The death toll would probably include around 7000 children. The explosion would destroy schools, hospitals and churches - as at Hiroshima and Nagasaki. The few survivors would all be seriously injured. Even 4.5 kms from the explosion, anyone in the open would suffer from third degree burns. There would be extensive blast damage and hundreds of casualties in the town of Severomorsk, 10 km away. All this is to say nothing of the extensive secondary radiation which would effect the inhabitants of Norway. On any interpretation of international law it is perplexing to see how this could be legal.

John Ainslie, Scottish CND

[an] ... attack on ... its armed forces, its Allies, or on a State towards which it has a security commitment".⁴⁵

This is hardly consistent with the ICJ, at para.105 2E, which states that there is only one situation when the use of nuclear weapons *might* be conceivable, and that is "in an extreme circumstance of self-defence, in which the very survival of a State would be at stake".

Defence of Vital Interests

It is clear that the United Kingdom's nuclear weapon deployment and policy are not purely concerned with self-defence or even with retaliation against a nuclear attack from another NWS, but are also "to defend our vital interests to the utmost" as expressed in the Rifkind Doctrine.⁴⁶

The Strategic Defence Review specifically sees military power as "a coercive instrument to support political objectives"⁴⁷ which the rest of the report explicitly identifies as economic and oil-related.⁴⁸ The government says in the Review that Trident must perform a "sub-strategic role" stating that the,

"credibility of deterrence also depends on retaining an option for a limited strike that would not automatically lead to a full-scale nuclear exchange".⁴⁹

45. Letter of 28/9/00 from Stephen Willmer, Proliferation and Arms Control Secretariat of the Ministry of Defence, to Angie Zelter, p.1, para.3 and p.2, para.2.

46. "UK Defence Strategy: A Continuing Role for Nuclear Weapons?", Malcolm Rifkind, Speech, London, November 1993. Para.31.

47. UK Strategic Defence Review, Ch.5.87, July 1998.

48. Ibid, Ch.2.19 & 2.40, July 1998.

49. Ibid, Ch.4.63, July 1998.

44. UK Strategic Defence Review, Ch.2, para.23, July 1998.

There has been a great deal of confusion and a certain amount of scepticism about what Trident's sub-strategic role might look like in practice. The Secretary of State for Defence for the previous Conservative Government, Malcolm Rifkind, referred to a "warning shot" or "shot across the bows". More recently, British officials have described a sub-strategic strike as,

"the limited and highly selective use of nuclear weapons in a manner that fell demonstrably short of a strategic strike, but with a sufficient level of violence to convince an aggressor who had already miscalculated our resolve and attacked us that he should halt his aggression and withdraw or face the prospect of a devastating strategic strike".⁵⁰

For a sub-strategic role there has been speculation that some of the 100 kiloton MIRVed warheads would be replaced with single 1 kiloton or 5 or even 10 kiloton warheads⁵¹ or that commanders could choose to detonate only the unboosted primary, resulting in an explosion with a yield of just a few kilotons. There are three core problems with the concept of a warning shot to deter further aggression:

- i) it cannot be used against non-nuclear parties to the NPT without violating Britain's security assurances, most recently enshrined in the UN Security Council Resolution 984 (1995).⁵²
- ii) it is not clear where such a warning shot could be fired so that civilians are not endangered; and
- iii) it is not apparent how, in the uncertain context of a hotting-up conflict, Britain would ensure that the adversary interpreted such a nuclear shot from Trident as a warning rather than a nuclear attack. Since pre-emption requires fast decision-making, it would be likely that a sub-strategic nuclear use would cause nuclear retaliation and possibly all-out nuclear war. British planners tend to duck the questions rather than address the dilemma, leaving the impression that they hope the bridge will never have to be faced, never mind crossed.

As Lord Murray (a former Lord Advocate of Scotland) pointed out, even a one-kiloton bomb,

"would flatten all buildings within 0.5 km with up to 50 per cent fatalities up to 1 km. A prevailing wind could carry fallout as far as 25 km downwind".⁵³

As Professor Paul Rogers agreed, in his testimony at Greenock,

50. The Bulletin of the Atomic Scientists, September/October 2000, p 71.

51. See Professor Paul Rogers' testimony on pages 12 and 30-31 in Transcript i.c. H M Advocate v. Zelter, Roder and Moxley. October 1999.

52. UN Security Council Resolution S/RES/984/(1995), 11th April 1995, 2nd Preambular para, and 1st para.

53. Nuclear Weapons and the Law, Lord Murray, Medicine, Conflict and Survival, Vol.15, 126-137, 1999, p.134.

"the lowest British nuclear bomb ... (is) ... a weapon of mass destruction".⁵⁴

The deployment of nuclear weapons is perceived as an imminent ever-present threat by most States in the world, which in times of crisis is specifically backed up by verbal threats. This view is corroborated by Judge Schwebel when he reports on testimony from Ambassador Ekeus in the Senate Hearings on the Global Proliferation of Weapons of Mass Destruction which shows that Iraq perceived there to be an active threat to use nuclear weapons against it in 1990. In Schwebel's section headed Desert Storm, he starts off,

"The most recent and effective threat of the use of nuclear weapons took place on the eve of Desert Storm"

and he then continues for several pages describing how the threat was communicated.⁵⁵

In the February 1998 Iraq Crisis there was also talk of the possible use of nuclear weapons against Iraq. Any such use would have been unlawful because neither the United Kingdom nor the United States were under threat of obliteration by Iraq. It is worth remembering that the only possible window of legality left undecided by the ICJ was "an extreme circumstance of self-defence, in which its very survival would be at stake".⁵⁶

And yet in the Commons Debate of February 17, 1998, Foreign Secretary Robin Cook said of Saddam Hussein,

"As in 1991, he should be in no doubt that if he were to do so [use chemical weapons against joint British-US air strikes] there would be a proportionate response".⁵⁷

Interviewed on BBC Radio 4 on February 18, 1998, Defence Secretary George Robertson was given an opportunity to deny the nuclear option and he did not do so. All these were signals suggesting that nuclear weapons could be considered. They were also intended to be understood as such.

If you refer to Moxley's book in Chapter 20 you may well find it useful to see the other active crisis threats that have been made over the years by the nuclear power with whom we are so closely linked, namely the US. In it he states,

54. Transcript i.c. H M Advocate v. Zelter, Roder and Moxley. October 1999, p.12.

55. Dissenting Opinion of Vice-President Judge Schwebel, p.9-12. Appended to the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996.

56. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.97.

57. Hansard, House of Commons Debate, February 17th 1998, 906.

Note. The reason for bringing in the United States so often is because of the interconnected nature of the British and US Trident systems - both hardware and software - systems and policies - see Professor Boyle's testimony on pages 8-10 and 85 -90 in Transcript i.c. H M Advocate v. Zelter, Roder and Moxley. October 1999.



“In addition to the ongoing threat that is inherent in the policy of deterrence, the US explicitly threatened to use nuclear weapons on at least 5 occasions during the Cold War, including in Korea in 1950-3, Suez in 1956, Lebanon in 1958, Cuba in 1962, the Middle East in 1973 and after the Cold War, in Iraq during the Gulf War”.⁵⁸

He goes on to say that Desmond Ball, Head of the Strategic and Defence Studies Centre in Australia reported there had been some twenty occasions during which,

“responsible officials of the United States government formally considered the use of nuclear weapons”.⁵⁹

The whole purpose of nuclear deterrence is to create uncertainty about intentions. This means that the British Government has to persuade its ‘enemies’ that it might be willing to break international law without actually saying it this clearly. For instance the 1991 NATO Strategic Concept Document asserts that nuclear weapons are essential and permanent because they,

“make a unique contribution in rendering the risks of any aggression incalculable and unacceptable”.⁶⁰

If the effect of a nuclear weapon is incalculable and unacceptable then it also follows that it is unlawful. Nuclear weapons are useful only in so far as they can be used to make threats that are themselves in breach of international law. Nuclear deterrence may be official British policy but that does not make it lawful.

To stress again the words used in the ICJ, at para.105 2E, given that nuclear weapons are *generally* illegal there is only one situation when the use of nuclear weapons *might* be conceivable, and that is “in an extreme circumstance of self-defence, in which the very survival of a State would be at stake”.

58. Charles.J.Moxley, Nuclear Weapons and International Law in the Post Cold War World, Austin and Winfield, 2000, p515.

59. Ibid, p517.

60. 1991 NATO Strategic Concept Document, Article 38.

That does *not* include protecting cheap oil supplies overseas or ensuring the survival of its troops in a foreign land.

War Crimes

Any individual who ordered the use of the United Kingdom’s nuclear weapons which are currently deployed on Trident submarines would have committed a war crime as determined by the International Criminal Court Statute. This Statute sets forth offences under which individuals would be prosecuted once that court is in operation. Its substantive provisions were explicitly negotiated on the basis that they would reflect the present state of law binding on all States. While the Statute is not yet in effect, as the required number of States (60) has not yet ratified the instrument (the UK are preparing to ratify it in this new Parliamentary session), the Statute nonetheless stands as a consensus-based statement of presently binding law defining war crimes.⁶¹

Article 8 (2) (b) parts (iv) and (v) of the International Criminal Court Statute state,

“War crimes means ... serious violations of the laws and customs applicable in international armed conflict, within *the established framework of international law*, namely, any of the following acts; ... (iv) Intentional launching an attack in the knowledge that such an attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long term and severe damage to the natural environment which would clearly be excessive in relation to the concrete and direct overall military advantage anticipated, (v) Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives.”⁶²

Article 25 of the Rome Statute contemplates criminal responsibility not only in the case of those who personally commit offences, but also in the case of those who order them.⁶³ Article 28 has far-reaching provisions on the responsibility of commanders and

61. Note. The New Zealand Government in its Instrument of Ratification made the following interpretative declaration:- “The Government of New Zealand notes that the majority of the war crimes specified in article 8 of the Rome Statute ... make no reference to the type of the weapons employed to commit the particular crime. The Government of New Zealand recalls that the fundamental principle that underpins international humanitarian law is to mitigate and circumscribe the cruelty of war for humanitarian reasons and that, rather than being limited to weaponry of an earlier time, this branch of law has evolved, and continues to evolve, to meet contemporary circumstances. Accordingly it is the view of the Government of New Zealand that it would be inconsistent with principles of international law to purport to limit the scope of article 8, in particular article 8(2)(b), to events that involve conventional weapons only”.

62. UN Doc. No.A/CONF.183/9 Rome Statute of the International Criminal Court, Article 8.

63. UN Doc. No.A/CONF.183/9 Rome Statute of the International Criminal Court, Article 28.

other superiors who may be liable in some situations for not giving appropriate orders.

In relation to this responsibility it is important to note that the British government have always refused to answer our question of how the crew of Trident can take personal responsibility for their actions when their targets are coded and they do not know where their nuclear warheads will explode? The Law of Armed Conflict states,

“Military personnel are required to obey lawful commands. There is no defence of ‘superior orders’. If a soldier carries out an illegal order, both he and the person giving that order are responsible”.

The Nuremberg principle is binding. If Trident crews do not know what the targets of their weapons are, how can they know if they are legal targets or not? Trident crews fire blind. This is a criminal procedure.⁶⁴

The 100 kiloton warheads on Trident are each *eight* times more powerful than the bomb used against Hiroshima.

Hiroshima bomb had killed approximately 140 to 150 thousand people, including thousands of innocent children, by the end of 1945, and devastated an entire city, destroying 18 major hospitals, 14 high-schools, colleges, and a university, many historic and deeply revered Shinto shrines, 13 Christian churches, 4 major factories - *a whole city*.⁶⁵ Moreover, when I was in Hiroshima this March I met survivors of that bomb who told me of the continuing suffering and took me to the Museum. One of the books I was given there states,

“The damage caused by the A-bomb failed to heal normally with the passage of time. Over the years and decades, the horrors of radiation grew more conspicuous. Research into radiation effects, strictly suppressed during the occupation (by the US) proceeded rapidly when Japan was once again independent. This research gradually brought radiation after-effects and the plight of the survivors into the open.”⁶⁶

That destruction in Hiroshima was ruled a war crime in the Shimoda Case. It says that the,

64. Ministry of Defence, UK. Crown, 1981. The Law of Armed Conflict, p 38, Section 10, Service Discipline: 1.rt, Article 25(3.b).

65. A-Bomb: A City tells its Story, Yoshiteru Kosakai, 1972, p.8,47,48 (30a) and Hibakusha, Nihon Hidankyo, 1982, p.9 (30b).

66. The Outline of Atomic Bomb Damage in Hiroshima, Hiroshima Peace Memorial Museum, June 1999, p.20 & 25.

“act of dropping such a cruel bomb is contrary to the fundamental principles of the laws of war that unnecessary pain not be given”.⁶⁷

According to the ICJ, at para.105 2D, which was adopted unanimously, a threat or use of nuclear weapons must “be compatible with the requirements of the international law applicable in armed conflict”. It also states 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 ... States do not have unlimited freedom of choice of means in the weapons they use”.⁶⁸

The threat to target civilians with nuclear weapons, whether as an unprovoked attack or as a reprisal, is therefore unlawful. In the oral statement that the United Kingdom gave to the ICJ on November 15, 1995, Sir Nicholas Lyell admitted that,

“... even 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”.⁶⁹

However, as the ICJ points out,

“By its very nature ... nuclear weapons as they exist today, release(s) not only immense quantities of heat and energy, but also powerful and prolonged radiation ... These characteristics render

the nuclear weapon potentially catastrophic. The destructive power of nuclear weapons cannot be contained in either space or time. They have the potential to destroy all civilisation and the entire ecosystems of the planet.”⁷⁰

This general statement about nuclear weapons is equally true when applied to British nuclear weapons in particular.

Faslane in Scotland is the primary base used by the United Kingdom’s four nuclear-armed Trident submarines. There is *at least* one Trident submarine on 24-hour patrol at all times. Each Trident submarine has 48 warheads of 100 to 120 kilotons

67. Ryuichi Shimoda *et al* vs. The State, Tokyo, December 1963, pp234-242.

68. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.78.

69. Nicholas Lyell’s November 15th 1995 Oral Statement, CR 95/34, p.46 & 47. Appended to the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, p.47.

70. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.35.



each. A 100 kiloton warhead is too powerful to distinguish between civilian and military targets and its long lasting effects cannot be contained within space or time and therefore violates international law.

“Today the scale of Britain’s nuclear capability and the way it is deployed suggest that it remains oriented principally against Russia. An attack using the warheads on one submarine against likely targets in the Moscow area would result in over 3 million deaths”

and,

“there would also be massive nuclear fallout over urban areas. Thousands of people would die over a 4 to 12 week period from this fallout”.⁷¹

Other potential targets are Russian Northern Fleet submarine bases. In the United Kingdom there are towns and villages close to every key submarine facility as is the case with Faslane, which is near the civilian population in Glasgow. There are also civilian populations close to Russian bases near Murmansk. Trident warheads exploding above these bases would cause devastation over a wide area and in each case would result in thousands of civilian casualties in urban areas. The areas affected would also be dangerous to rescue and medical staff and civilians who would want to use the area in future.

When I asked Professor Paul Rogers to use the actual specifications of the UK Trident Force along with UK targeting policies and to model this against Britain itself in order to more easily understand the effects of the Trident system, he produced a paper stating that,

“The main targets would be the Trident base at Faslane and the nuclear armaments site at Coulport, both close to Glasgow. Supporting facilities at bases including Rosyth (near Edinburgh) and Devonport (near Plymouth) would also be attacked”

as would Fairford, Fylingdales, Aldermaston, and civil airports with long runways at

“Heathrow, Stanstead, Gatwick, Birmingham, Manchester, Glasgow, Prestwick, and Edinburgh”.

“Major military command centres would include Northwood ... High Wycombe ... Dunfermline ... Defence Intelligence Staff in Central London...”

and energy resources,

“such as Grangemouth, Teeside, Stanlow/Ellesmere Port”⁷² etc.

He concludes that many of the targets are necessarily close to population centres and that the casualty figures would be measured in “many millions”.

In Part 10.2, there is a map of Manchester with one of its many military targets in the centre. This has been

overlaid with the damage which would be caused if one of Trident’s warheads was exploded at 1,100 kiloton above the target. It makes grim viewing and brings home to us all how integrated the military have become in many cities and towns around the UK.⁷³

The upshot of it all is that any Trident sized nuclear warhead, even if targeted accurately, at any of these ‘military objectives’ would cause millions of civilian deaths. I am sure that we would all agree that such use of such nuclear weapons against Britain would be a war crime even if our leaders were invading another State and that State thought they were fighting for their very existence, in self-defence. And if such use would be a war crime if done against Britain then to be consistent it would also be a war crime if perpetrated against any other country in the world.

Preparations for War Crimes

The preparation for war crimes is itself a war crime, as made most explicit in the International Criminal Court Statute.

“In accordance with this Statute, a person shall be criminally responsible and liable for punishment for a crime within the jurisdiction of the Court if that person: ... (c) For the purpose of facilitating the commission of such a crime, aids, abets or otherwise assists in its commission or its attempted commission, *including providing the means for its commission*.”⁷⁴

This is a culmination of various precedents such as the last paragraph of Article 6 of the Charter of the International Military Tribunal at Nuremberg on,

“instigators and accomplices participating in the formulation ... of a common plan or conspiracy”.⁷⁵

The Prime Minister and other officers of the state are engaged in the planning and preparation for use of nuclear weapons, in that they are actively deploying nuclear weapons, of such a size that they could never be used lawfully. These are activities that incur individual criminal responsibility in international law. Any use of current British nuclear weapons would be manifestly unlawful and thus policy makers, state employees, researchers and technicians are engaged in the planning and preparation of gross violations of humanitarian law, itself a crime under international law.

Nuclear Policy

Just as the use of British nuclear weapons would be illegal and criminal so is the *threat to use* them,

73. Note: Scottish CND can be contacted to make up a map detailing the effects of a nuclear bomb on a military target near wherever someone may have a trial. This can have quite an impact on the jury, and quite literally ‘brings it home’ to them.

74. UN Doc. No.A/CONF.183/9 Rome Statute of the International Criminal Court, Article 25 (3c).

75. Charter of International Military Tribunal at Nuremberg, Articles 6.

71. Greenock Production - 5 - “Trident, Britain’s Weapon of Mass Destruction”, John Ainslie, March 1999, p.1.

72. The Use of Trident in War, Professor Paul Rogers, September 2000, p2.

which is what Trident deployment and the British Government's reliance on nuclear deterrence is all about. And this is not just a belief of mine, but a fact. If we look at the statement given to the International Court of Justice by Japanese lawyers in 1995 it states,

"The world's citizens are in actuality being threatened at this very moment... Since Hiroshima and Nagasaki the nuclear powers have always hinted at the possibility that they might use nuclear weapons and have continued saying that it is legal. Nobody on earth can live their lives while putting their trust in this 'humanity' of the nuclear powers. This is because resigning oneself to a condition of servility, in which one's very existence as a human being is controlled by the intentions of a handful of nuclear-armed states, goes against the nature of human being, and jeopardises our supreme and inalienable right to life, which is universally affirmed in the Universal Declaration of Human Rights and the International Covenant on Human Rights. This state of nuclear servitude also jeopardises our enjoyment of other human rights and basic freedoms, and therefore means that 'human dignity' is violated."⁷⁶

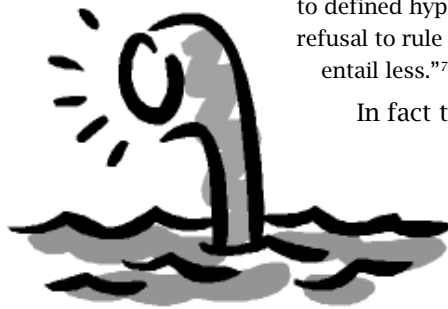
The ICJ argues that a credible deterrent is a threat. I quote,

"Possession of nuclear weapons may indeed justify an inference of preparedness to use them. In order to be effective, the policy of deterrence ... necessitates that the intention to use nuclear weapons be credible. Whether this is a 'threat' contrary to Article 2, paragraph 4, [of the UN Charter] depends upon whether the particular use of force ... would necessarily violate the principles of necessity and proportionality. In any of these circumstances the use of force, and the threat to use it would be unlawful under the law of the Charter."⁷⁷

Even US Judge Schwebel explains that states have threatened to use their nuclear weapons,

"by the hard facts and inexorable implications of the possession and deployment of nuclear weapons; by a posture of readiness to launch nuclear weapons 365 days a year, 24 hours of every day; by the military plans, strategic and tactical, developed and sometimes publicly revealed by them; and, in a very few international crises, by threatening the use of nuclear weapons. *In the very doctrine and practice of deterrence, the threat of the possible use of nuclear weapons inheres.*"

And on page 3 he re-iterates the point,



"If a threat of possible use did not inhere in deterrence, deterrence would not deter".⁷⁸

U.K. government policy is that Britain has a "credible nuclear deterrent". This means far more than possession. A credible deterrent requires that the other side is convinced that the weapons would be used. So to have a credible deterrent means that preparations have been made to use the weapons and there is an intention to use them in some circumstances. One strand of strategic thinking is that there can be "existential deterrence". This approach says that the possession of nuclear arms is in itself sufficient to constitute a deterrent. Existential deterrence is not currently practised by any of the main nuclear weapons states.

The former Permanent Under Secretary at the MoD, Michael Quinlan, has dismissed this approach. He said of existential deterrence,

"We cannot however infer from this that our own armoury will be durably effective in contributing to deterrence, especially in times of pressure when it is most needed, if there are no realistic concepts for its use or if we have a settled resolve never to use it. ... Deterrence and use in logic can be distinguished, but not wholly disconnected. We cannot say that nuclear weapons are for deterrence and never for use, however remote we judge the latter possibility to be. Weapons deter by the possibility of their use, and by no other route; the distinction sometimes attempted between deterrent capabilities and war-fighting capabilities has in a strict sense no meaningful basis ... The concept of deterrence accordingly cannot exist solely in the present - it inevitably contains a reference forward to future action, however contingent. The reference need not entail automaticity, or even a firm intention linked to defined hypotheses; it need entail no more than a refusal to rule out all possibility of use; but it cannot entail less."⁷⁹

In fact the UK goes much further than this. According to one of the more detailed assessments of the range of options for sub-strategic Trident warheads, David Miller, for the International Defence Review in 1994, outlined four different uses, in the third one of which he says,

"they could be used in a demonstrative role: i.e. aimed at a non-critical uninhabited area, with the message that if the country concerned continued on its present course of action, nuclear weapons would be aimed at a high-priority target".⁸⁰

76. Non Governmental Statement to be Submitted to the International Court of Justice, May 3 1995, Japan Centre of World Court Project, p.25.

77. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.48.

78. Dissenting Opinion of Vice-President Judge Schwebel, p.1, 12. Appended to the Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996.

79. Thinking about Nuclear Weapons, Michael Quinlan, MoD, RUSI Whitehall Paper Series 1997, p.14-15.

80. Britain Ponders Single Warhead Option, International Defence Review (September, 1994), David Miller, p.50.

This is backed up by a recent letter of 28/9/2000 received from the Ministry of Defence which talks of sending a “signal” and which also leaves open the possibility of firing “all the nuclear weapons at its disposal”.⁸¹ However, even a limited warning shot would not be lawful because its ‘purpose’ would be to warn that much worse will come and that worse would be a high-yield bomb that would be indisputably illegal and therefore the warning shot itself would be an illegal threat. I come back once more to the simple underlying purpose of the British nuclear deterrent – to threaten awful destruction. It is that awful destruction, that crime, that we three women were trying to prevent by our action.

The Advisory Opinion makes it clear that it is illegal to threaten to do an act if the act itself is illegal,

“If the envisaged use of force is itself unlawful, the stated readiness to use it would be a threat prohibited under Article 2, paragraph 4 [of the UN Charter]”.⁸²

The United Kingdom possesses nuclear weapons, of a size that cannot be used discriminately, which are constantly deployed on submarines, ready to be used, and has made statements of conditional willingness to use them in British policy documents. This “stated readiness to use” its nuclear weapons is exactly the kind of threat that is prohibited under Article 2(4) of the UN Charter.

British nuclear warheads of 100 kilotons could never be used in conformity with the principles of necessity and proportionality and the requirements of international law. Therefore continuous active deployment combined with a stated readiness to use them constitutes an illegal threat to use nuclear weapons and as such is illegal.

Refusal to Negotiate under Article VI of the NPT

The ICJ appreciated,

“the full importance of the recognition by Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons of an obligation to negotiate in good faith a nuclear disarmament”.⁸³

It ruled unanimously,

“There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control”. At para. 99 it stated, “The legal import of that obligation goes beyond that of a mere obligation of conduct; the obligation involved here is an obligation to achieve a precise result nuclear disarmament in all its aspects by adopting a particular

course of conduct, namely, the pursuit of negotiations on the matter in good faith”.⁸⁴

The United Kingdom has made clear it has no *immediate* intention of eliminating its Trident system. The Strategic Defence Review specifies plans for upgrading Trident in the medium term and keeping options open for a replacement in the long term. Recent press revelations and a report by Alan Simpson MP present evidence of the new refurbishment programme at the Atomic Weapons Establishment at Aldermaston costing one hundred and fifty million pounds sterling and of a linkage with the US ‘son of Trident’ programme to upgrade nuclear warheads. There is also proof of increased scientific collaboration between the United Kingdom, France and the US. Simpson’s report concludes,



“there is strong evidence that Britain is currently involved in the development of prototype designs to replace the current Trident nuclear warhead”.⁸⁵

Nor has the United Kingdom been working in good faith within the UN for nuclear disarmament resolutions. For instance, in 1998 the United Kingdom voted against the resolution, “Towards a Nuclear Weapon-Free World: The Need for a New Agenda”. Ian Soutar, the British ambassador to the UN, said that the resolution contained measures that were “inconsistent with the maintenance of a credible minimum deterrent”.⁸⁶ The United Kingdom also voted, for the third consecutive year, against the 1999 UN Resolution on “Follow-up to the ICJ Advisory opinion”.⁸⁷

The United Kingdom’s refusal to stop deploying Trident and to start its practical disarmament of Trident flouts Article VI of the NPT as interpreted by the ICJ in paras.99 and 105(2F) of the Advisory Opinion. The continuing development of new nuclear weapons is also a breach of Article VI and constitutes a violation of international law. At the recent Review Conference of the NPT in New York in May this year, although the United Kingdom joined in the consensus “unequivocal undertaking by the nuclear

81. Letter of 28/9/00 from Stephen Willmer, Proliferation and Arms Control Secretariat of the Ministry of Defence, to Angie Zelter.

82. Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons, International Court of Justice, General List No. 95, July 8th 1996, para.47.

83. Ibid, para 99.

84. Ibid, para 105 (2F).

85. “The Next Chevaline Scandal?” Alan Simpson MP and CND, August 11th 1999, p.1 & 17.

86. UNGA 53, First Committee, UK Explanation of Vote, L48/Rev 1: Towards a Nuclear-Weapon-Free World: The Need for a New Agenda, 13 November, 1998.

87. UN Resolution A/RES/54/54Q on ‘Follow-Up to the Advisory Opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons’.

weapon states to accomplish the total elimination of their nuclear arsenals,”⁸⁸ nevertheless they have not done anything practical to put this into effect. The original NPT promises by the nuclear weapons states were not fulfilled. We must look at the facts on the ground. The United Kingdom continues to fund research into new nuclear weapon systems, continues to deploy armed nuclear missiles and continues to state that it relies upon nuclear deterrence. In this context it is not surprising that ordinary citizens have felt the necessity to try to begin the disarmament themselves.

Conclusion

The Government has frequently been asked but has never explained to the ICJ or to the British public how it could possibly use its nuclear weapons legally. It has not even been able to outline *one* hypothetical example. The government has, in fact, been very careful to say that it could never foresee the precise circumstances and could therefore not determine the legality until the time came to use them. It is hard to see how, with no criteria apparently available to use as guidance, any responsible Commander could make a decision to unleash Trident missiles within the probable fifteen minutes time frame that would be available in a particular instance. It is clear that the British Government has to date been unable and unwilling to open itself to independent legal scrutiny.

The form of words the government usually uses is:

“the legality or otherwise of any specific use of any nuclear weapons ... can only be determined in the light of all the circumstances applying at the time such use is being considered. It is impossible to anticipate in advance with any confidence the exact circumstances which might arise, and to speculate on particular hypothetical cases would serve no purpose”.⁸⁹

It is absurd to think that, if no such legal scrutiny and exercises had taken place before, any thorough legal scrutiny of an

actual use of nuclear weapons could take place in the heat of a war of self-



88. Final Document Issued By 2000 NPT Review Conference, May 20th 2000, p.19.

89. Letter to Angie Zelter from Hazel Finch, Ministry of Defence, October 23rd 1997.

defence in which the very survival of the United Kingdom might be at stake. According to the ICJ this is the only possible circumstance in which the use of nuclear weapons might conceivably be used. The fact that the British Government cannot identify a single hypothetical case that could be presented into the public domain for independent legal scrutiny suggests there are none.

“The Martens clause reminds us that the dictates of public conscience are a creative source of international humanitarian law, as the existence of the International Red Cross bears witness. Each of us is a keeper of the public conscience. We can, if so minded, help to build the future development of international humanitarian law on the foundation of the ICJ advisory opinion so as to promote the rule of law among nations. If governments too could be persuaded to join in this endeavour the rule of international law would be a realistic prospect for the coming millennium.”

Lord Murray, 1998

6.8 Multicultural and Religious Background to Issues of Peace, War and Humanitarian Laws

Humanitarian laws of war are not a recent invention, nor the product of any one culture or religion. The concept is of ancient origin, with a lineage stretching back at least three millennia. It is deep-rooted in many cultures - Hindu, Buddhist, Chinese, Christian, Islamic and traditional African. These cultures have all given expression to a variety of limitations on the extent to which any means can be used for the purposes of fighting one's enemy.

Hinduism

Of special relevance in connection with nuclear weapons is the ancient **South Asian tradition** regarding the prohibition on the use of hyper-destructive weapons. This is referred to in the two celebrated Indian epics, the Ramayana and the Mahabharata, which are known and regularly re-enacted through the length and breadth of South and South East Asia, as part of the living cultural tradition of the region. The references in these two epics are as specific as can be on this principle, and they relate to a historical period around three thousand years ago.

The Ramayana tells the epic story of a war between Rama, prince of Ayodhya in India, and Ravana, ruler of Sri Lanka. In the course of this epic struggle, a weapon of war became available to Rama's half-brother, Lakshmana, which could “*destroy the entire race of the enemy, including those who could not bear arms*”. Rama advised Lakshmana that the weapon could not be used in the war “*because such destruction en masse was forbidden by the ancient*

laws of war, even though Ravana was fighting an unjust war with an unrighteous objective”.

These laws of war which Rama followed were themselves ancient in his time. The laws of Manu forbade stratagems of deceit, all attacks on unarmed adversaries and non-combatants, irrespective of whether the war being fought was a just war or not. The Greek historian Megasthenes makes reference to the practice in India that warring armies left farmers tilling the land unmolested, even though the battle raged close to them. He likewise records that the land of the enemy was not destroyed with fire nor his trees cut down.

The Mahabharatha relates the story of an epic struggle between the Kauravas and the Pandavas. It refers likewise to the principle forbidding hyper-destructive weapons when it records that: *“Arjuna, observing the laws of war, refrained from using the ‘pasupathastra’, a hyper-destructive weapon, because when the fight was restricted to ordinary conventional weapons, the use of extraordinary or unconventional types was not even moral, let alone in conformity with religion or the recognised laws of warfare.”*

Weapons causing unnecessary suffering were also banned by the Laws of Manu as, for example, arrows with hooked spikes which, after entering the body would be difficult to take out, or arrows with heated or poisoned tips.

The Hindu doctrine of ahimsa promotes the avoidance of physical or mental harm to other creatures. *“O Goddess Earth, the consort of Vishnu, you whose garments are the oceans and whose ornaments are the hills and the mountain ranges, please forgive me as I walk on you this day.” - Manu.*

Judaism

The environmental wisdom of **ancient Judaic tradition** is also reflected in the following passage from Deuteronomy (20:19): *“When you are trying to capture a city, do not cut down its fruit trees, even though the siege lasts a long time. Eat the fruit but do not destroy the trees. The trees are not your enemies.”*

The Torah speaks of the stewardship role of humankind in relation to the planet: *“to work in and to look after it” - Genesis 2:15.*

“The world stands on three things, on justice, on truth and on peace” - Ethics of the Fathers. “The Torah was given to establish peace.” - Midrash.

African Cultures

Recent studies of warfare among **African peoples** likewise reveal the existence of humanitarian traditions during armed conflicts, with moderation and clemency shown to enemies. For example, in some cases of traditional African warfare, there were rules forbidding the use of particular weapons and certain areas had highly developed systems of etiquette, conventions, and rules, both before

hostilities commenced, during hostilities, and after the cessation of hostilities - including a system of compensation.

War and the Christian Tradition

“But I say to you: Love your enemies; do good to them that hate you; and pray for them that persecute and calumniate you; That thou may be the children of your Father who is in heaven, who maketh his sun to rise upon the good and the bad, and raineth upon the just and unjust” - Matth. 5:44-45.

For the first three centuries Christians took these words of Jesus at their obvious literal meaning, and almost universally refused to serve in the Roman army. They believed that Jesus’ message of human liberation and salvation was incompatible with military service. Killing could not be squared with the primary Christian law of love. *“We who used to kill one another, do not make war on our enemies”* writes Justin Martyr. The theologian Tertullian tells us *“The Lord, in disarming Peter, ungirded every soldier”*. Likewise Origen says: *“We Christians do not bear arms against any country; we do not make war anymore. We have become children of peace, and Jesus is our leader.”*

Many Christians who refused military service were executed. *“My service is to my God. I cannot be a soldier for this world”*, said the martyr Maximilian shortly before he was executed.

Christian pacifism prevailed until the Emperor Constantine ended the prohibition against Christianity and made it a permissible religion, by the Edict of Milan in 313. Under Theodosius the Great (346-395) Christianity became the official religion of the Roman Empire.

Because the state was now nominally Christian, many began to argue that they had a duty to defend this Christian empire against attacks from the barbarian tribes that threatened it. St Augustine of Hippo was the first Christian theologian to put into a coherent logical form a Christian rationale for war. He tried to help a young Roman officer, newly arrived in Africa, with some advice on peace and war. The officer, Boniface by name, had the task of keeping the Saharan tribes out of Christian North Africa. Augustine provided him with some practical advice on waging war (Letter 189). War should be waged only when it is necessary to peace, and then with the minimum necessary violence; truth should be observed even towards the enemy; mercy towards the vanquished precludes the use of the death penalty. *“Love does not exclude wars of mercy waged by the good”* he wrote.

The efforts of St Augustine and others to reconcile the cause of justice with the restraints of the Gospel came to dominate the mainstream of Christian theology as the Just War theory.

The barbarians finally did topple the Roman Empire and themselves adopted Christianity. War remained a firm part of their tradition; they substituted for their

old Gods of war the Christian saints; George killing the dragon, Michael driving Satan from Heaven, Peter with the sword and so on.

St Thomas Aquinas, the greatest of the mediaeval theologians, draws together in a single article in his monumental *Summa Theologica*, the main points of Augustine's teaching on the

Just War. 1) It must be waged by a legitimate authority: 2) There must be a just cause: 3) There must be a right intention, ie. to promote good and avoid evil. These questions deal with having

just cause to go to war in the first place - *ius ad bellum*. As regards the conduct of soldiers in war - *ius in bello* - we can deduce from what Aquinas says elsewhere that he believed it is never in any circumstances legitimate deliberately to kill an innocent person.

Besides pacifism and the idea of the Just War, the third principal attitude that characterised Christian approaches to organised violence was the no-hold barred attack on God's enemies known as the Crusades. Infidels in the East - Muslims and Jews - were enemies on whom Christians could let loose the full fury of their feelings, because "God wills it", and God - of course - was on our side. The Crusades were a shameful episode in religious history, and no theologian today would defend the idea of a religious war or crusade. It may be observed, however, that much of the rhetoric and underlying psychology - not to say psychosis - of the Cold War was at times strongly reminiscent of the crusading mentality, with widespread denial of Western responsibilities in initiating (Hiroshima/Nagasaki) and fuelling nuclear war plans and the arms race, as well as the extensive dehumanisation of the enemy - 'Godless' Russians fulfilling the role of latter day 'infidel' Muslims.

Two of the most important contributors in the developing doctrine of the Just War were Francisco de Vitoria and Hugo Grotius. These lived at the time of the Reformation and the emergence of the nation states of Europe under absolutist rulers. It was only at such a time that a real international law became necessary and possible. These jurists moved the just war theory from a religious basis to a secular one, founded on natural law and humanitarian principles, such that could be universally applicable. This is the origin of modern international law.

However, at this time we also see the state abrogating to itself the role of judge in its own cause. In the words of the 37th Anglican Article of the Church of England, "it is lawful for Christian men at the command of the magistrate to wear weapons and to serve in the wars". Notice the fatal omission of the word "just". The war is justified because the state declares it. The Christian's duty is defined as simple blind obedience. It is now in effect, a case of "my country right or wrong". This negation of the citizen's inescapable moral duty to decide whether a

war is just or not, has led to the tragic paradox of - for example - Christians fighting against Christians to further the blatantly anti-Christian racist theories of Nazi Germany, just as it led them to fight in wars to impose opium on China, or for colonial land-grabbing in Africa and elsewhere. This denial of individual

responsibility is completely unchristian. State worship is fundamentally pagan.

The Industrial Revolution led to an enormous increase in efficiency in the mechanised killing of human beings. This

development culminates with the blanket bombing of WW 11, and the indiscriminate slaughter of ABC (atomic, biological and chemical) warfare. Under these conditions, the principle of civilian immunity and proportionality - essential aspects of *ius in bello* - are clearly impossible.

If modern warfare is incompatible with the laws of war, there are two possible reactions. One is to abandon the notion of rules of war altogether, and to adopt the idea of total or genocidal war. This was the road taken by Nazi Germany, and is inherent in the threatened use of nuclear weapons. The other solution is to recognise that war is no longer an acceptable way of solving disputes between nations - if it ever was.

The largely indiscriminate nature of modern weaponry has compelled Christians to rethink the whole question of war. Thus, although addressed primarily to Roman Catholics the document *Gaudium et Spes*, issued by the Second Vatican Council, reflects a growing attitude among Christians of all denominations when it call for a "wholly new attitude" - *omnino nova mente* - to war. We see this new attitude powerfully illustrated in the statement issued by the Catholic Bishops of America in June 1998, when they declared that "*nuclear deterrence as a national policy must be condemned as morally abhorrent*".

It must be remembered that the original pacifist position of the early Church never completely disappeared. It lived on in the lives of many individuals - eg. St Francis of Assisi, Dorothy Day, Martin Luther King, etc. - as well as in the life of religious and monastic communities.

The pacifist position was also maintained in the historic peace Churches that have developed over the years; the Waldensians, the Moravian Brethren, the Mennonites and the Quakers etc, as well as by individual pacifists. Though small in number these have had an enormous influence in putting peace back where it should be - at the very heart and centre of Christian life.

Islam

In the **Islamic tradition**, the laws of war forbade the use of poisoned arrows or the application of poison

"How can you say 'our Father' when you are thrusting the sharp steel into the body of your brother?"

Erasmus of Rotterdam.

on weapons such as swords or spears. Unnecessarily cruel ways of killing and mutilation were expressly forbidden. Non-combatants, women and children, monks and places of worship were expressly protected. Crops and livestock were not to be destroyed by anyone holding authority over territory. Prisoners were to be treated mercifully in accordance with such Qur'anic passages as "*Feed for the love of Allah, the indigent, the orphan and the captive*". So well developed was Islamic law in regard to conduct during hostilities that it ordained not merely that prisoners were to be well treated, but that if they made a last will during captivity, the will was to be transmitted to the enemy through some appropriate channel.

Muslims believe that Allah has handed the planet over to humankind to be cherished and protected. "*It is he who has made you custodians, inheritors of the earth.*" - **Surah 6:165**. The strict conditions for the conduct of a justified war, including the last resort principle, that it should not be fought to gain extra territory, that killing should not be indiscriminate or involve innocent people, and that the natural environment should not suffer, all make the use of weapons of mass destruction abhorrent to Islam.

Buddhism

The **Buddhist tradition** went further still, for it was totally pacifist, and would not countenance the taking of life, the infliction of pain, the taking of captives or the appropriation of another's property or territory in any circumstances whatsoever. Since it outlaws war altogether, it could under no circumstances lend its sanction to weapons of destruction - least of all to a weapon such as the nuclear bomb. "*According to Buddhism there is nothing that can be called a 'just war' - which is only a false term coined and put into circulation to justify and excuse hatred, cruelty, violence and massacre. Who decides what is just and unjust? The mighty and the victorious are 'just', and the weak and the defeated are 'unjust'. Our war is always 'just' and your war is always 'unjust'. Buddhism does not accept this position.*"

Buddhism sees love as the ultimate weapon against human problems. The Noble Eightfold Path provides the guidance to overcome negative human emotions including aggression. "*To begin with, of course, we must control the anger and hatred in ourselves, and as we learn to remain in peace, then we can demonstrate in society in a way that makes a real statement for world peace. If we ourselves remain always angry and then sing about world peace, it has little meaning.*" - **HM Dalai Lama**.

References and Acknowledgements

6.1 Background to the State of Nuclear Weapons in the World

Nuclear Weapons, who's got them, who might have them, who could have them and where they are from - CND. This section and the following three were updated with the help of Lionel Trippett.

6.2 Inventories of Nuclear Weapons

An Inventory of Nuclear Illegality - Fred Starkey, Pax Legalis.

NRDC Nuclear Notebook - The Bulletin of the Atomic Scientists, July/Aug 1999.

Nuclear Weapons Inventories of Seven Declared Nuclear Powers - Bob Aldridge, April 1999.

6.3 The British Nuclear Arsenal

British nuclear Weapons - the position in 1997 - CND.

Taking on Trident - Scottish CND.

General Election Lobbying Pack 1996/7 - CND.

Nuclear Weapons Databook, Vol.V.

Gallup Poll, 5-10 September 1997, commissioned by the UK Steering Committee for Nuclear Free Local Authorities.

6.4 British Nuclear Defence Policy

NATO Nuclear Illegality - George Farebrother, World Court Project.

How can we link the ICJ Opinion to existing nuclear weapons - George Farebrother, World Court Project.

Tactical Trident, the Rifkind Doctrine and the Third World - Milan Rai.

The Strategic Defence Review - CND Submission - William Peden, June 1997.

The Strategic Defence Review - Government Publication, 1998.

6.5 The Use of British Trident in War

This section was written by Professor Paul Rogers.

6.6 The Effects of Nuclear Weapons

This section is taken almost word for word from Judge Weeramantry's Separate Opinion of the Advisory Opinion of the International Court of Justice, 8th July, 1996. Subsections b, f, j and o have been re-written and corrected by Alan Phillips.

Genocidal Mentality. Nazi Holocaust and Nuclear Threat - Robert Lifton and Eric Markusen, 1990.

Moral Status of Nuclear Weapons - Ken Booth, November 1997.

6.7 The Criminality of British Trident

This section is an extract from the submission made by Angie Zelter to Edinburgh High Court during the Lord Advocate Reference Proceedings. See footnotes for references.

6.8 Multi-Cultural and Religious Background to Issues of Peace, War and Humanitarian Law

Most of this section was taken from Judge Weeramantry's *Separate Opinion of the Advisory Opinion of the International Court of Justice*, 8th July, 1996. Some useful quotes were gleaned from a short paper by David MacKenzie. The section on Christianity was written by Brian Quail.

Recommended Further Reading

Fate of the Earth - Jonathan Schell, 1982.

From Nuclear Deterrence to Nuclear Abolition - General Lee Butler, Address to the National Press Club in Washington on December 4th 1996.

Going to Court Not War, An Introduction to the ICJ - C. Soane and P. Norris, January 1995.

Hiroshima - John Hersey

Humanising Hell - George Delf

Nuclear Weapons and the Law - Lord Murray 1998.

Nuclear Weapons and International Law in the Post Cold War World - Charles J Moxley, Austin & Winfield, 2000.

Nuclear Weapon and Scientific Responsibility - C. G. Weeramantry

Overkill - John Cox, Peacock Books, 1977.

Statement on Nuclear Weapons - International Generals and Admirals - December 5th 1995.

The Judgement of Nuremberg 1946 - HMSO

The Pax Legalis Papers - Robert Manson

The Right to Refuse Military Orders - Meindert Stelling.

Useless Weapons - Field Marshall Lord Carver.

PART 7: LEGAL BRIEFINGS AND GUIDE TO COURT AND PRISON

7.1 Introduction

It is difficult for the authorities to admit that the deployment of Trident is unlawful. Although we believe that we are acting lawfully by trying to prevent the crime of threatening a nuclear holocaust we must be prepared for arrest, court trials, being found guilty and possibly a long time in prison. To be responsible for ourselves and others we must plan well for these possibilities. At the beginning of the campaign we felt that we had to be prepared for the possibility that everyone who had signed the Pledge to Prevent Nuclear Crime might be arrested and charged with conspiracy as soon as their names became public. In the thirty months of the campaign no such move has been made but it still remains a remote possibility.

It is advisable to always carry a copy of your Pledge to Prevent Nuclear Crime with you so you can produce it to explain your actions. You may wish to prepare a specific police statement that explains the more personal reasons for your actions but it is advisable to always include the wording of your Pledge within it. However, you may wish to engage only on a moral or humanitarian level and not to avail yourself of any legal arguments. You may feel that to rely upon the law in any way when this is for you simply a matter of love and respect for all living beings is quite unacceptable. This is fine. You do not have to use the law at all. You should do whatever feels right to you.

We now have a Legal Support Team based in Scotland and another one to cover England and Wales. They monitor all arrests, court appearances, sentences, appeals and prison stays. They can provide information about Court procedures and help with preparation of your defence.

Please keep this Team informed of anything that happens to you within the legal system. For Scotland contact Jane Tallents on 01436-679194 or e-mail: tp2000@gn.apc.org. For England and Wales contact Andrew Gray on 0191 209 3140 or e-mail andrew@andrewgray.uklinux.net

7.2 Getting arrested and processed

You'll be in very good company if you do get arrested, joining in a long tradition of people who have been arrested for their beliefs. The experience of getting arrested is different for everybody. It can be emotionally moving, good fun, spiritually inspiring, extremely scary, empowering or isolating.

Your experience is likely to be more positive if you know what to expect and if you prepare your action thoroughly.

7.2.1 Procedure in Scotland

(Note: Scotland has a different legal system from England and Wales.)

If you do anything which the police consider to be against the law you may be arrested. There are two kinds of police around military establishments - Civilian Police and Ministry of Defence (MoD) Police.

Sometimes the police will warn you first before you are arrested and if you are in a group this may be done to the group as a whole. They will caution you (the bit about anything you say being taken down and used in evidence against you etc). It now includes "it may harm your defence if you do not mention now something which you later rely on in court". That means that it is usually worth mentioning any facts that could be crucial to your defence, but it does NOT take away your right to silence. You will then be taken by the police, possibly in a car or van, to a processing point.

Of course it may be the Marines or some other people (especially if you are found inside a Trident submarine or a high security area within the base) who first detain you but eventually you will be handed over to the police to be dealt with.

At some point you will be processed which is not as painful as it sounds! Things can happen in various orders, at a variety of places, sometimes some of



them don't happen at all, sometimes it all happens very quickly and you are released, sometimes it takes ages. From the processing station you will be taken to a police station. Be prepared to take it all in your stride and know your rights.

- You will be searched and your possessions taken away. Make sure that you do not have on you anything you do not wish the police to see or any offensive weapons (matches, knife). In other words only take with you essential things that you can reasonably justify having. You will be asked to hand over any sharp objects before being searched. If you fail to do this it could result in an extra charge.
- The police will ask your name, address and date of birth, which legally you have to give. They will also ask you lots of other things but you don't have to give them any further information. It is probably best to say nothing else except to tell them if you are vegan or vegetarian or need medication. You may decide with your group that you want to talk about the issues and reasons for your action but it is usually better not to talk about the action itself as this may be used against you later on. You will have plenty of opportunities to talk about all of this during the court case. The police can ask as many questions as they want and the information given can only be excluded as evidence if obtained by intimidation, threats, bullying etc.
- If you are ill or injured you have the right to see a doctor. If you need one then insist on seeing one at the earliest opportunity.
- The police can photograph and fingerprint you if they wish but the records will be destroyed if you are not charged, or if you are charged but eventually acquitted.
- You have a right to be able to take notes of what is happening to you - they can be very useful.
- The police can detain you for up to six hours if the offence you are supposed to have committed can be punished with a prison sentence. You must be told of the suspicion and general nature of the offence you are supposed to have committed. You can ask for a solicitor and another person (usually a friend or relative) to be told of your detention. Ask them to contact the Legal Support number (set up for each of the open actions at Faslane, Coulport and Aldermaston) or your own Affinity Group support number who should keep the Legal Support Team informed. The phone numbers for the Legal Support line will be given just before each open action. They have the names of several lawyers who are willing to come to our aid in an emergency. While strictly speaking the police can prevent you from seeing or speaking to a solicitor during this six-hour period, in practice if a solicitor attends the police station they will probably be allowed to see you. You are entitled to a private consultation with your solicitor before any court appearance.
- You may be interviewed about the offence you are supposed to have committed, usually recorded on audiotape, and will be cautioned at the start of any interview (although this process is unlikely for minor charges). You may like to have a statement prepared to read out at the start of this interview, and then not to answer any questions the police put to you.
- Once you have been charged you can be held for court or released as soon as the police can verify your name and address. They check this by sending the local police to the address you have given and asking if you live there or by checking on the electoral roll. Otherwise (e.g. if you have just moved and live by yourself), think of ways to convince them that you really live there, and have the phone number of someone else who can verify to them that you live there. If you are not British then your passport will suffice as proof of your identity. Checking your address can all take a very long time especially if there are a lot of people in custody.
- You may be held and taken to court the next morning. If you are arrested on a Friday you can be held until the Monday.
- The possible charges are dealt with in the next section. Once you are charged with an offence, you should not be questioned further. A caution is often given at this point, making clear that anything you do say in response to being charged can be used in evidence. If you want to make another statement at this point, you can do so. The advantage of making a statement at this point is that you can't be questioned about it.
- If you are released from a police station you may receive a citation in the post (possibly some months later). The citation informs you of the charge against you, gives a court date for the hearing of your plea (guilty or not-guilty) but gives you an opportunity of pleading by post so that you do not have to travel to court just to put your plea in. If you wish to be represented at court this is the time to arrange legal representation. When you do receive a citation please contact the Trident Ploughshares Legal Support so that they can keep accurate records and help with more updated advice and court support.
- You should be given all your property back. There should be someone from your affinity group (or TP legal support at big actions) waiting to meet you outside and who will arrange a lift. You will then be able to inform

the Trident Ploughshares Legal Support that you are out.

Everything in a police station moves very slowly, so don't worry if nothing seems to be happening. There is lots to do to pass the time; sing, dance, shout support to other cells, meditate or even just sleep. You can ask to take a book in with you, ask for pencil and paper, food and water or a blanket, some of which you might get!

7.2.2 Procedure in England and Wales

In an English/Welsh police station, the rules are a bit different. You do not have to give your date of birth, although you will be asked for it and your release may be delayed if you do not give it (because the police will not be able to search for you on the police computer so easily). You are less likely to be formally 'charged' when first arrested in England, and you cannot be fingerprinted until you have been charged. You can be photographed after charging, but the police cannot use force, so you can refuse to cooperate if you do not want to be photographed. You are unlikely to be more than 'pat'-searched (unless the charge is serious), and it will be by an officer of the same sex.

The most important thing to know is that all the procedures are governed by something called 'PACE' (Police and Criminal Evidence Act). You can ask to see a copy of the Codes of Practice while in the police station, and this is recommended if you are at all unsure or if the police appear to be particularly nasty to you. The Codes also govern interview procedures.

You are entitled to see or talk to a solicitor (free of charge), and to have someone informed. You can have someone informed each time they move you to a new police station. If you use the 'duty' solicitor, be careful not to be talked into pleading 'guilty' or accepting a 'caution' (see below) if you do not want to. You should also always say that you give consent for information about you to be passed on to anyone phoning up: under PACE, they cannot withhold information if you give consent.

Before you are released, you may be formally charged (they should not normally hold you any longer after charging you), in which case they may fix a court date on the spot. This will be in the near future, and will just be a 'plea' hearing (you can normally get out of going by writing to the court, if you are pleading 'not guilty'). If you are charged, the police can impose bail conditions, which you have to sign (if

you want to be released). These may prevent you from returning to a protest camp or going on MOD land etc: if you break your bail conditions, the penalties and consequences are often more serious than the original 'offence' that you were charged with.

There are four other options which the police often use instead of charging.

(a) They may report you with a view to prosecution, which means that they send a file to the Crown Prosecution Service, who may send you a 'summons' (like a 'citation' in Scotland) within the next 6 months.

(b) They may offer a formal 'caution' (if under 18, this will be a 'reprimand' or 'warning'). A caution is not a conviction and is an easy way of dealing with the 'offence', but it will go on your police record and may be used in court on future occasions; it also involves admitting 'guilt'.

(c) They may release you on bail pending further investigations, which means that you have to come back to the police station at a later

date, when they may charge you.

(d) They may do nothing and just let you go (possibly with an informal 'oral warning' first: this has no legal significance).

"I am here to invite and submit cheerfully to the highest penalty that can be inflicted upon me for what in law is a deliberate crime and what appears to me to be the highest duty of a citizen. The only course open to you, the Judge, is either to resign your post and thus disassociate yourself from evil, if you feel that the law you are called upon to administer is an evil and that in reality I am innocent; or to inflict on me the severest penalty, if you believe that the system and the law you are assisting to administer are good for the people of this country and that my activity is therefore injurious to the public weal."

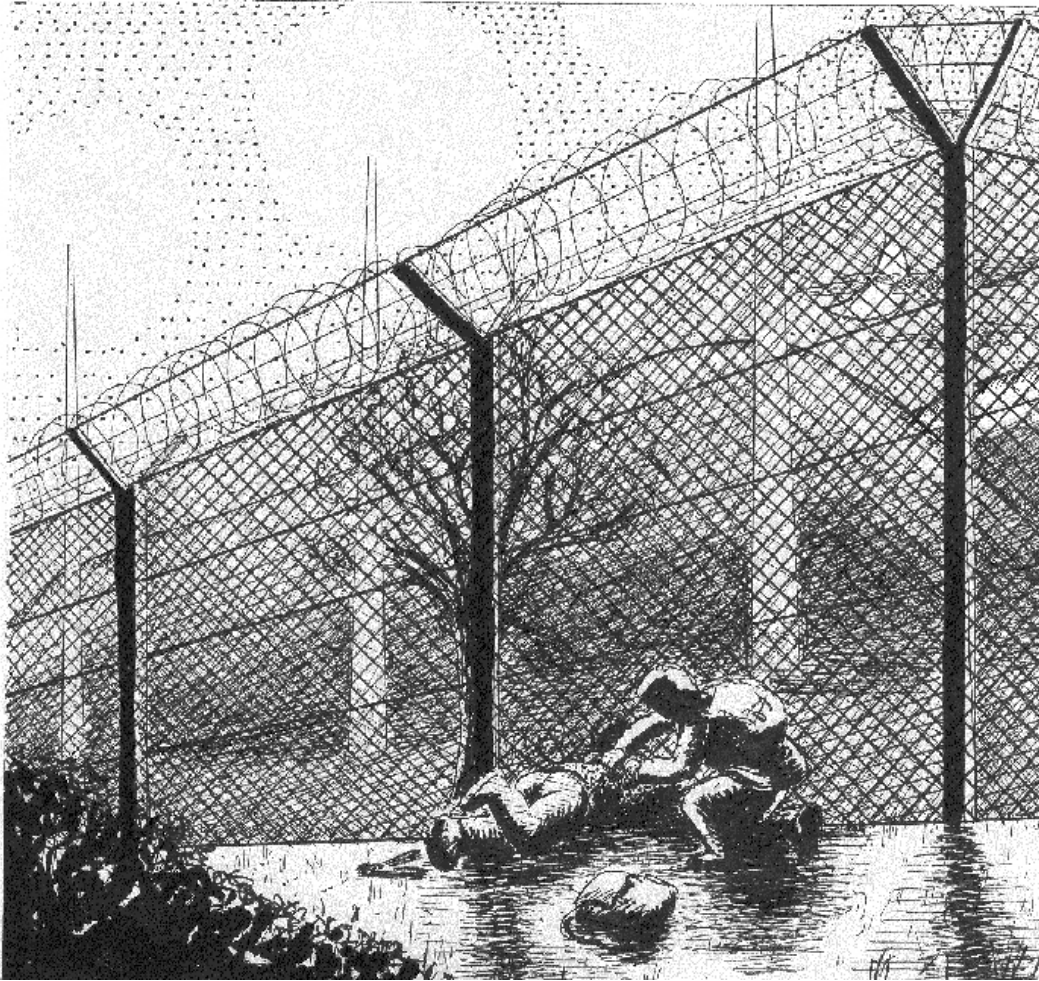
Mahatma Gandhi

7.2.3 Possible Charges in Scotland

Breach of the Peace is the most common charge. If you are blockading, the charge will read something like 'That on February 12th 2001 you did at the North Gate HMNB Faslane conduct yourself in a disorderly manner, lie on the roadway, obstruct the free flow of traffic, refuse to desist when requested to do so and did commit a breach of the peace'. In Scottish law, unlike the law in England and Wales, Breach of the Peace is a 'catch all' charge. It is defined very widely as doing things which cause, or could reasonably cause, alarm or disturbance.

It is a common law offence, which means you can be tried in any of the three levels of Scottish courts. The maximum penalty available to the court will depend on the limits to the sentencing power of the court which tries you. The court will take a view of the seriousness of your actions, and should take into account your personal circumstances, in order to determine precisely what level of sentence to give you.

Malicious Mischief is most commonly defined as intentional or reckless damage of another's property. It is a common law offence, so again can be tried at any level of the criminal justice system, and the penalty you get will depend on the seriousness of the



damage you cause, and any personal mitigating factors.

Vandalism section 52 Criminal Law (Consolidation)(Scotland) Act 1995 is defined in a similar way to malicious mischief (wilfully or recklessly destroying or damaging any property belonging to another), but is a less serious charge. The maximum fine is £1,000, and/or a maximum prison sentence of 60 days in the district court, and £5,000 and/or 3 months in prison in the sheriff's court. For a second or subsequent offence the sheriff's court can give you 6 months in prison.

Conspiracy is complete when an agreement is reached between a group of people to do any criminal activity. There are different types of conspiracy, so you do not need to have all been in touch with each other: person A could agree with person B to do an act, and then B could agree with C, and they could all be charged with conspiracy. It is very difficult to withdraw from a conspiracy, and to some extent it is even debatable whether it is possible to do so in legal terms. Once the court thinks you have agreed, you have to have done quite a lot to be able to convince the court of your disengagement. Signing up for the Trident action could well be seen as fairly conclusive proof of your participation in a conspiracy. However, the more people sign, the more unlikely it is that all of us will

be charged, but it is still possible. More likely is that organisers would be picked off.

Incitement is what it says it is: attempted conspiracy, or inviting someone else to participate in criminal acts. Again, its more likely to be used against the Core Group, but you may like to be careful about what you write to other people, and what you say on the phone, because this may produce concrete evidence that can be used against you.

Faslane, Coulport and Rhu Narrows Byelaws cover the area inside the bases as well as land and water outside the base belonging to the MoD. The main charges under the byelaws are 'entering by land except by way of an authorised entrance', i.e. through a hole in the fence! And 'entering the Protected area without authority'. There have been, in the past, legal challenges to the whole validity of the byelaws. Contact the TP Legal Support if you want to know more.

If activists do anything at all that gets them arrested while they are on bail they will most likely be charged with Breach of Bail. If you do this too often you run the risk of being remanded until your trial.

7.2.4 Possible Charges in England and Wales

This is not an exhaustive list of charges, but covers the most likely ones or those used most often so far.

Breach of the Peace

This is completely different from Breach of the Peace in Scotland. There are lots of rights and powers available to police to arrest to prevent a breach of the peace, and magistrates can make a 'binding over' order against you (after a court hearing, just like a trial), but this is not a criminal conviction, and should not apply unless there is violence or a threat of violence.

Obstruction of the Highway

This is a very common charge for any kind of blockade. The highway includes the grass verge and pavements, but not private roads. It is a very minor charge, but also hard to defend against (see separate TP briefings if you are charged with this). Some entrances to AWE are not 'highways' by law.

Obstructing the Police

This is often used if the police don't like you or want you out of the way, and may be added to other charges. Most likely to be used if you 'intervene' when someone else is being arrested or the police are taking other actions against a demo.

Marches, Demonstrations and Public Order Charges

There are various regulations about marches and demonstrations, which are most likely to concern you during mass actions or if you are identified as an 'organiser'. Police can ban marches (in rare circumstances), and also 'trespassory assemblies' (after getting a court order in advance). They cannot ban normal demonstrations, but can impose conditions (which it is then an offence to break).

They can also order you off private land or arrest you for 'aggravated trespass' if you are being disruptive, obstructive or intimidating.

You may be charged under the Public Order Act with a range of offences, but probably 'section 5' (disorderly conduct), which is the most minor public order charge, and similar to 'breach of the peace' in Scotland. Section 4 is a bit more serious, and so on to section 1 (riot).

If you get into the base you could be arrested for 'aggravated trespass'. This applies when you "trespass on land in the open air with the intent to disrupt or obstruct or intimidate someone going about their lawful business on that land (or adjoining land) in the open air". S68 should not apply if you are in/on a building. However gleeful you may be at a charge which will involve them attempting to prove that what they are doing is a lawful activity, they will probably give you a S69 warning. The senior police officer present - who has to reasonably believe that a S68 offence has/is/will be committed - can warn a person to leave - it is an offence not to do so as soon as possible - or if you return within three months. The MDP have never used S70 (Trespassory Assembly) - though peaceful protests of more than 20 people have been ruled illegal in the High Court.

Byelaws

As in Scotland, MOD property and some other places are protected by special byelaws. These vary from place to place, and notices should be stuck on a board somewhere. Generally, byelaws give the police more powers to move you off land or arrest you for 'trespass' etc. For instance, AWE Aldermaston/Burghfield are Ministry of Defence sites, covered by by-laws. Under these by-laws, it is an offence, for example, to enter the site (trespass), to tie things to fences or fly kites over the base. Currently if you get into a base without committing criminal damage (see below), the MDP ask you to leave. If you don't want to, they put you in a van and drive you out. However, they may detain you for a while before releasing you. Prosecutions under the by-laws are very rare. Under the by-laws, the MOD own parts of the verges immediately outside Aldermaston, but Aldermaston Women's Peace Camp has camped in this area for years without many problems. This does not mean they will not use them.

Criminal Damage

This is similar to 'malicious mischief' in Scotland, and can include 'temporary' damage like graffiti or even chalk. The main difference is that there is a special (but limited) defence available of causing damage to 'protect' other property, and that the compensation awarded against you if you are found guilty is usually higher. If they do not have evidence of your causing actual damage (or if they arrest you before you do the damage), you may be charged with 'conspiracy' to cause criminal damage, which is (perversely) a more serious charge.

If you get into the base by climbing over the fence, the MDP may arrest you on suspicion of criminal damage, in case you damaged the fence or sensor wires when you climbed over. If no damage has been caused, they typically release you without charge.

Harassment, Incitement, Conspiracy

There is a range of charges that have not been used against TPer's recently, but may be in the future (especially if other charges don't stop us!). They are generally more serious, and usually only used against people identified as 'organisers', so be very careful if you are asked questions about organising demonstrations or actions!

7.2.5 Consequences - what could happen to you eventually**Will I be sent to prison?**

Theoretically, everyone who signs the 'Pledge to Prevent Nuclear Crime' could be arrested, charged with conspiracy, and ultimately sent to prison. But this (especially the last stage) is looking increasingly unlikely, and is probably now only the faintest possibility, except perhaps for members of the Core Group.

If you do significant damage, and are subsequently found 'guilty' in the courts, you could be sent to

prison. This is something which you should have prepared for, with your affinity group. A prison sentence is only likely for very serious offences (major theft or criminal damage etc).

If you have a big criminal record already, or have previously broken your bail conditions (e.g. not turned up in court when summonsed), or if you are charged with a serious offence, you could be kept on 'remand' pending your trial, or for a week or two at least, instead of being released 'on bail'.

Otherwise, the only possibility of prison comes if you are fined (even for a minor 'offence') and refuse to pay your fine. Your fine may be transferred to your local court. You should only be sent to prison as a 'last resort', and you may be given several warnings and chances to pay (including another court appearance) first. In England you will not be sent to prison unless you are 'wilfully' not paying (i.e. able to pay but refusing). Recently in Scotland there have been cases where the Magistrate says you have a certain time to pay or 'the alternative' of X days will be imposed. When the time is up an 'extract warrant' will be issued and you will be arrested and taken straight to jail. The police have just waited until people come back to court for another case and arrested them at the end. You may receive a short prison sentence probably one or two weeks unless the amount is high, and you will normally serve only half of the sentence). But even then, in England there are other possibilities: bailiffs may be sent to your house (see separate notes on dealing with bailiffs), or you may be kept in the court building for the rest of the day and then released. Remember prisons do not release at the weekend so if you are due out on Saturday or Sunday they will release you on Friday morning. If you are handing yourself in you can time it to minimise the days spent inside.

Will I lose my DSS benefits?

If you are found guilty and fined, your local court may get a deduction order from your Income Support or JSA benefits (but not Incapacity Benefit), but this has not been standard practice in most courts.

If you are on a protest camp or a long walk, you may be deemed to be making yourself unavailable for work, and so may have trouble claiming JSA. This should not affect one-off actions or demonstrations, and in any case your local unemployed or benefits action group may be able to help (practice varies from place to place).

Incapacity benefit (depending on a medical certificate) should be more secure, and we've not heard of problems with it arising from demonstrations or actions, although it could be a problem if you are already being called in or investigated as a 'marginal' case.

Will I lose my job (or not get one in the first place)?

That depends on your employer, but you shouldn't (unless you do something major). You will have to declare recent convictions on job applications, though, and for certain jobs, you have to declare all convictions, even if they are very old ones.

The rules for when you have to declare convictions depend on the sentence that you got for them. The basic idea is that after a certain time, all but the most serious convictions become 'spent' and you no longer have to declare them. The time periods are as follows: for a fine, 5 years; for prison (less than 6 months), 7 years; for prison (longer), 10 years. These periods are halved if you are under 18. For a conditional discharge, binding over order or probation order, the period is one year after the end of the period specified in the order (i.e. probably 2 years after the court case). For an absolute discharge, it's 6 months.

BUT for certain jobs, these time limits do not apply, and you may have to declare all your past convictions, however old. These jobs are in teaching, social work (most kinds, except administration work), medicine (and dentistry), the law, accountancy, police and armed forces.

Note that just because you have to declare convictions, doesn't mean that you will automatically be ruled out of getting a job. It is most likely to be a problem for trainee social workers: in some areas, having any kind of conviction makes getting social work experience very difficult.

7.2.6 Notes for Non-British Ploughshares Activists

If you are an EU/EEA national

You should have no problems gaining entry to Britain even if you have signed the Pledge to Prevent Nuclear Crime. EU law restricts the powers of the immigration authorities to refuse you entry, and there is no effective control of entry for EU nationals.

If you are charged and convicted of a criminal offence, it is possible that a deportation order (D.O.) could be made against you, but this is unlikely unless you have committed a very serious offence. D.O.s should only be made in relation to EU/EEA nationals if they represent a 'present threat to the fundamental interests of society'. However, recently a Dutch Pledger having been charged with only Breach of the Peace and Breach of Bail has been given notice that the court might move for a D.O. if she is convicted. Obviously we have a solicitor fighting this all the way and it might just be a move by the Crown to try and deter our international activists. You have the right of appeal in respect of any deportation proceedings whether initiated through the criminal courts or administratively although you could be held on remand throughout the appeal process. Of course if the Government did

ever succeed in deporting anyone for preventing nuclear crime in the UK it would galvanise the peace movement in their country of origin to join in the campaign.

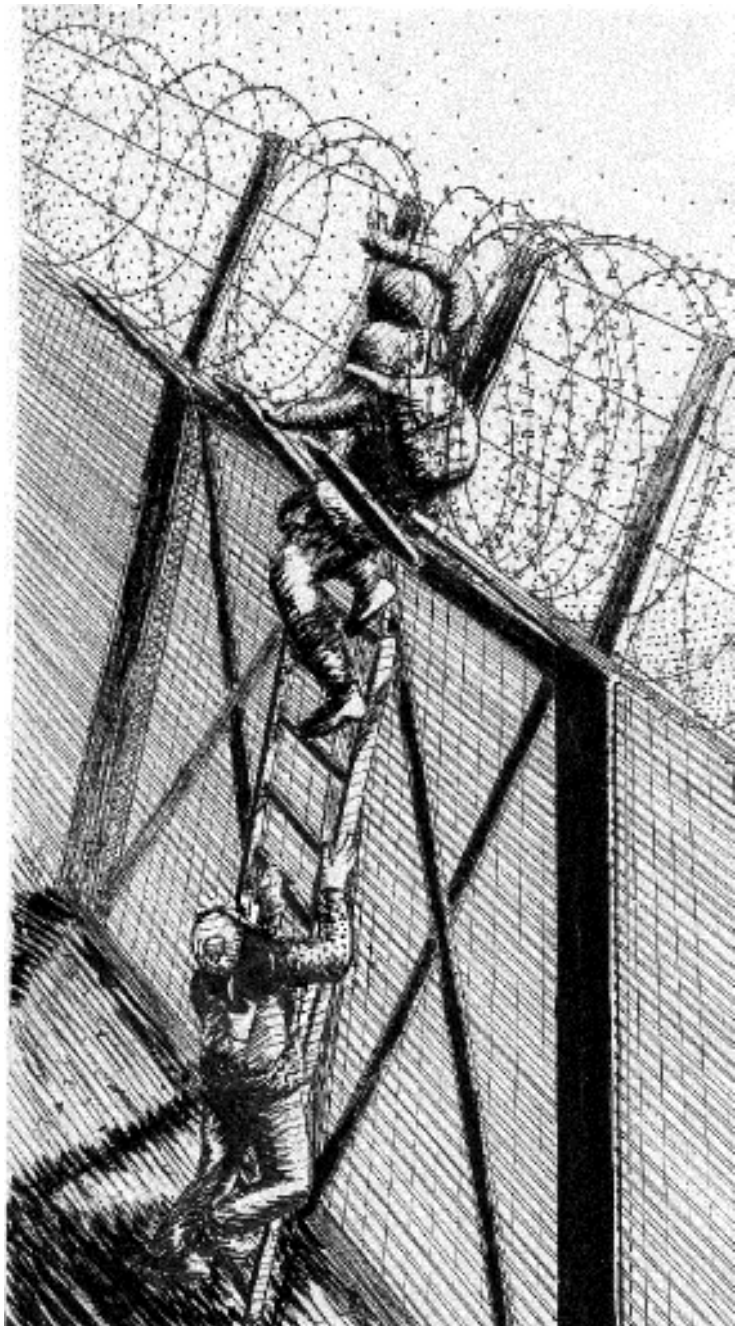
The father of another Dutch activist was phoned by someone claiming to be from Interpol to inform him that his son was in Scotland and had been arrested. He was told that it was normal procedure to do this although it clearly isn't. If you don't want there to be any risk of your family being bothered by Interpol then think carefully about which address you give the UK police as a contact.

If you are not a national of one of the EU/EEA states

You should give some thought as to how you answer any questions that may be put to you on arrival about the purpose of your stay. You may also like to think about the contents of your luggage, in case your bags are searched. Make sure you have the required visa if you need one! Even if you have a visa, or if you do not need a visa, you can be refused entry on arrival. The two grounds for refusal which could apply to Trident Ploughshares activists are:

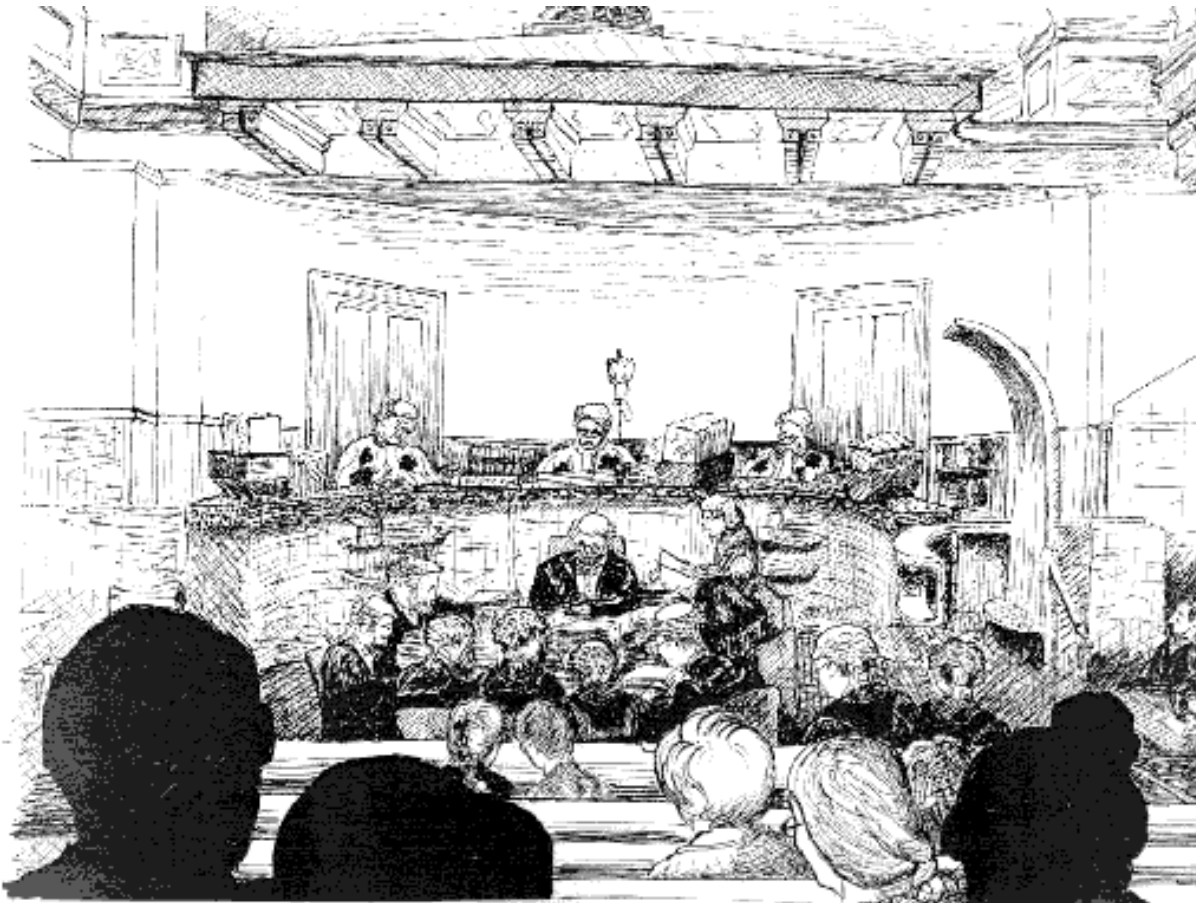
If exclusion from the UK is conducive to the public good. The Home Secretary can make an order to this effect, or an immigration officer can decide to exclude you when you arrive. Refusal of entry is most often applied to known drugs dealers but it could be used against Trident Ploughshares activists if their intentions are known to the authorities. You may like to consider signing the Pledge to Prevent Nuclear Crime after your entry to Britain, or not disclosing that you are a foreign national on the Pledge (the authorities may not work out that you are not already here) or entering the country through the Republic of Ireland (Eire).

If you have a criminal record in any country for an offence which would be punishable in Britain with 12 months or more in prison. Clearly, this may apply to some experienced activists! If you need a visa, you will be asked about your criminal record on the application form. If you do not need a visa, then you probably won't be asked about this, which will probably mean that the immigration authorities will not know. Again, if you are refused a visa, an option is to enter through Eire. Proceedings to deport you from Britain on 'conducive to the public good' ground could be brought even after entry if you come to the attention the authorities. You would have the right of appeal against a decision to deport you which would give you a great opportunity to argue that People's Disarmament is in fact conducive to the public good. If you are charged and convicted



with a criminal offence, then the Judge can make a recommendation to the Home Secretary when you are sentenced that you be deported. You have to be given seven days written notice that the Judge is considering making such a recommendation. A Judge's recommendation can be appealed within the criminal justice system, as an appeal against sentence. The Home Secretary makes the final decision about whether to follow the recommendation and sign a Deportation Order (D.O.) and decide to bring 'conducive to the public good' deportation proceedings even if the Judge made no recommendation.

Some people might feel it is better to leave the country voluntarily, if a D.O. seems likely, but this can be difficult if you are in prison! The disadvantage of a D.O. is that it remains in force even after you have left Britain, and to come back you have to apply for it to be discharged, and this is usually only done



after three years, or when your criminal conviction is 'spent', which ever is the longer. In effect, a D.O. means you will not be able to come to Britain legally for more than three years. It is less likely that a D.O. would be considered or made if you are only charged with a minor criminal offence. However, if you have committed lots of minor offences, or an offence at the more serious end of the spectrum, it becomes more likely that a D.O. is made. To date no Pledger has been denied access into the UK.

7.3 Scottish and English Legal Systems and Likely Process through the Courts

7.3.1 Scottish Courts

In Scotland there are three different courts, and they are described very briefly below. The maximum penalty actually available to the court will depend on the offence you have committed and the maximum sentencing power of that court. For what are called common law offences, which are those offences created by legal tradition and past precedent, (e.g. malicious mischief, breach of the peace) the maximum sentence will be the same as the maximum sentencing power of the court you are tried in. If the offence is created by legislation, there may be a

maximum penalty in the statute which is lower than the maximum the court itself is empowered to give in general. In either case, there will be practice guidelines which will indicate the type and amount of penalty you should be given, and any excessive sentence can be appealed against.

District Courts

These are local criminal courts. The judges are justices of the peace, who are not legally qualified but who are assisted by a clerk who has legal qualifications. The procedure is always 'summary', which means there is no jury, and only more minor offences are tried in such a court. The maximum penalty a district court can give you is 60 days in prison or a fine of up to £2,500.

Sheriff Courts

These are local courts which can deal with any offence except for rape and murder. The judge is called a sheriff and is legally qualified. You can be tried with or without a jury in this court. For common law crimes, the prosecutor decides whether or not the judge will be assisted by a jury. The maximum penalty in this court is 3 years in prison, and an unlimited fine if a jury has tried the case; and if a jury has not been involved then 3 or 6 months in prison or a fine not exceeding £2,500.

High Courts of Justiciary

The High Court can give a maximum sentence of life imprisonment or an unlimited fine. A summary only offence (like vandalism) cannot be tried in this court. The High Courts can otherwise try any offence which took place in any part of Scotland. Trials in this court always take place in front of a jury, and the judge is called 'Lord Commissioner of Justiciary'. Unless you commit an offence at the serious end of the spectrum, you are very unlikely to be tried in this court.

Kinds of Hearing

There are various different kinds of hearings at the different levels.

Pleading. If you receive a citation in the post there will be a form you can fill in and return to plead. You can turn up in person if you prefer. This has the advantage that you can argue about any trial date that you are given if it is not suitable to you.

Intermediate. This is usually 1 to 3 weeks before the trial and is to check that both sides are ready to go to trial. If one side is not ready for any reason then the trial gets cancelled and new dates set. Although technically you are supposed to appear in person at the intermediate many people have written to say that although they are not there they have every intention to appear at their trial and are ready to go ahead. At the pleading sometimes people ask not to have an intermediate or to be excused attendance at it. The court seem quite happy to do this if you have a solicitor but you may have to be prepared to argue if you are representing yourself.

Trial. This should go ahead on the date given, however, there are many occasions when trials have been adjourned because police witnesses are missing, the court runs out of time, or even because the Procurator Fiscal has lost her voice!

Notional Trial. If there has been some reason for the trial not going ahead and another hearing is needed to work out the way forward then a notional trial is set. The trial will not be able to proceed on that day, as there will be no prosecution witnesses. This has happened when for example we have asked for adjournments until the Lord Advocates Reference has been heard and the judgement issued.

Diet of debate. If you have raised a Devolution Issue or used any other procedure that requires a legal ruling before the trial can take place (eg challenged the validity of the byelaws) then a date will be set for a Debate to take place.

Raising a Devolution Issue. When the Scotland act was passed in 1998 as well as bringing into being the Scottish Parliament, Scotland signed up to the European Convention on Human Rights (ECHR). Since then anyone can raise a 'Devolution Issue'. This means if you think any aspect of the proceedings against you is a breach of your human rights you can challenge that before the trial. There are specific procedures you must follow laid down in the Act of

Adjournal (see www.legislation.hmso.gov.uk/si/si1999/19991346.htm)

Appeals. If you want to appeal the verdict or the sentence or both you must lodge an appeal form within 7 days of your conviction. The Clerk of the court will probably tell you to get this from the TP legal support or our website! The Magistrate, with the Clerks help, then prepares a Stated Case (their version of what happened at the trial and the reasons for conviction). You have 3 weeks to propose adjustments. After a hearing at which these are allowed or not, and which you can attend to argue your point of view, the final Stated Case is sent to you. You send it to the High Court of Justiciary in Edinburgh where a Judge decides whether to grant leave to appeal. If it is turned down you can have another try with three judges this time. It can all take a long time, but your fine is put on hold while it is being processed.

7.3.2 English Courts

The following account of the English court system is necessarily brief and incomplete. There may be further information on the TP website, or you can get briefings on court procedures in England and Wales from the Activists' Legal Project, 16b Cherwell Street, Oxford, OX4 1BG, email activistslegal@gn.apc.org, tel 01865 243772.

There are two types of criminal courts in England and Wales:

Magistrates Courts try most minor offences, and even the big cases begin in the Magistrates Courts. The 'judge' consists of three magistrates (also known as 'justices of the peace'), who are local lay-people (i.e. unpaid, not professional lawyers - traditionally, and often, petty gentry). They are assisted by a trained lawyer acting as 'clerk', who does most of the speaking in the court. As an alternative, you may have a single stipendiary magistrate instead: (s)he is a trained lawyer, and is paid, more like the 'sheriff' in the Scottish system.

Crown Courts try the most serious offences, which are referred to them from the Magistrates' Court. They have a Crown Court (i.e. senior criminal) judge, and a jury (in most cases).

Certain cases (including currently all theft cases and criminal damage over 5,000 pounds) can be tried in either the Magistrates or Crown court. They are known as 'either way' offences, and the choice of which court hears them is up to the defendant (but this may change in the near future).

All cases begin in the Magistrates' Courts, so these notes only cover hearings in those courts. There are magistrates' courts in most towns, although they may be combined for administrative purposes into larger areas, so the address to write to may not be exactly where your case will be heard. The first hearing is a 'plea' hearing. If you plead 'guilty', you will usually be sentenced on the spot (unless it is a serious offence or the court requires probation

Crumbs Of Comfort From The C.I.D. by Maire-Colette Wilkie

Whatever else is going on in the world, Lothian and Borders CID takes Trident Ploughshares seriously! From very early on in the campaign, they have visited members of the Adomnan of Iona Affinity Group on a regular basis. Usually their enquiries take them to the home of Alan and Maire-Colette Wilkie, but they have dropped in on other Adomnan members and also visited Ceilidh Creatures. On different visits there have been usually two, but sometimes one and sometimes three, officers. Most recently there has been some continuity in the two males and one female. On every occasion the appointment has been politely requested and mutually agreed in advance. Courtesy, friendliness and good wishes abound!

As we see their interest as a golden opportunity for peace education we have been more than happy to co-operate! Naturally, the information we supply them is what is already on the TP web-site or published in 'Speed the Plough'. There is seldom much we can say about our own plans as these so often emerge rather nearer the action dates than the CID visits which have usually been timed for a couple of weeks before the TP Disarmament Camps.

Ever since their first visit they have wanted to know the names of those who are in the Adomnan Group. Having obtained the full agreement of all the Group members in advance, we have had no problems providing this information and updating it from time to time. From the start they have been informed very thoroughly of the nonviolent and fully accountable nature of the campaign, and were given copies of the Trident Ploughshares Handbook, training video, and 'Adomnan's Law'. These basic sources have been supplemented by reports of the progress of TP activists through the lower and higher courts and illustrated by photographs of us in action!

From an initial attitude of polite and slightly bemused interest in the early days, there has developed a real dialogue. Latterly, the visiting officers have expressed real concern about our welfare. For instance, to our surprise, they raised the potential problem that their visiting us in our home might infringe our human rights!

And what do we get out of it? Firstly, it means Alan has a good excuse to have some chocolate cake for tea! (We always prepare a nice respectable afternoon tea session!) Secondly, thanks to their request to keep them informed of what is going on, we have their phone number that we can call from Strathclyde police cells when we are arrested! This has produced some very mixed re-actions! We like to think it has helped speed up our own post-arrest processing a little. Certainly, 'our three' have always grinned about it afterwards, made slightly derogatory remarks about other forces' handling of situations, and told us to "feel free" to call them at any time!

And thirdly, yes, we also get jolly substantial crumbs of comfort! That is because, after the first three or four visits, they started to bring contributions for the tea party! (Shortly before the August Camp, they even took us out to dinner - at Henderson's vegetarian restaurant!). Despite our protests the gifts increase in size and number! It is very touching that it is obvious that careful thought has gone into the purchase of vegetarian-suitable cakes or biscuits. (We have never mentioned any preferences!)

As a result of the generosity of Lothian and Borders CID, the Adomnan Group has enjoyed some very satisfying meetings, and our local Justice and Peace Group has entered enthusiastically into the spirit of consumerism. One large iced cake was shared with many TP activists and Strathclyde and MoD Police during the May Carnival 2000 Action at Faslane. It is possible that we will get through the coming Christmas without any need to purchase a treat for Alan, as a fruitcake from the last visit has a 2001 use-by date!

Humans are not the only beneficiaries from these CID-sponsored delights. Thanks to the opportune visit of the 'Dorkey Bird' (See Psalm 84:10 - it's a long story!) very early in this saga, - a blackbird who knocks on the back door and waits to be hand-fed several times a day, - now our three official visitors positively look out for her arrival. They shout, "here she is", and then suspend conversation as Maire-Colette and the bird conduct feeding operations and chat! 'Dorkey' has obviously trained her descendants as even after two years one still visits us three or four times daily and gorges on left-over cake crumbs. (Of course, she is really an 'owl' and takes secret messages to Jane Tallents, but the CID has not worked that out yet!)

We respect the request for anonymity of the three officers. They have some very sensitive work to do and have treated us with respect. We like to think they enjoy a friendly chat in pleasant surroundings and that they have entered into the spirit of the TP campaign as far as they feel able at present. Even if we are deluded by their friendliness it is vital that we act in accordance with our principles. It costs very little to be hospitable and Alan enjoys trying to teach them the basics of international humanitarian law! Treating others as we would like them to treat us is, after all, part of what our whole campaign is about, isn't it? If your local police force drops in on you, we hope you enjoy the experience as much as we do. And send us an owl!

reports etc). If you plead 'not guilty', there are three options depending on how serious the offence is:

- (a) for very minor offences, a date may be fixed for the trial, and there will be no intermediary hearings.
- (b) For the most serious (Crown Court) cases, or for 'either way offences' if you or the magistrates opt for a Crown Court hearing, a 'committal' hearing may be fixed (after that the case will be transferred to the Crown Court).
- (c) For most charges, a 'pre-trial review' will be fixed.

Pre-trial reviews (PTRs) are intermediary hearings, in which arrangements are sorted out for the trial. You need to ensure that you have contacted all your witnesses by then (so that you know of any dates that they will not be able to attend a trial on), and to have worked out whether you will call any 'expert' witnesses (to talk about matters of law or nuclear weapons etc, that you may be relying on in your defence). The court may insist on your submitting statements in advance for any expert witnesses you intend to call, and the prosecution can object to them. Some courts dispense with pre-trial reviews, and they can be a nuisance, but they may be useful, especially if you need to get hold of documents for your defence or you want to call expert witnesses.

In theory, you have to turn up in person for the plea hearing and any PTRs, unless specifically excused: some courts have special forms that you can use, if you want to plead 'not guilty' by post. (They will send these out with the summons, if they use them.) In practice, you can almost always write to the court in advance if you plan to plead 'not guilty', and often for PTRs also - TP legal support may be able to help with this.

The trial hearings are fairly similar to trials in Scotland. You should contact TP legal support for additional briefings or advice well in advance, at least if you are not going to use a solicitor. If you are found 'guilty', you will probably be sentenced (probably fined or given a conditional discharge, for minor and first-time offences) on the spot, although the court may adjourn sentencing for a future date (especially for more serious offences).

Unlike in Scotland, court costs are usually awarded against you if you are found guilty, and you can claim them back if you are found not guilty. For a guilty verdict, the court costs are typically about 200 pounds per full day (i.e. for a trial starting at 10 a.m. and going into the afternoon), but may be more if there are many police or MOD witnesses called against you. These costs are shared between all defendants if there are several of you, and are usually the most expensive part of the sentence for minor offences.

The appeals system is different in England from Scotland. Basically, there are two kinds of appeal. First, you have an automatic right to appeal to the Crown Court by notifying the Magistrates' Court AND the Crown Prosecution Service of your intention to appeal. In the Crown Court, a judge will hear your

case (without a jury). As this is a full re-trial (with witnesses etc), the court costs may be high if you are found guilty again, and the judge can impose higher sentences (although you may get a better hearing, and there's more chance of an acquittal if you have a good legal case).

Alternatively, you can apply for an appeal by 'case stated', which means that you have to have a specific LEGAL ground for your appeal, which then consists mainly of legal argument, without witnesses etc. (You can also appeal by 'case stated' from the Crown Court, after appealing there from the Magistrates' Court.) This is like a Stated Case appeal in Scotland, except that it may be dismissed very early on, without ever getting a draft case from the magistrate, and you may have to put up a 'bond' in advance, agreeing to pay the prosecution's costs if your appeal fails.

7.4 Summary of Legal Proceedings against Trident Ploughshares Activists

After two years of camps and actions Trident Ploughshares has made it into the courtrooms at various levels and in a variety of locations. The frustrations of how slowly the wheels of justice seem to grind most of the time have to be balanced by the incredible speed with which the arguments about the legality of Trident have ended up before the highest court in Scotland (whatever the outcome, at least the Judges at the Lord Advocates Reference have heard the legal arguments against Trident).

As this is written in Nov 2000 there have been a total of 775 arrests since TP started direct action against Trident in August 1998. 350 different people have been arrested, 236 of them just the once and the other 114 clocking up over 500 arrests between them.

What these statistics mean is that there are a lot of people who have responded to our calls to come along and join mass blockades. There is also a substantial core of people who persist in going back time and time again to confront nuclear crime.

A total of 89 people have had or are due to have court proceedings against them. Most people have not been prosecuted after their first few arrests (some being arrested four or five times before being given this honour) although some people have been prosecuted after only one arrest. Generally the trend is the more you are arrested the more likely you are to end up in court. The authorities particularly dislike having to take old (over 70) people to court or those with disabilities - the very people considered specially in need of protection under the Geneva Convention Protocols!

Activists regularly appear for trial for something they have done over a year previously. This is in part due to the pressure we have put on the courts especially the Argyll and Bute District Court in Helensburgh which used to only sit once a fortnight. In the middle

of November 2000 we have trials in Helensburgh three days running! Brian Quail appealed his conviction for an action at the first TP camp in August 1998 and although the High Court has agreed to hear his appeal they have yet to do so two years later (it has now been adjourned until after the LAR).

Of the 185 people arrested at the Crimebusters blockade on Feb 14th 2000, 22 were sent citations to come to court and another 7 were sent £25 fixed penalty fines and were then cited to come to court when they didn't pay up. Less than half of these have been tried yet, usually receiving a £50 - £100 fine, although there was a £200 for someone with a long record and £250 for a member of the Scottish Parliament. Of the 34 arrested at Aldermaston in May 2000 only eight are being taken to Newbury Magistrates Court.

Several cases in Scotland have been taken to the Sheriff Court. This has been when the Procurator Fiscal has tried to trump up more serious charges although he has not succeeded in convicting anyone on these. There is also a case with a threat of a Deportation Order due in the Sheriff Court. And recently one activist with a disability has received a citation for the Sheriff Court simply because the Helensburgh District Court currently has no disabled access!

The notorious Greenock trial of The Trident Three was in front of a Sheriff and Jury. Although Sheriff Gimblett took the decision away from the jury and acquitted on legal grounds the jury did hear most of the evidence and we were hopeful that they would also have found Ellen, Angie and Ulla not guilty if it had been down to them. The scope of the evidence and the arguments during this four-week marathon was a world away from the superficial justice experienced at District Court level.

In England there have been various trials in the Magistrates Court and the Crown Court and there are others due in 2001. Often these have involved the calling of expert witnesses to put the facts of why Trident is illegal before the courts. Usually this has been discounted by the magistrates and judges.

At Middlesex Crown Court the jury at Helen's trial asked if they could take international law into account when reaching their verdict. The judge said no, but when they found her guilty they said "We are unanimously agreed that the defendant had reasonable cause for her actions".

The trial of Rosie and Rachel is scheduled for Manchester in April 2001, the third attempt! The first was abandoned after the Crown estimates of the damage were shown to be flawed. At the second the jury found them not guilty on one charge and couldn't come to a decision on the second.

All of these cases have been inspiring and it is well worth supporting the defendants and witnessing their powerful testimonies first hand.

(More comment on these trials at 7.6).

7.5 Outline Skeleton Defence

Below is the skeleton of the argument that Advocate John Mayer put to Sheriff Gimblett at Greenock. It can be adapted to fit your circumstances, and can be used as a straight defence to a magistrate.

If the Jury, on a fair interpretation of all the evidence, is entitled to find:

- (i) that on 8th June 1999 the British Trident Nuclear Submarine fleet (hereinafter referred to as 'Trident') carried weapons of mass destruction in a state of readiness for use,
- (ii) that on 8th June 1999 the barge Maytime was part of the support structure for Trident,
- (iii) that on 8th June 1999 Trident was, as a matter of fact, being used for purposes which amounted to a threat to use that weapon,
- (iv) that such a threat was a crime under international law and hence under Scots Law,
- (v) that the three accused, like all citizens, had a legal right under the same international law and Scots Law to prevent that crime,
- (vi) that the three accused, having, for all practical purposes, exhausted all other lawful attempts to prevent the said crime acted as libelled in exercise of their legal rights, or,
- (vii) that, because of the constant danger of mass death or severe injury posed by Trident, the three accused acted objectively out of necessity,
- (viii) that in so acting the three accused did so wilfully but not maliciously;

then it (the Jury) would be entitled to find the accused NOT GUILTY.

There are plenty of documents available to support the propositions above from the ICJ Opinion to Scottish CND's Trident report. Many other documents are listed and can be found reproduced on the web-site. You can add your own personal account of all the lawful things you have tried in the past to prevent nuclear crime and/or examples of letters sent on behalf of everyone in TP to the Government. (See Part 3.2 for a summary of the dialogue with the Government and the Military).

There are now several detailed and well-researched legal defences for reference. They are either on the web-site or can be ordered from the Legal Support Team. We also have a list of recommended local lawyers for use by those on legal aid, as well as a list of 'expert witnesses' you may wish to call in your defence.

For all this information contact the Legal Support Team.

A dramatic and useful document to present to the court is a map showing the result of a nuclear warhead exploding in your town or where the court is. John Ainslie is willing to prepare these for anyone. Contact him at Scottish CND 0141 423 1222 or e-mail cnscot@dial.pipex.com



7.6 Trident Ploughshares Cases Using International Law

By December 2000 there have been 94 instances of people coming to trial in British Courts for Trident Ploughshares actions. In most of these the immorality of Trident has been made clear along with peoples' own motivations for taking action. However, in many cases the illegality of Trident under International Law has also been used as a defence.

Right from the first TP cases in August 1998 people were raising the illegality issue in the Helensburgh District Court. The Procurator Fiscal blocked all questions to police witnesses about their knowledge of the Geneva Conventions etc, dismissed any evidence from expert witnesses and took a basic line that the UK's deployment of Trident didn't amount to a threat, even if it did it wasn't a breach of International Law and even if it was, International Law doesn't apply in Scotland!

The valuable experience at this low court level helped in refining the arguments, which won the acquittal of the Trident Three at a Sheriff and jury trial at Greenock in September 1999. The trial lasted 19 days and Ulla and Ellen were represented by Counsel with Angie defending herself. Professor Francis Boyle was flown in from the US to give expert testimony about how nuclear weapons breach International Law. Professor Paul Rogers explained how Trident wasn't just possessed but its use was threatened as a matter of policy. Judge Ulf Panzer told the Court how Judges and Prosecutors for Peace in Germany blockaded the Pershing nuclear missile base. Rebecca Johnson told how many of the diplomats she met in her role as an independent defence analyst felt that their countries were under threat because of the UK's deployment of Trident. At the end of the legal submissions Counsel asked the Sheriff to take the decision away from the jury and acquit the women because they had shown that they had justification

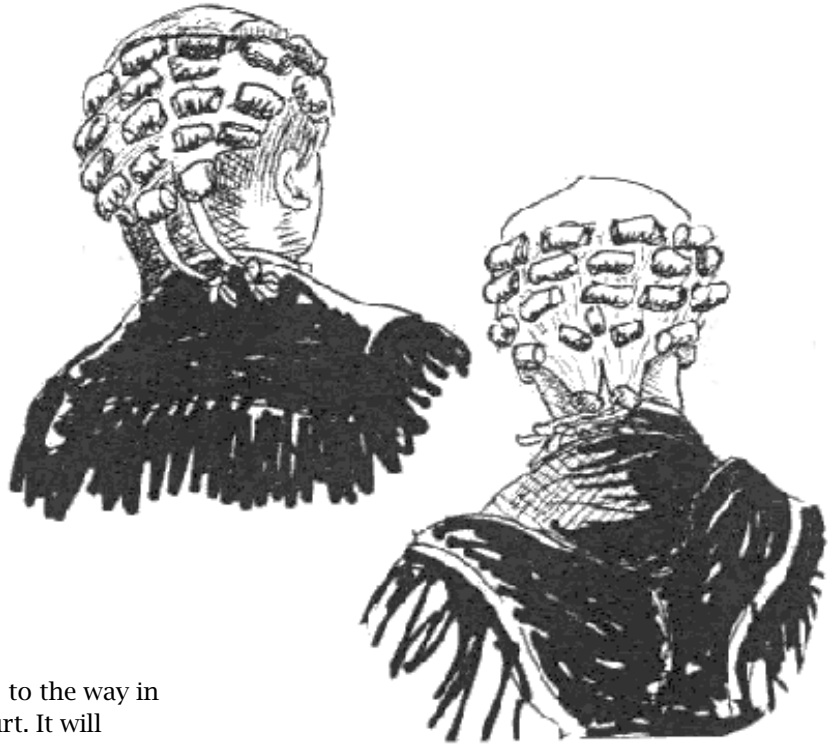
under International Law and the Crown had not rebutted the argument. Sheriff Gimblett agreed with this and they were acquitted. Under Scottish Law this verdict could not be appealed by the Crown. However, because of the huge furore caused by this decision the Lord Advocate referred questions arising from the case to the High Court.

The first real testing of these waters in England came in February 2000 when four members of the Midlands affinity group were on trial at Newbury Magistrates for cutting the fence and getting in to Aldermaston. The prosecution had been warned in advance of the defendants' intention to raise a defence under international law, but chose not to counter that defence, relying solely on the fact that the defendants were there without permission of the management and had cut fencing. For the defence Professor Nick Grief was called as an expert witness to explain how and when nuclear weapons would be in breach of International Law. William Peden gave evidence about Trident warheads and how AWE was manufacturing them at the time of the action. Frank Barnaby gave more technical information about the warheads and what would happen if one were used. The defence counsel argued, "I ask you to acquit on the basis of their belief in the immediate need for the protection of property, to avoid the consequences of nuclear accident and nuclear war, on the basis that what they did was reasonable having regard to the circumstances". The magistrate found them all guilty and ruled he would not consider International Law if it was not incorporated by statute.

The legal proceedings against Rosie James and Rachel Wenham for trashing testing equipment on HMS Vengeance continues to be a long and frustrating saga for the Aldermaston Women Trash Trident affinity group. The action took place Feb 1st 1999 and eventually after defence motions to get it moved from Preston (where the Bread Not Bombs group had had a judge who was totally unprepared to listen to International Law arguments) the trial started in Lancaster on 24th January 2000. The prosecution only lodged their estimate of the cost of the damage at the last minute. The original charge had been for damage worth £25,000 but by the second day of the trial they had produced a figure of £110,000. Eventually the judge agreed to discharge the jury and order a re-trial to give the defence a chance to get an expert to look at the figures. After further motions to move further from Barrow the second trial began in Manchester on 11 September 2000. With the estimated damage still fluctuating between £318,000 and £915,000 the trial was completed after hearing from Prof. Paul Rogers, Angie Zelter and Rebecca Johnson. The jury found them not guilty of the second charge of damaging the submarine by painting messages on it but couldn't get even a majority verdict on the first charge of damaging the sonar testing equipment. A third trial is set for April 2001.

The clerks and the PFs at the District Court at Helensburgh openly admit to being under pressure from the number of our cases. Many of the same International Law arguments are put before them and appeals lodged when there is a guilty verdict.

The judgement from the Lord Advocates Reference should be issued in early 2001 and whatever it says we can be sure that with another 45 trial dates to come the issue of the legality of Trident and the right of citizens to intervene to disarm it will continue to be argued in (and out) of court.



7.7 Options Open to You

7.7.1 In Court

There are many options open to you as to the way in which you may conduct yourself in court. It will depend on your ideas of accountability and recognition of the court system and also with what you, and any others you may be appearing with, feel comfortable with. So, apart from the obvious conventional choice of dressing smartly and putting a serious, well thought-out, respectful, legal submission together, here are a few other ideas to get you thinking.

- Refuse to turn up in court at all. A warrant will be put out for your arrest and you will be charged with contempt of court. However please let the Legal Support Team know if you are not going to appear so they do not organise local support in vain and also let the Press Team know what you are doing and let them have suitable quotes from your defence so they can prepare good press briefings.
- Turn up but refuse to co-operate i.e. refuse to give your name or stand up. Similarly you may be charged with contempt of court.
- Recognise the court but refuse to defend yourself i.e. don't question witnesses, don't present a defence, perhaps just wait to be sentenced and then make your plea in mitigation. This can be a very dignified procedure with good precedents.
- Go along with the whole legal procedure and have real legal fun trying to make your point. You can either defend yourself or get a lawyer to defend you.
- You can also do things like dress up. People have appeared in court in all sorts of costumes from caterpillars - genetic mutants - early Quakers - wearing their University degree robes - national costumes.

It is worthwhile organising publicity, press releases, supporters with banners etc. If you are making a

speech from the dock then have copies ready to hand out to interested folk. Supporters cannot bring banners into the court but they can do all sorts of things like stand up for the accused, sing (briefly!), clap, bring flowers, turn their backs, walk out etc.

Remember that it is our justice system. The main thing to remember is that if you are on trial, you decide how far to push things. Supporters shouldn't do things for which you take the consequences.

If the Magistrate thinks that the behaviour of anyone in court is improper or disorderly they can be found in Contempt of Court. They can be taken into custody at this stage and brought before the court later for an opportunity to explain or purge the contempt.

So far most people have tried giving the Courts an opportunity to take our defences seriously, but there have already been occasions when activists on trial have refused to co-operate with the court in some way. Angie Zelter, on failing to get an assurance from the Magistrate that he would take account of her defence under International law, collected her belongings and prepared to leave the dock. She was taken into custody and reappeared in the afternoon where the trial proceeded. A fine of £75 was added for the contempt.

There may well come a stage (perhaps quite soon) when most Pledgers will want to move to total non-co-operation with the courts due to legal avenues being withdrawn from us and a feeling that the Courts have been given ample opportunity to act in the interests of natural justice and morality but are still backing the status quo and supporting by their judicial decisions the UK's criminal plans to use nuclear weapons. If this is the case then every individual will still make their own decision about

whether they wish to join in this non-co-operation or not and whatever decision they make will be respected and they will be given full support by the legal team. Some people may well wish to at least go once through the system before refusing to co-operate and others will feel that as so many people have now respectfully and carefully given the judicial system plenty of opportunity to uphold the basic principles of international law and they have failed us that it is right and proper to move to non-co-operation.

7.7.2 Fines and Imprisonment

The courts have so far imposed fines, compensation orders and (in England) court costs. They are supposed to take into account your ability to pay before setting the amount and deciding how quickly you should pay it. In reality it seems to depend more on the Magistrate/Sheriffs attitude to TP in general and the person on trial in particular. They can give a period of time e.g. 28 days for the full payment or set instalments e.g. £5 a week. They usually do this even if you make clear that you have no intention of paying a fine although they can send you straight to prison.

By Nov 9th 2000 we have collectively been fined £11,576. Only a very small proportion of this has been paid. It is of course up to everyone to decide if they are going to pay or not. Taking part in an action, getting arrested and being tried is already a big commitment and no-one should feel pressurised into going to prison. If you do decide to pay the fine it is worth considering some creative ways in which you can make clear you are paying under protest.

This will probably work best if you decide to do this early on while you still have the option of paying by weekly instalments. Try one, or all of the following:

- 1) Pay in 1p pieces.
- 2) If this is refused under the Coinage Act 1971, be aware of its provisions. Coins are legal tender and cannot be refused for values up to £10. Five and ten pence pieces are valid up to £5 and coppers up to 20 pence.
- 3) Pay, for example, a £5 instalment with five cheques for £1 each.
- 4) Cheques can be written on anything: a cheque on a paving slab could survive a nuclear war, a cheque on a 6ft cutout of a Trident sub would be difficult for them to get through the widow in the bank, a farmer once tried to pay a disputed bill with a cheque written on a cow (Our animal rights friends say "please don't try this at home"). They may well refuse to accept unusual cheques and it depends how far you want to push it. One submarine shaped cheque was refused to be replaced by a more conventional one, whereupon the Clerk sent a receipt...in the shape of a submarine!

Any fine however large can involve lots of other people in showing their support for the action by contributing to the fine.

If you don't pay up you will eventually be called to a Means Court, (unless the alternative was already imposed at your trial in which case you can go straight to prison). In Scotland under section 219 of the Criminal Procedure (Scotland) Act 1995, the following maximum periods of imprisonment can be imposed for non-payment of fines.

Fine in pounds	Time in prison
Under 200	7 days
200-500	14 days
500-1,000	28 days
1,000-2,500	45 days
2,500-5,000	3 months
5,000-10,000	6 months
10,000-20,000	12 months
20,000-50,000	18 months
50,000-100,000	2 years
100,000-250,000	3 years
250,000-1 million	5 years
Above 1 million	10 years

Most Courts transfer fines to your local court. This could be because it is deemed easier to get the money out of you closer to home or a simple case of 'passing the buck'.

In England not paying a fine is less straightforward. On the one hand several activists have been simply told to sit at the back of the court until the end of the day in lieu of their fine. One £600 fine was even 'remitted' (dropped) after attempts to collect it failed. Alternatively after giving you several chances to pay some courts send for the bailiffs.

7.7.3 Dealing With Bailiffs

If you are unable or refuse to pay a fine, costs or compensation, one of the magistrate's options is to issue a 'distress warrant'. This entitles an agent of the court, usually a bailiff from a private company, sometimes a police officer, to remove your property to be sold at auction to cover the money owed plus the bailiff's costs.

Having the threat of bailiffs hanging over you can be very unpleasant, the feeling of being under siege in your own home, constantly waiting for their arrival is certainly stressful. However, try not to panic, their powers are more limited than you think. If you are careful then it is certainly possible to see them off. If you fail then you can always pay them off. So, stay calm, be prepared and try to think of it as another piece of direct action.

If you are really organised, there are things you can do in advance of non-payment hearings to foil the bailiffs.

1. Own nothing. Only practical for saints, monks, nuns and the truly destitute you might think. But then again bailiffs can't take things such as your bed, clothing, spectacles and the tools of your trade, or

anything which is not yours or is on hire purchase. What they really want is a few high value items that will get them their money easily.

2. Remove any valuable items and hide them somewhere else.
3. Sign a letter making over your goods to a friend or partner. This needs to specify exactly what goods are being made over and it needs to be witnessed by a solicitor. This method could lead to other problems. If you try this send a copy to the bailiffs and keep a copy by the door.
4. Hold an auction of all your belongings. This sounds even more drastic than the last, but need not be. If the sale contracts specify that you will deliver the goods when it is convenient for you and if the purchasers understand that it never will be a convenient time then this can be a bailiff avoidance tactic and a fundraising event all in one without causing you any problems. (I am still the proud owner of the garden shed and all its contents of one well-known peace activist.)

Even if you don't try one of these ideas, once the bailiffs have been called for it is better to take pre-emptive action than to just wait for them to arrive on your doorstep. Try to find out the name of the bailiffs and their address. A fellow tenant could try calling the clerk of the court, worried that the bailiffs might take their property by mistake (and anyone could be a fellow tenant on the phone). The bailiffs are also likely to write to you first asking for the money and revealing their name and address.

Once you know who the bailiffs are write to them immediately. Making as many of the following points as apply to your circumstances.

- A) That you have received legal advice that they have no right of entry, that you will not grant them entry, that you will not pay them the money and so they are wasting their time and money by calling.
- B) That you do not have goods to the value of the money claimed. This may only be plausible if you

have taken one of the steps above (if so send them proof of the auction or transfer) or it is a large sum of money owing. Otherwise confine yourself to pointing out the lack of things that are likely to be on the top of their list, high value items lying around outside, a car, or easily sold large items inside.

C) That you are applying to the court that called them in for a further means enquiry and will be asking for the distress warrant to be rescinded in the meantime.

D) Always explain why you are refusing to pay, say something about Trident Ploughshares, about your reasons for taking part in it and about how the issues involved are still being dealt with in higher courts. Point out that if the higher courts rule that Trident is illegal you will be considering legal action to recover fines, bailiff's fees and to claim compensation for false arrest etc. If they pursue their actions they will make themselves liable for this.

After receiving such a letter they may well give up. Bailiffs make their money on the fees from easily recovered sums. It's not worth their while pursuing the difficult cases.

Once you have got to this stage assume that the bailiffs could arrive at any time with no prior warning. When they do show up the most important thing to remember is, DON'T LET THEM IN!

They have no powers to force an entry into the building; they can however get in by a ruse, or through an open window. They can also force internal doors - which is a problem in the case of shared houses. When expecting bailiffs make sure that: -

- 1) Doors are kept locked and windows shut.
- 2) You don't open the door to strangers until convinced of their identity.
- 3) Others in the house know these rules.
- 4) You don't leave valuable items lying around outside.

Can Pay, Won't Pay - One activist's tour through his local court by Roger Franklin

Four of us came out of a 3-day trial in Newbury with demands for compensation to the MoD, and for the costs of the prosecution. The trial took place 7 months after we had started to decommission the AWE at Aldermaston one night in July 1999.

Two months later, May 5, 2000, I went, by appointment, to Stroud Magistrates' Court, to which enforcement of the payment had been transferred where I explained briefly why I was not willingly going to pay the £570 that was demanded. I had already sent 3 pages of such explanation, plus related documents to the Court, (and to the press), some time in advance. The magistrates said they had read them.

After a short discussion, followed by whispered consulting between the magistrates and the Clerk of the Court, I was told that bailiffs would be sent to my house with a distraint order to take some of my property - for sale at auction. There followed the siege of Tickmorend - (Nuclear Free Zone), which wasn't lifted for 3 months. First a fierce notice, with red capital letter warnings, from the London-based bailiff, followed by a second from their removals dogsbody - also in London - each giving me a week to pay before they would arrive.

I made the house as impregnable as possible for a 330 year-old building, and locked doors behind me when going out, even to the garden. A notice on the front door warned bailiffs to be careful with (non-lethal) booby traps around the back, also a copy of The Guardian's report on uncomplimentary comments by Citizens Advice Bureaus about bailiffs.

Fortunately, no bailiffs arrived at the occasional times when I had to relax precautions because of visiting family. Then a friend in the village was asked by a bailiff he had met at a concert about what sort of profitable pickings there might be at Tickmorend. The reply was that, with no car, and not many electronic treasures, the bailiff might do better at some other places on his list!

I returned from the camp at Coulport in August and was told that no bailiffs had been seen during my absence. But next morning, 16 August, just after I'd had a comfortable breakfast, a local policeman arrived at my door with a warrant for my arrest. He drove me to Stroud police station, in the same building as the Court, and I was subjected to the usual arrest processing: removal of possessions, carefully listed, including my belt - but no fingerprinting or photography. After about half an hour in a cell with a permitted book, I was tunnelled up to the secure dock in the Court in front of three magistrates and the Clerk - with no public audience, of course.

Holding my trousers up as best I could, I was told that the bailiffs had not been able to collect, so the magistrates were deciding what else to do, short of prison. The decision was that they would give me another 3 months to pay. By this time, another compensation plus fine had been passed to Stroud Court from the Helensburgh Court - what can one expect if one uses the walls of a pristine MoD holding cell on which to write important messages?

Anyway, after the 3 months, the case would be sent to the County Court in Gloucester, which has the power to take 'Garnishee Proceedings' (seizing any money in bank accounts, etc.). It then dawned on me that this secret hearing, at which I had to affirm that I would speak plenty of truth - holding up one hand while the other clung to my baggy jeans - was for the purpose of establishing that maybe I did have money in a bank. To lie in such circumstances might have been unwise.

Fairly soon after, I was surprised to receive a notice to appear in Stroud Magistrates' Court again, 3 months and 5 days after the secret hearing - not so secret, actually, as the local press published reports based on what I told them. Recently, 4 weeks before the hearing, I have received a helpful explanatory letter from the Principal Court Clerk in Stroud, saying that he would now be advising the magistrates that garnishee proceedings would be rather a costly way to take such a 'small' amount (£750 now). Therefore, the magistrates may again have to consider imprisonment, and I may wish to have legal representation in Court.

Incidentally, the first notice I received from the bailiffs added on to the payment demanded their fee (for the letter?) of £90. But that fee has not been carried over now, perhaps due to the lack of success by the bailiffs. I might say, also, that in order to prevent the whole house being ransacked in pursuit of £660 worth of goods to sell at low auction prices, I did conceal cash in excess of that amount to hand over if the bailiffs had succeeded in gaining entry - and perhaps adding an extra charge for their efforts. The archaic rules for bailiffs allow them entry through any open window, on any floor, so it did get a bit stuffy in my house over some summer months.

I am responding to the helpful letter from the Principal Clerk at my usual length, saying I shall continue to represent myself, but reminding the Court again that imprisoning me would cost the State (i.e. the taxpayers) quite a bit of money, and would do little, to deter me from my duty of continuing to decommission illegal nuclear weapons. I am asking them if they have considered as an alternative, Community Service, and pointing out that I have considerable skills at cutting down unwanted fencing; there may be some such fencing around the local area upon which I could exercise this talent. This seems an appropriately Gilbertian solution.

Being so awfully honest, I shall also mention my thought that if I had been faced with the imminent threat of a big extra penalty being taken from my bank in the Garnishee Proceedings, I would have felt that the situation had come to cheque-mate. There are other good purposes to which such extra money could be put. Finally, I am helpfully suggesting that the correct course for the Stroud Court would be to tell the other Courts that it wants no part in enforcing punishments on people who are doing a legal and moral duty of decommissioning illegal nuclear weapons.

The rest of this tale may have to wait for the 4th edition of the Tri-denting It Handbook, although I hope no further editions will be necessary.

Post Script: On return to Stroud Magistrates Roger was told he had to pay £15 a week or go to jail for 28 days. He has now launched 'Franklins Freedom to Decommission Fund' whereby if supporters give him £15 cheques to pay the court he will donate his £15 installments to Trident Ploughshares and use his freedom to continue his decommissioning work.

If possible make arrangements to call someone over as soon as the bailiffs show up, they can act as witnesses if bailiffs are tempted to exceed their powers and they can argue your case more easily face to face than you can through a door.

If the bailiffs get in then you might just want to pay them the money (this will include their costs, which can be high). If you don't they can take property away or label it for collection later. It is an offence to remove or interfere with this labelled property. You still have the option of paying the money and getting your property back at any time up to the auction.

If you see the bailiffs off and the case is sent back to court the sum should revert to the original one and their costs will be set aside.

7.7.4 Useful Court Addresses

Scotland

Clerk of the Court (Helensburgh), Argyll and Bute Council, Kilmory, Lochgilphead, Argyll, PA31 8RT. Tel: 01546-604340. Fax: 01546-604444. Email: mail@legalservicesabc.demon.co.uk.

Sheriff Clerk's Office, The Sheriff's Court House, Church St, Dumbarton. Tel: 01389-763266.

Procurator Fiscal's Office, 2 St. Mary's Way, Dumbarton, G82 1NL. Tel: 01389-730972.

High Court of Justiciary, Lawnmarket, Edinburgh, EH1 2NS. Tel: 0131-2406907. Fax: 0131-2406915.

Lord Advocate, Lord Advocate's Chambers, 25 Chamber St, Edinburgh, EH1 1LA. Tel: 0131-2262626. Fax: 0131-226-6910.

England

Newbury Magistrates court, Reading and West Berkshire Magistrates Courts, Civic Centre, Reading RG1 7TQ. Tel: 0118 955 2600. fax: 0118 950 8173.

Aldermaston address - AWE Aldermaston, Reading, Berks, RG7 4PR. (Ministry of Defence police there Tel: 0118 982 6286)

Attorney General, 9 Buckingham Gate, London, SW1E 6JP. Tel: 0207 828 7155. Fax: 0207 931 7455.

7.8 Guide to Prisons and How to Cope

7.8.1 Preparation

In your affinity groups:

Talk about fears and what you think prison will be like.

Find out about prison from people who have been before by contacting those who have written prison notes in this Handbook or from prisoner organisations (addresses below).

Decide what kind of support you want when in prison. For instance regular letters written to you, prison visitor rota organiser, support from your affinity group supporters. Maybe one person in the

affinity group could take on the major responsibility for facilitating prison support? Or does each activist want one specific prison-support buddy?

Share thoughts about your long-term responsibilities to children, parents, friends and pets and what kind of help you need to do this.

Discuss what you can all do in prison to further your acts of disarmament - letter and article writing.

Discuss and prepare plans for further education or recreation time whilst in prison. Are there any correspondence courses you have always wanted to do and have never had time for? Can you get sponsored for every week in prison to pay for these courses? Think creatively.

Discuss the formation of a support group for the affinity group. If it is likely that the whole affinity group might get arrested and put in prison at the same time then maybe a support group is needed outside of the affinity group. This supporters group might like to meet the whole affinity group before any actions.

As individuals:

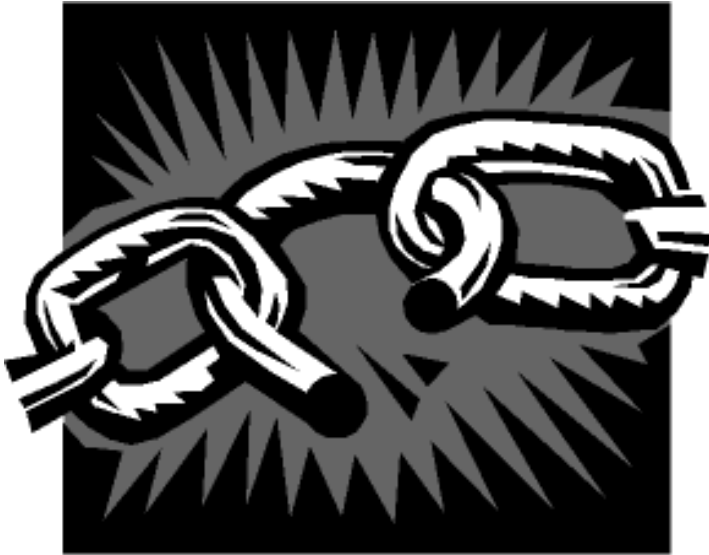
Acknowledge your fears and worries about prison and take them to your affinity group to share.

Let friends and family know what you are doing if that is feasible. Work out your personal responsibilities and make sure that plans have been made to take over any that you cannot deal with whilst in prison. For instance, can you arrange other signatories on your account so they can pay bills for you whilst you are away? What about housing when you come out? - housing benefit is only paid whilst you are on remand and for 13 weeks of a sentence. Try to sort out all unfinished business - it is a kind of long journey you are going on, say all you have to say, clear yourself of unwanted baggage (emotional and physical), be clear and light. Unlike most prisoners we have time to prepare.

Keep a bag packed ready for prison/court: defence papers, clothes, letter writing materials and stamps, photos (you are not allowed a picture with yourself in it - in case you use it to escape!), books (you are usually allowed 6 in your cell at any one time - you can usually get extra books allowed in for study purposes), battery operated tape and radio etc. You are not allowed much in the way of possessions - a simple rule of thumb is that you have to be able to carry it by yourself in one journey in plastic bags! Teaches you how to do a lot with a little. And remember that the rules of the prison game are that the rules can change at any time and suddenly you may not be allowed to take in anything!

Remember you are not alone. There will be many people supporting you outside. And those inside can also support other prisoners. Perhaps doing the Amnesty International urgent action letter writing to other prisoners will help build solidarity.

Try to prepare beforehand, the law books and documentation that you may need to be sent into



you in prison, so it is easily accessible for friends or lawyers to send or bring in. Prison library law books are not brilliant.

7.8.2 Useful Prison Addresses

Cornton Vale Prison Support, Stirling CND and others near to Cornton Vale are supporting all women prisoners at this, the only all-female prison in Scotland. Helene on 01259-452458 co-ordinates this support by helping to arrange newspapers, visits and generally keeping an eye on everyone inside.

H.M. Inspectorate of Prisons for Scotland, Chief Inspector Clive Fairweather, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD. Tel: 0131-244-8481. Fax: 0131-244-8446.

HMP Bedford, St Loyes St, Bedford MK40 1HG.

HMP Brockhill Prison, Redditch, Worcestershire, B97 6RD.

HMP Greenock, Gateside, PA16 9AH. Tel: - 01475-787801.

HMP Holloway, Parkhurst Road, Holloway, London N7 ONU.

HM Institution Cornton Vale, Cornton Road, Stirling, FK9 5NY. Tel: 01786-832591. Fax: 01786-833597.

HMP Preston, 2 Ribbleton Lane, Preston, PR1 5AB.

HMP Risley, 617 Warrington Rd, Risley, Warrington, WA3 6BP.

National Prisoner's Movement, BM-PROP, London WC1N 3XX. Tel: 0181-5423744. This organisation provides legal and medical back-up in case of complaints about prison treatment.

Prison Ombudsman for Scotland, Prison Complaints Commission, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD.

Prison Reform Trust, 15 Northburgh St, London, EC1V 0AH. Tel: 0171-2515070. This is a national charity which campaigns for better conditions in prison. It is able to deal with enquiries about various aspects of imprisonment and complaints about

treatment of individuals in prison.

Vegan Prisoners Support Group, PO Box 194, Enfield, Middlesex, EN1 3HD. They provide really good nutritional information for vegans in prison.

Women in Prison, Aberdeen Studios, 22 Highbury Grove, London N5 2EA. Tel: 0171-2265879. As an ex-prisoner organisation they campaign specifically on the issue of female imprisonment.

7.8.3 Some Reflections on Prison Life

PRISON by Stephen Hancock

On March 21st 1990, Mike Hutchinson and I disarmed an F-111 nuclear-capable fighter-bomber at what was then USAF Upper Heyford, Oxfordshire. We had spent ten months preparing for this action. We received two sentences each - six and fifteen months to be served concurrently. This was much less than we had expected. We were led down to the cells in a relatively happy state. Under the old complicated equations that determine the length of time you actually serve, Mike and I only spent six months in prison.

In advance of prison I would recommend several things:

- Without unnecessarily jeopardising any security arrangements you and your affinity group have agreed upon, talk to the most important people in your life about it. Take their views and feelings into account. This doesn't mean that there won't be showdowns and splits between you and family or friends, but it will responsibly recognise that they are going to be doing prison time too.
- List all your fears - from the minuscule to the major. Go through them with someone else. If possible, come up with things you can do about them. If not, at least acknowledge them. It's the first step in a disarmament process. If you can, role-play some of your trickier fears. Get a rough idea of how you're going to relate to other prisoners and the prison officers.
- Draw up a possible prison routine. Imagine what you'd do if you were locked up by yourself all day. Imagine what you'd do if you were sharing a cell with others.
- Organise at least one good prison supporter - someone who is reliable, realistic, organised. Make sure they know what they're letting themselves in for. You will need them for money, stamps, support, visit co-ordination, mailing out personal newsletters, sending in favourite cassettes etc.
- Read other prisoners' writings. If possible, talk to other ex-prisoners and prison-supporters.
- Get hold of the Prison Reform Trust prison guide.
- Tidy up your life enough - cancel the papers etc.

- Do one or two especially nice things which you can look back on when you're finally inside.
- Decide on your level of co-operation in prison. Be prepared to be flexible about it.
- Research thoroughly how it might affect your career and finances.
- If in serious doubt (as opposed to understandably ambivalent), don't risk it - there's always another time.

Every one handles prison differently. These are some of the things I think helped me:

- Writing a diary - never ignoring it for more than three days.
- Being fairly quiet at the beginning of my sentence - within a couple of months, people were fairly interested in who I was.
- Looking out for toes - not stepping on them.
- Reading novels.
- Receiving chatty, colourful, loving letters.
- Remembering to go easy on myself.
- Doing sport and evening classes and stuff.
- Not really engaging with any of the prison officers.
- Having a specific support person on the outside.
- Writing to other friends in prison.
- Getting little presents - music cassettes, a pair of shoes.
- Learning to take afternoon naps - conserving my energy.
- Trying not to go to bed before 10.00pm.
- Remembering why I was there.
- Writing political articles.
- Getting good, cheery visits.
- Receiving excellent support from my parents.
- A little bit of yoga.
- Messing around - sometimes like a naughty schoolboy.
- Seeing the other prisoners as if they were neighbours on my street and trying to enjoy them.
- Making one or two reasonable friendships with other prisoners.
- Doing physical work - I took my City & Guilds in bricklaying.
- Remembering people worse off than myself.
- Connecting with pacifist history - the sense of people going before me, of being part of something greater.

Still, it was hard, and I was lucky to receive such a short sentence, to spend time in two fairly relaxed prisons, and to be surrounded by friendly prisoners.

Getting out of prison and the confusion and disorientation that ensued was in some ways more difficult than the time inside. Support drops away, purpose too, and it's easy to feel as if nobody knows what you're going through. This is by no means a universal experience, but I have seen it often enough in others to realise it to be a sort of 'post-ploughshares' depression. Perhaps we should prepare for such a time in a similar way to preparing for prison time. Next time, I will.

A Dane in a Scottish Prison by Ulla Roder

Even if you prepare yourself practically, physically and mentally to go to prison and even with the presence of your friends from the affinity group in there, there are many different new impressions and emotions to deal with in a prison. It is a different culture inside a prison, and I had to deal with the fact that my cultural background, as a Dane, was different from the Scottish.

The first week you get used to the locked doors and all the small daily routines, which is difficult, when you often don't get or understand the normal loud shouting the staff use as communication.

The staff are generally nice but there is a lot of psychological suppression going on. I found it very difficult to deal with the room search and the way some of the other women were treated. In general we were treated all right, but at all times you have no independent control. You cannot expect anything and there is no timing. It is very stressful.

I also tried to suppress my sadness, when I heard someone screaming in the night. It was hard but necessary for me to keep strong myself. There is too much sadness to deal with in prison, and I had to distance myself from it. This was the hardest for me and afterwards it took a long time to get over it, the feeling of being unable to help those young women, some of them still teenagers.

But after the first week I adjusted slowly and found out who was best person to ask for something, or whose reply I could understand. I learned that the only way to manage in a prison is to keep asking for every little thing, to have a lot of patience and fill in complaint forms again and again until I sometimes managed to get what I asked for. Sometimes I felt it very frustrating to write these forms without starting an argument with the staff, which I considered as a waste of good energy mostly.

Now and then I talked with the other prisoners. Most of the young girls in there speak a form of Scottish language that is almost impossible to interpret. I especially came to know and liked to talk to two South African women. I shared the cell with one of them for nearly a month. A Spanish woman tried to teach me Spanish and I tried to teach her English. A deaf girl and I wrote notes when we met outside. Two women of my own age came around to visit me in the cell now and then. Sometimes we were allowed to be locked up in the same cell for a couple of hours and it was nice with company, because Ellen, Angie

and I were not allowed to stay all of us in one cell together. We could only talk together outside.

At lot of the time in there I was preparing my case, writing letters, articles for newspapers at home and reading different books and newspapers sent to me from Denmark, meditating or just reflecting.

I went to the gym, which was a relief. I am used to exercising a lot and suddenly only having an hour a day makes you very restless. After a while you adjust, but the result was, that when I came out I really had to start all over to get fit again. The art classes were a quite relaxing time where you could nearly forget where you were.

At the end of our four and-a-half month stay in Cornton Vale we all took part in a multicultural group and discussed the different special problems we had. For example some had problems phoning abroad using the £2 phone cards available in the shop or getting airmail letters or stamps for Europe. There was a need for people to visit those foreigners who had no one to visit them, and there was some arrangement for that. This did not count for me. Luckily I got a visit every day from the most wonderful people you can imagine. A good normal talk and vibrations from outside make you feel good. They were also very supportive doing a lot of other task like bringing things from outside, contacting the prison, when I was refused a doctor and lots more. They just listened to me on the days when I needed to get rid of bad impressions.

That may sound depressing, but we had also good times in there. One week in company with Helen John is quite amusing and inspiring. It was summer and many hours were spent talking together outside in the sunshine and trying to spread some fun and enjoyment among the young women. We also

enjoyed all the flowers and support letters sent to us every day. On Hiroshima day we got white flowers to fill the whole unit.

A weekly Quaker meeting kept us in a good spirit. It gave me peace and I could think of my family at home, who may have suffered more than I. Well, we kept in touch all the time and it helped a lot to be able to speak to them regularly on the phone.

The most positive and important thing that happened to me in these four and-a-half months in Cornton Vale, was learning from Ellen and Angie. Their experience, way of life in all aspects and their huge wisdom and love have been a constant pleasure for me and for a lot of the women in our unit, I am sure.

Part of your personality is suppressed when imprisoned and therefore I felt it very important to keep my mind focused on why we were there. Just be myself and keep my spirit high. At any sign of a sneaking depression I only had to think of the 8th June on board 'Maytime'. I have a clear conscience, knowing that we took a step on the long road to our 'peoples' nuclear disarmament.

Prison thoughts from Peter Lanyon

Go into jail as short of sleep as you can manage. It's going to be so boring that you may as well snore away some unfamiliar hours to start with. And when you find you've been able to sleep and you've not missed anything important, that's quite a good introduction. Everything is going to be taken care of; you will be treated like a child anyway. Indeed, after a week in Greenock, it occurred to me that the screws were essentially like rather harassed school teachers; capable of being mean if provoked perhaps, but essentially there for us prisoners' welfare.

"There are thousands who are in opinion opposed to slavery and to the war, who yet in effect do nothing to put an end to them; who, esteeming themselves children of Washington and Franklin, sit down with their hands in their pockets, and say they know not what to do, and do nothing; who even postpone the question of freedom to the question of free-trade, and quietly read the prices-current along with the latest advices from Mexico... What is the price-current of an honest man and a patriot today? They hesitate, and they regret, and sometimes they petition; but they do nothing in earnest and with effect. They will wait, well disposed, for others to remedy the evil, that they may no longer have it to regret... Oh for a man who is a man, and... has a bone in his body which you cannot pass your hand through! ..."

Under a government that imprisons any unjustly, the true place for a just man is also a prison. The proper place today, the only place which Massachusetts has provided for her freer and less desponding spirits, is in her prisons... It is there that the fugitive slave, and the Mexican prisoner on parole, and the Indian come to plead the wrongs of his race, should find them; on that separate, but more free and honourable ground, where the State places those who are not with her but against her, - the only house in a slave-state in which a free man can abide with honour. If any think that their influence would be lost there, and their voices no longer afflict the ear of the State... they do not know by how much truth is stronger than error, nor how much more eloquently and effectively he can combat injustice who has experienced a little in his own person ..."

Henry Thoreau, 'On the Duty of Civil Disobedience', 1849.

Amongst other things, they'll be forever trying to make sure that you're not about to top yourself; you'll get used to that pop-hole flapping.

In the UK, one goes to prison *as* a punishment, not *for* punishment. Being there *is* the punishment. So there is no good reason for it to be any more unpleasant than it has to be. Ask, ask and ask again, patiently and evenly, for anything that might make things more pleasant. Nothing you want is likely to happen at once, but it won't happen at all if you don't ask. And thoroughly enjoy anything and everything you can - like, for me, the endless hot water in the showers.

The secret thing I was more worried about than anything else (so worried that I hadn't been able to share it with my affinity group!) was that I might have to use the lavatory in front of a cellmate. When the moment arrived, pretty soon after the door banged shut upon us, I thought to myself "Oh, Shit!" and it happened. It wasn't nearly as bad as I had feared, and I think my companion was grateful to me for breaking the ice. (No, of course it wasn't actually that cold!)

He had a valuable resource. He came in to prison with as much tobacco stored about his person as he thought the authorities would tolerate. So, whatever else our fellow-prisoners thought of us they were benignly disposed towards us as a soft touch for baccy.

At many prisons, I believe, it is supposed to be easier to get things sent in to you during the first week you are there. After that, various regulations make it more difficult, so try to take advantage of that opportunity. Be prepared, however, for your carefully packed prison bags to fail to meet up with you. You are, after all, supposed to be able to exist without them. If they contain papers for an imminent court case, you may have to make a fuss, and don't hold back from making one if necessary; but, for the rest, they'll be fun when they do eventually arrive.

After a day or two inside, I began to sense the almost total lack of responsibility left to me for managing my everyday affairs. Cautiously, I relaxed and started to enjoy this. Normally I live in such hectic 'busy'ness that I'm habitually tense about it, and I certainly had been about the events that had led us to prison. In some senses being inside was, instead, a glorious holiday (- which it certainly wasn't for our supporters, struggling to get our bags to us!) This letting go and letting prison happen seemed to me another thing thoroughly to enjoy. In the longer term, clearly, one needs quietly to box one's compass and develop a direction and purpose, but, initially, a little indigent serenity was very comforting. They've put me in here. Let them sweat!

I had often thought to myself that a long spell in prison wouldn't be so bad for me because I had been through it all for ten years at boarding school from the age of eight. In one sense that may be correct: I may be able to marshal again the defences that I

built then. But a grave difference exists. Then, the separation was inexorable and imposed upon me, and I could weep and curse about it as much as I wished. Going to jail voluntarily as an adult, on the other hand, is something that places an enormous burden upon not only us but those, too, who have every right to expect us to be outside with them instead. It is something that, however carefully we prepare them and us for, will cause stresses and rows. Be ready for this; it may be quite the worst part of it all and we have a duty to see it through.

Something perhaps worth mentioning is the enormous difference I felt being inside for a peace action, and not for anything else. It so blessedly lacked the shame and disgrace and the abject realisation of having messed up, that I have felt when locked up on other occasions in my life. Similarly I can imagine we all must have and will surely need private thoughts - mantras, prayers, jokes, songs - to bear us up in prison when things are not going well. That is why we must make sure that we prepare very carefully for prison, so that we take those resources in with us, in good shape.

Remember Henry David Thoreau, in jail for refusing to pay war taxes, being visited by his friend Emerson. When Emerson exclaimed. "What on earth are you doing in there?", Thoreau replied, "What on earth are you doing out there?" That's a pretty smart answer. Yet Thoreau loved his freedom and the tranquillity of the countryside so much that he lived for a year by himself in the New England woods, beside a lake in a little hut he had made. It must have cost him a great deal to be banged up. It costs us - all of us; and we must look after each other so we can bear that cost.

One thing about supporting each other: delay is the very devil. On top of the unfamiliar administrative channels of the prison system and the personally intricate requests that will bedevil the prison supporter, there are now severe cracks in the postal service, upon which so much prison communication must rely. In addition, both into and out of prison there will be delays as mail is searched for drugs and, sadly, things do sometimes go astray or get badly hung up at those points. Supporters should always tell their prisoner, in a separate letter, when things have been sent in, so the prisoner can check that they come through and ask in the prison if they don't. But there is nearly always going to be more of a delay than one will expect. And this can easily lead to resentment in the isolated prisoner and guilt in the overworked supporter - a flammable mixture which is all too likely to ignite sooner or later. Warn each other of it, and love each other more when it happens in spite of that.

Preparing to Defend Yourself in Court Whilst in Prison by Angie Zelter

I have had two experiences of preparing quite detailed legal defences from inside prison. Once, when I was in Risley, England for six months after being part of the 'Seeds of Hope Ploughshares' action

which disarmed a British Aerospace Hawk jet, and second, when I was in Cornton Vale, Scotland for five months after disarming 'Maytime', a Trident-related research vessel in Loch Goil, as part of Trident Ploughshares.

All in all I enjoyed preparing my defences as it gave me something constructive to do in prison even though it was at times very frustrating. After the relative ease on the outside of phoning, faxing, photo-copying, access to the web-site etc, I had to learn to rely on others and to expect delays of several weeks before I received information that might only take hours or days to get normally. The other frustration is the cell searches by the prison staff - which can leave all your papers disordered and sometimes damaged. This was one of the reasons that I often sent out drafts of my defence so that if it got lost in the prison system someone on the outside would at least have a copy so I would not have to begin all over again. I also got in the habit of writing a chronological detailed account of what I had asked for, when and from whom, and then noted when it arrived. This was so I could check 'security' was not holding things up. It is a good idea to keep copies of all the letters you send and receive to various officials and the courts as well as copies of all the complaint forms you may make out. It is amazing how the staff 'lose' things and then you have no proof of what you have done. As you can see one can be just as bureaucratic inside as outside! By the time I left Cornton Vale I had two large boxes of legal papers plus my other possessions and there were dark mutterings from some of the staff who did not approve at all.

Both times I was able to prepare a detailed legal defence with copies of all references and cases cited and to present it in typed form with the help of a computer. Getting access to a laptop and printer in Risley took me 4 months of hard campaigning inside the prison and help on the outside to get computer and printer into the prison. Apparently only men up to that time had demanded and got access to computers on a personal basis like this before and it was hard to break through to a new practice. But as with everything in prison, time and patience, never giving up and continual filling out of complaint forms worked eventually. But in Cornton Vale, with this experience behind me and with a more helpful prison staff, it took only a couple of weeks to get access to a laptop in my cell during the daytime. Now that these precedents have been set it should not be too difficult to persuade any prison authorities in the UK to do similarly. I certainly found it really valuable to have a computer to prepare my defence as I can hardly read my own writing and few others can. It meant that I could then send out drafts and get advice and help from others and it also meant that I could hand-in a copy of what I was saying to the court. It also proved useful for the support and media team to have typed copies.



On both occasions one or more of the other defendants (1 out of 4 in the Hawk action and 2 out of 3 in the Loch Goil action) were represented which is always a help. Apart from ensuring that the legal procedures are being kept to and the foundation is laid for any possible appeals in the future it also gives the unrepresented parties access to legal expertise and help. I would always recommend a joint partnership between activists representing themselves and those being represented, as long as a consensus based approach is agreed upon from the start. Some lawyers find it too difficult to work with such a team-approach but I have been lucky in both instances. Lawyers have a right to as many legal visits as they need and this can be a very useful way of getting in your legal papers, references and files. If you ever find yourself in prison alone and want to represent yourself in court you could still opt for legal representation right up to the moment you appear in Court.

Before the action - I packed all the papers, reference books, copies of letters and evidence that I thought might be useful to me in preparing my defence whilst being careful to keep it to a minimum. The cells are small and the prison authorities hate there being too much paperwork. I found that I had learnt a great deal from my first experience and was much better prepared when I went into Cornton Vale. I found that the library service at both institutions were abysmal. There were few law books and in any case whilst I was at Cornton Vale I was never allowed into the library. Remand prisoners could not be trusted with the books apparently!

So, I put everything into a labelled box with an itemised copy of all the contents with them and spare copies of this list for my support group. I also kept a copy of this list with the books and clothes that I had ready packed for the first reception visit I would get. I asked one specific person in my support group to be responsible for getting this box into me

as 'legal papers'. There is a legal right to have your legal papers sent in and technically there is no limit to papers that are genuinely needed for your defence. I had no problem getting these first items brought in. My supporter rang and checked first with the prison authorities and I had to request them formally and after a week or two they were in and I could start work. I had also had the forethought to pack in with them useful things like blank A4 paper (for printing out), blank notebooks, plastic wallets and cardboard files to enable me to file the papers. In a small cell having the aid of some files is really useful.

Joint-consultations - my co-defendants in both actions were all female - which made joint consultation so much easier as we were all in the same prison and often on the same unit. We argued that we all (unrepresented as well as represented) needed to have joint consultations with our lawyers so that we could work out a joint approach to save ourselves and the court time (so that our arguments did not become too repetitious and also so that we could share some expert witnesses). In Risley this was essential as we were often locked up in single cells for 23 hours a day and without these joint consultation times would never have been able to prepare such an effective defence, where we all concentrated on a different angle. It is best to encourage everyone involved to start work as soon as possible so there is time to fine-tune your arguments and to allow time for the inevitable delays.

Outside legal support - whilst in Cornton Vale I also had the help of a couple of people who specifically used their visits to help me with my legal queries and who also did much of the photo-copying that I needed. In fact eventually I asked the prison to allow these as 'legal visits' as I was unrepresented but needed legal advice from non-lawyers. A kind of compromise was reached whereby I was allowed to have a 'closed' visit at the ordinary visiting time and where I could take notes (notes are not allowed to be taken in an ordinary visit - though I am still fighting against this rule as I think it is unreasonable) and where any papers that we wanted to swap could be security checked and then allowed in and out fairly easily. In other words I would usually get the items the next day. I relied extensively on these people to help organise the witness statements and attendance of expert witnesses as access to the phone was difficult from inside. But I was able to do much of the letter writing from inside.

The people who helped me with legal support whilst in prison continued this help whilst we went through the 4 week trial. This was really helpful as I then had a Mackenzie Friend to help me and to keep notes during our trial. They also helped get the expert witnesses sorted out and their expert testimony in to the Court on time, provided useful things like more paper and pencils, and were wonderful. I felt the love, support and care of very many people as well as feeling the solidarity and power of the peace

movement very forcefully and maybe that was why, both times, we were acquitted.

For a detailed critical report on my experiences in general at Cornton Vale please see the web-site where there are two reports and an exchange of letters between myself and the Governor. I am also happy to share my prison experiences directly with anyone who might be facing a long term in prison and can be reached on 01263-512049.

7.9 Glossary of Legal Terms

Some Latin terms and maxims found in Scots Law

Actus non facit reum, nisi mens rea - an act does not infer criminality unless the actor had criminal intent or criminal negligence. This maxim is usually now simply expressed in references to mens rea.

Actus reus - the physical act or conduct prohibited in a crime or offence.

Ad vindictam publicam - for the maintenance and defence of public interest; the particular concern of the Lord Advocate and procurators fiscal as public prosecutors.

Amicus curiae - a friend of the court; one who argues at the request or with the leave of the court for an unrepresented party or in the public interest.

Audi alteram partem - hear the other side: the rule of natural justice that no decision should be reached by a court or tribunal until all parties have been given an opportunity to be heard.

Bona fide - in good faith, acting honestly, even if negligently or mistakenly, but not fraudulently or dishonestly.

Bona fides - good faith.

Consuetudo pro lege servatur - custom is observed as law. All Scots law, except legislation, is ultimately customary or common law.

Corpus delicti - the substance or body of facts constituting a crime or offence.

De facto - in fact; existing as an objective fact, albeit not necessarily based on any rule of law.

De iure - as a matter of law or in point of law.

De novo - anew, afresh;

De plano - immediately, summarily, without further formality.

De presenti - now, at the present time.

De recenti - recent.

Ex post facto - from what is done afterwards; retrospective.

Ex proprio motu - of his own volition; of his own accord: describes a decision made by a judge without his being requested by a party to take that course.

Flagrante delicto or **flagrante crimine** - in the act of committing a wrong or crime. Thus a criminal may

be caught in flagrante delicto.

Forum - a court or tribunal appropriate for the exercise of jurisdiction for a particular purpose.

Habile - admissible; valid; competent for legal purpose.

In camera - in chambers; describes proceedings held in the judge's room, and thus in private.

In causa - in the case or process.

In limine - on the threshold - a proposition stated at the outset of a legal argument or litigation.

Intra vires - within the power. Describes an act which is within the power or authority of the person who does it. Cf. ultra vires.

Ipsa facto - by the fact itself.

Ipsa iure - by the operation of the law.

ius - right, law, or justice.

ius ad bellum - just cause for war; sufficient reason to have recourse to war.

ius in bello - justice or right conduct during the waging of a war.

ius cogens - a statutory or contractual provision stipulating a mandatory legal consequence. A law from which there is no derogation. Cf. ius depositivum.

ius depositivum - a statutory or contractual provision the stipulated consequences of which may be averted by agreement between the parties concerned.

ius gentium - the law of nations; international law.

iusto tempore - in due time; at the right time.

Locus - the place.

Locus delicti - the place where a crime was committed.

Modus - manner or method.

Modus operandi - the method of operation.

Mutatis mutandis - changing that which has to be changed; making the necessary alterations.

Nemo praesumitur malus - no one is presumed to be bad. This maxim embodies the principle of the presumption of innocence.

Nobile officium - the noble office or power. The High Court of Justiciary or the Court of Sessions may use this ultimate equitable power, as distinct from its officium ordinarium, within strict limits to modify the rigorous application of the common law, or to give proper relief in a situation for which the law has made no provision.

Nomen iuris - legal term; any word or phrase having a particular technical meaning.

Non obstante - notwithstanding; not opposing.

Ope et consilio - by aid and counsel; aiding and abetting; art and part.

Pro loco et tempore - for the place and time. Thus a prosecutor may desert criminal proceedings pro loco et tempore, while reserving the right to renew the prosecution at a later date.

Qua - as in the character of.

Qui tacet consentire videtur - he who does not object is held as consenting. Silence means consent.

Quoad - as regards.

Reus - the defender, sometimes called alterior, contrasting with actor, the pursuer.

Simul et semel - at one and the same time.

Sine die - indefinitely; without a day being fixed eg. for the resumption of adjourned proceedings.

Solo animo - by mere intention or design. The law takes no cognisance of intent until it leads to some overt act. Thus an intention to steal is not criminal until it becomes at least an attempt.

Species facti - the particular nature of the thing done; the precise circumstances attending any alleged crime or civil wrong.

Ultra vires - beyond the powers; the opposite of intra vires. The term is used especially in the context of delegated legislation, and the activities of central and local government, trustees and companies.

Ut supra - as above.

Versans in illicito - engaged in some unlawful occupation; performing an illegal act.

Vide infra - see below;

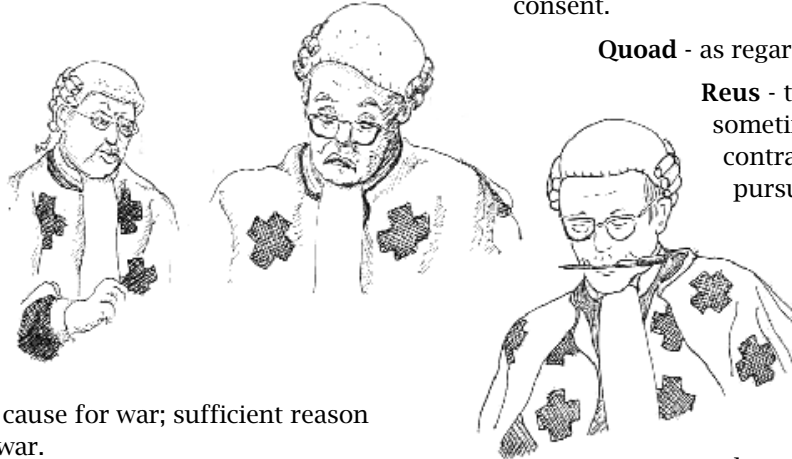
Vide supra - see above.

Videlicet - namely, usually abbreviated as "viz"

References and Acknowledgements

This section was written by Jane Tallents, Andrew Gray, Angie Zelter and Ippy. The glossary was written by Brian Quail and other parts are acknowledged *in situ*.

The drawings were by Peter Lanyon.



PART 8:

TRIDENT PLOUGHSHARES IN

THE PUBLIC EYE

8.1 Media Issues

There are two sides to this. Extrapolating from casual conversations there is the impression that the vast majority of people in the UK are quite unaware that there is now a strong, coherent and active campaign of direct action against Trident. They might be vaguely aware that there are from time to time what they call 'demonstrations' against Britain's nuclear weapons, but not much more. The other interesting point here is that when you describe the campaign and its achievements to such people they are then surprised that it is not more 'in the news'. The overall impression from this is that most people don't know what is in ordinary terms a very good story indeed.

On the other hand if you contact a worker in the mainstream media in the UK it is now more than likely that they will be aware of the campaign and its aims. At the last count there are nearly two hundred text and broadcast outlets worldwide which have carried our story in one form or another, and these are just the ones we know about. The range of these outlets is of interest. The list includes newspapers of international standing such as Asahi Shinbun in Japan, the New York Times and Le Figaro as well as a rich vein of alternative outlets, like Nisse Hult (Green Youth) in Sweden, BLU Magazine (New York) and Free Community Radio Melbourne. In many of these outlets we have had repeated coverage and this applies especially to local media where the story of a particular pledger or affinity group is followed through. Roger Franklin is a well-known face in the Stroud press and the same goes for fellow Midlander Marlene Yeo in Loughborough and Joan Meredith in Northumberland. The quality of the coverage varies enormously. Although outright hostile reporting is rare, scrappy, skimpy, inaccurate or downright misleading copy is common, in the broadsheets as well as in the tabloids. An early hostile item was a Daily Express cartoon (19th August 2000) giving the familiar "ancient hippies with an ancient agenda" spin. In the immediate aftermath of Greenock, knee-jerk responses in the Scottish broadsheets led to antagonistic editorials. The Herald talked about "This asinine ruling" while The Scotsman (22nd October 1999) referred to "idealistic vandals" and Gimblett's "muddled thinking". Incidentally, the Scotsman editorial led to a welter of correspondence on the trial, most of it strongly supportive of the Trident Three. The report in the Guardian (8th November 2000) about the Jubilee Two action at RAF Wittering is a fine example of the sloppy end of the spectrum.

Under the heading "Priest accused of RAF burglary" it reads,

"A security investigation has been launched after a priest and a Catholic worker were allegedly found inside a nuclear warhead compound at RAF Wittering, Peterborough. Martin Newell, 33, of Canning Town, east London, and Susan van der Hijden, 31, are in custody charged with burglary".

No context, no detail, no understanding. Among the better work is John Lloyd's Article in Scotland on Sunday (24th October 1999) which ends,

"The Trident Three, and the review of the Gimblett judgement which will inevitably come, prompt us to think again about the world we have made unsafe for our children. Three mothers did it and a fourth let them off. Anyone who has a heart should say - good for you all. Now, let the rest of us become engaged."

Ruth Wishart's piece "A voice louder than bombs" (Herald, 10th August 2000) showed a grasp of the nature of the campaign and the core issues and bore this bouquet,

"It strikes me, in this week of man's increasing inhumanity to man, that they [TP] might just be saner than anyone else on the planet".

Stephen Naysmith (Sunday Herald, 13th August 2000), who followed our story from the start in the Big Issue (Scotland) and was the only journalist to cover the Maytime story as it happened, referred to the shockwaves the campaign was still "sending through the Scottish legal establishment" after Greenock, and gave a good description of our diversity.

There has also been some reasonably good broadcast reporting, such as the Finnish YLE Stations 30-minute TV piece on Katri Silvonen and Hanna Jarvinen, in which their personal motivations are well set in a campaign context, and the mainstream Danish TV stations' coverage of Ulla Roder's part in Maytime and Greenock. Among good radio work have been the short pieces on Radio Four's Law in Action and Maggie Charnley's live interview on the same network's World at One on 14th February 2000.

The overall picture is much too complex, and the evidence too fragmentary, to attempt any summary of what our public image is, beyond the widening but still small circle of those who are fully in the know and supportive. The field is also complex in terms of the different kinds of audience we want for the story, the general public (whatever that is), the peace movement as a whole, opinion formers and decision makers, folk in the civil police and the legal profession, the arts and entertainment and business, the whole world of those who campaign for social justice and sustainability.

8.2 Some Notes About Media Work

At the time of writing the campaign has a very strong reservoir of experience and skills in working with the media. Many came into the campaign already experienced and others have developed these skills in the last two years. This was well illustrated at the disarmament camp in August 2000 when as many as thirty different activists worked in the media team, many of them working directly with press etc. and giving interviews. This breadth of involvement makes sense in a campaign founded on affinity groups.

Ideally most of the media work would be done at affinity group level, and integrated into the planning that the group undertakes for its activity. It would make sense to identify one member of the group who co-ordinates the media work. This can involve:

- the development of the local and relevant national media contacts, both in terms of lists, and of establishing relationships with particular journalists;
- preparing a standard format for press releases that is recognisable;
- collecting the information and the personal details of those involved, along with quotes;

- getting advance information out when appropriate;
- sending out stories promptly (with due regard for the very varied deadlines at local level) and following them up with a checking call;
- trying to get journalists as well as film people and photographers to the event (if appropriate);
- being consistently available at the end of a phone (or responding quickly to phone messages);
- considering what will make a good picture and thinking through the various elements of that, the banners, placards etc. and the potential of the action itself;
- taking own photographs and video for media use and for internal consumption;
- having more extended briefing packs available when required;
- getting local media interested in more extended features as well as news;
- monitoring media coverage and keeping records.



Outcry as sheriff rules nuclear weapons illegal

Crown to appeal after 'Trident three' walk free

KATRINA TWEEDIE

A SHIPPER yesterday triggered an outcry when she branded Britain's nuclear deterrent illegal under international law.

Sheriff Graham's judgment, in the case of three anti-nuclear campaigners who caused more than £80,000 of damage to a laboratory at a naval base, was attacked as "absurd" and an encouragement to other protesters.

Legal experts said the sheriff had got it wrong. The Crown Office moved to launch an appeal over her ruling.

The sheriff ordered a jury to acquit the three women campaigners of maliciously damaging equipment at the Faslane base, near Lochgilphead, Argyll, part of the Trident nuclear submarine installation.

She accepted the defence argument that nuclear weapons were illegal and the women, therefore, had a right to commit a crime to prevent their use.

Ellen Macleay, 63, from Dalry, Clackmannanshire. Anne

It was the first time in Scotland that a jury had been asked to consider the legal authority of the £11 billion Trident nuclear submarine programme.

The women were arrested on 8 June after boarding an unmanned barge used to test sonar equipment and throwing documents and laboratory equipment overboard.

John Mayer, defending, argued a ruling by the International Court of Justice at the Hague which made nuclear weapons illegal gave the women the right to "disarm" them. This meant the women's actions had technically been a crime, but were justified by Trident's status as an illegal weapon.

They had been acting in the same way as someone who disarms a man carrying a knife or gun illegally - a view that Sheriff Graham accepted.

Sheriff Graham, sitting at Greenock Sheriff Court, ruled the women had the right to disarm the submarine installation and ordered the jury to acquit them. A charge of steal-



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Politicians held with Faslane protesters

By Gillian Harris, Scotland Correspondent

MORE than 170 anti-nuclear demonstrators, including two politicians, were arrested yesterday as they attempted to close down a Trident submarine base in a protest backed by Sir Sean Connery.

About 400 campaigners staged their Valentine's Day protest in torrential rain outside the two main entrances to the Faslane Naval Base near Lochgilblhead, Argyll. Some linked arms and sat in the road while others handcuffed themselves to lorries in an attempt to stop work at the base, which houses Britain's Trident nuclear submarines.

The arrest of 87 women and 92 men began early yesterday morning when officers from Strathclyde Police arrived at the facility to clear a path for workers to enter. Among those

charged with public order offences were Tommy Sheridan, the Socialist MSP, and Caroline Lucas, Britain's only Green MEP.

Dr Lucas said earlier that she would claim parliamentary immunity if she was charged. The immunity could only be lifted after a debate in the European Parliament during which Dr Lucas said she would argue that Trident nuclear weapons were illegal.

The one-day blockade, the biggest for 15 years, was organised by Trident Ploughshares and the Campaign for Nuclear Disarmament. It came after a contentious court ruling when three women were acquitted of breaking into the naval base on the grounds that the weapons they were attempting to disarm were a violation of international law.

The Lord Advocate, Scotland's most senior law officer, has asked the High Court to rule on whether Sheriff Margaret Gimblett was correct in law, but the three women's acquittal will stand. The protest-



Police attempt to remove protesters from the entrance to the Faslane Naval Base yesterday. About 400 protesters tried to block the main entrances

October. Angela Zelter and Eileen Moxley were among the first protesters to be arrested. By mid-afternoon, with many of the campaigners being held in police custody, the demonstration was scaled down. "The protest is still going on but so many of our activists have been arrested that it is now continuing on a small

demonstration." Other celebrities, including the actress Emma Thompson and the writer Kurt Vonnegut, sent messages of support. Among those who did brave the inclement weather were nine clergymen and two of the three women who were cleared by Sheriff Gimblett in Greenock Sheriff Court last

scale. "We are obviously delighted at the response we have had and to stop the base completely for an hour and a half in soaking weather conditions was exceptional," David McKenzie of Trident Ploughshares said.

Graham Tran, convenor of the AEEU, the union that represents civilian staff at

Faslane, said the blockade threatened jobs and safety. "The workforce is sick and tired of these people trying to stop us earning a living," he said.

"Their demands would cost 8,000 people their jobs. Just think what that would do to the region. It would devastate whole communities."

LINKS
www.motherearth.org Trident Ploughshares
www.cnduk.org Campaign for Nuclear Disarmament
www.fas.org/news MoD information on Faslane Naval Base

Leicester Mercury



www.thisisleicestershire.co.uk

THURSDAY, JUNE 1, 2000

27p

1,460 JOBS INSIDE



CHANCE TO WIN A TUMBLE DRYER PAGE 40

PLEDGE: ANTI-NUCLEAR CAMPAIGNER WILL NOT PAY BILL FOR FENCE DAMAGE



GRAN, 69, PREPARED FOR JAIL

A 69-year-old grandmother says she will go to prison rather than pay £291, her share of a bill to repair damaged fencing at the Atomic Weapons Establishment in Aldermaston.

Marlene Yeo of Burton-on-the-Wolds, near Loughborough, said: "I helped cut the fence so we could reach people inside to try and convince them they shouldn't be working there."

"I have been campaigning against nuclear weapons for nearly 30 years and will continue to do so."

"I will go to prison rather than pay the damages."

BY JIM McPHEATOR

"I am not looking forward to that but I have the support of my husband and three children."

"I am effectively campaigning for the future of my three grandchildren."

Mrs Yeo was convicted by magistrates in March of criminal damage.

She and her three co-defendants were ordered to pay for repairs to the perimeter fencing at the Berkshire establishment.

Mrs Yeo appeared before Loughborough Magistrates' Court on May 23 for non-payment of £250 court costs and the £291 damages.

Magistrates adjourned the hearing until July 3 saying they wanted to seek information from the Ministry of Defence.

Since then Mrs Yeo has written to the court enclosing a cheque for the £250 costs.

But in an accompanying letter, a copy of which she supplied to the Mercury, she states: "I do not intend to pay the repair costs."

AWE Aldermaston manufac-

"I will go to prison rather than pay the damages. I am not looking forward to that but I have the support of my husband and three children."

Marlene Yeo

tures the nuclear warheads that are used by the British Trident Nuclear Submarines, and which are so destructive as to be incompatible with international and British laws of warfare.

"They also are a constant danger to the population and environment because of the risk of accidents."

She adds: "I believe I was justified in committing this damage."

She added: "However, as the court hearing did, at least, give me an opportunity of putting forward my arguments, I am willing to pay my share of the court costs."

MAKING A STAND: Protester Marlene Yeo says that she is prepared to face a term in prison

PICTURE: MEL HENNING / 219504

The checking call to journalists is an irksome but necessary task, at least at the beginning of the process. As relationships grow, you will find that certain journalists will come at you for stories, even on occasions appearing to be prompting you to action! You will have to talk through as a group what to do in response to the penchant of so many journalists for the merely quirky ("A grandmother protests" etc.) and just how much of that individuals can stand. Please note that all of the above is a counsel of perfection, very quickly modified in the face of certain realities, such as the irritating need to go to work, to sleep and to engage with family and society as a relatively normal human being.

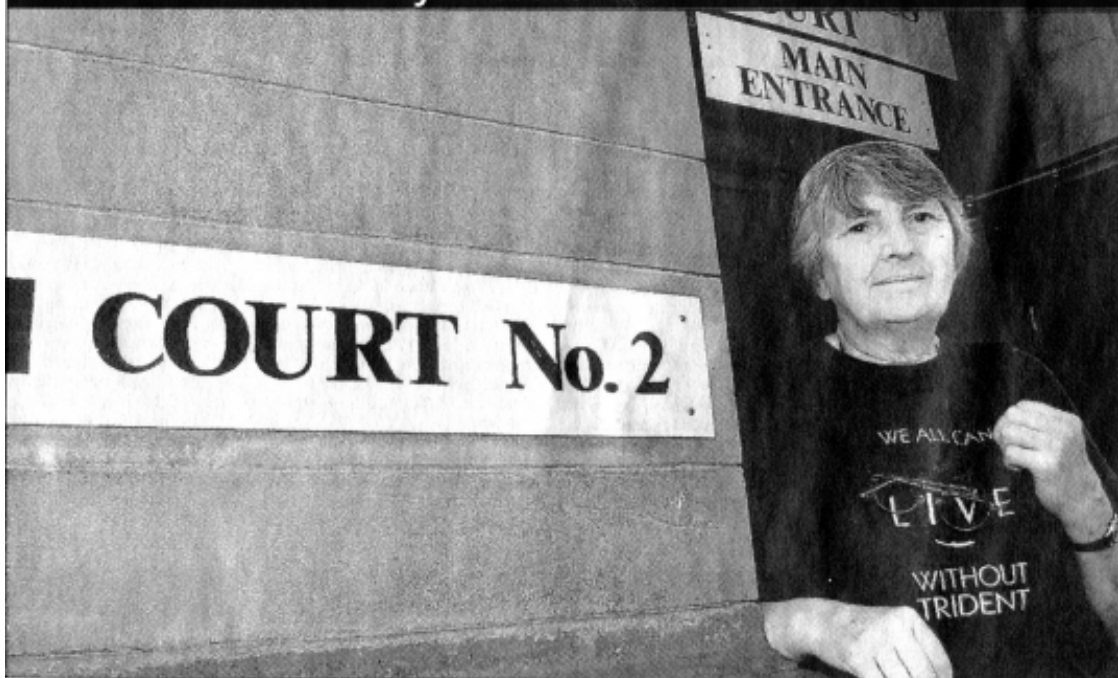
It is hard to overestimate the value of local media work. For one thing consistent coverage appears to be more achievable at local level than at national, and local outlets have extensive and regular readerships. There is also the chance that the national media will take up stories from local outlets. This is more obvious in the case of broadcasting networks, but can apply to papers also, as witness the way that Joan Meredith had fifteen minutes of fame in August 2000 when a whole raft of dailies had her picture (Ground Zero T-Shirt and all) next to the story of her being confined to the Alnwick courtroom for one day for non-payment of a £100 fine (featured below). Local outlets are also more likely to print and broadcast our material, in terms of extended quotes, briefings etc. A good example has been the coverage in the Wee County News in

Clackmannanshire of the Lord Advocate's Reference, through the local connection of Ellen Moxley which told the story of the LAR more professionally than most.

The same principles apply to the media work for a 'maximum disarmament' event. The big difference is that preparation must be more thorough to allow for the likelihood that the activists themselves may be quickly relatively incommunicado in prison. Documentation ready beforehand should include activists' statements with their rationale for the action; background information to set the event in context, short biographies and photographs. (In the case of the Pheasants' Union 'prep' photos were still being sought over a year after the event.) If on remand the activists should mail out as quickly as possible their own accurate version of the story, especially since the authorities will be turning out misinformation in response to journalists queries. Have a back-up arrangement in terms of information in case the person with that role is held, which can happen. If the time on remand is lengthy, make sure that prison support and media support are well linked. You may find that journalists and editors who are uneasy about the story will use the excuse (especially in Scotland) that since the activists have been charged and the matter is therefore *sub judice*, they will not publish material which could prejudice a trial. In such cases a statement from the activists that they are not denying the facts of the case and will not take action against any journalist who tells the story could be helpful.

Herald 8/8/2000

Protester has a fine day in court



CAMPAIGNER against nuclear weapons Joan Meredith, 70, of Rock Moor, near Alnwick, Northumberland, was yesterday given the rare punishment of being confined to a courtroom for one day for non-payment of a fine.

She had been prepared to go to jail for seven days as part of her protest against the Trident nuclear programme, but magistrates in Alnwick said sending the retired teacher to prison would serve no useful purpose.

Instead they invoked a little-used power under Section 135 of the Magistrates' Court Act to detain Meredith until the close of business, at 4pm yesterday.

The grandmother had been given a suspended sentence last month for the non-payment of a £100 fine after being found guilty of breach of the peace at the Clyde's Faslane Naval Base.

Meanwhile, two anti-nuclear protesters were arrested trying to swim into the base yesterday, and in a separate incident eight demonstrators were held during a blockade of the north gate.

CATCH OF THE DAY: Joan Meredith on the steps of Alnwick Court, where she was incarcerated for not paying a fine

Picture: OWEN HUMPHREYS

From arrests to acclaim ... how Ploughshares became the nation's favourite nuclear saboteurs

By **Stephen Naysmith**

FOR two weeks, a campsite full of retired teachers, ministers, housewives, monks and nuns has been causing havoc on the banks of the Clyde.

The Trident Ploughshares camp, near the Royal Navy's armaments depot at Coulport, allows anti-nuclear campaigners to launch assaults, almost at will, on both the Coulport depot and the Clyde Submarine base at Faslane – both cornerstones of Britain's Trident nuclear weapons system.

So far, activists have been subject to 149 arrests, with some clocking up four, five or six each, for attempting to obstruct access to the two facilities, cutting through fences or swimming up the loch in an effort to reach the submarines themselves.

But the hostile reception the campaigners have received from police stands in stark contrast to increasing official and unofficial acceptance.

Their code of non-violence and complete openness about their activities, as well as a ban on drink and drugs, has helped win the group support, not only from celebrities such as author AL Kennedy, but also from West Dunbartonshire and Glasgow City Council.

At the end of July, a group of Trident Ploughshares peace walkers, including Japanese monks and nuns from Milton Keynes, passed through Clydebank on their way to the camp, having hiked from the Ministry of Defence's Aldermaston base at Reading, in Berkshire.

The group was welcomed by West Dunbartonshire's Lord Provost Alistair MacDonald, and presented with a silver quach.

Yet within days, after the opening day blockade of

Faslane, the group had suffered its first 83 arrests. Those taken to the cells included all but one of the monks.

Then, just a day later, the peace walkers were again being officially feted, this time at Glasgow's City Chambers, where deputy provost Jean Macey laid on food and tea for the activists, many of whom had only just been released.

At the same time, Trident Ploughshares' efforts are still sending shockwaves through the Scottish legal establishment after last October's ruling by Greenock Sheriff Court, which appeared to suggest that the Trident nuclear weapons system was illegal under international law.

Sheriff Margaret Gimblett's decision to acquit three female campaigners of all charges after they dismantled (Ploughshares prefer the term 'disarmed') much of a submarine research station aboard a tethered barge in Loch Goil in June last year will be subject to a Lord Advocate's reference in October. This will determine whether the verdict was valid.

Whatever the outcome, the group – which has no leaders and takes its name from the biblical injunction to "beat swords into ploughshares and spears into pruning hooks" – seems to have revived Britain's moribund nuclear disarmament movement.

Marcus Armstrong, from Milton Keynes, thinks he knows why the campaign is winning new converts. He is one of them.

A community activist who works part time for a variety of causes in Milton Keynes, he was at first wary of getting involved in the campaign's deliberate law-breaking.

But over the last fortnight, Armstrong has been arrested six times, twice for attempting to



swim to a Trident submarine and sabotage it. Armstrong, who is a counsellor for the charity Childline, works in a hospice and also works night shifts in a YMCA homeless shelter, says his commitment to Trident Ploughshares' goals has grown steadily.

"As I learned more, I grew more confident in the organisation," he says. "It is well-organised and supportive. The non-violence pledge and the ban on alcohol and drugs were essential – it was important for me that the organisation was something with that sort of public image."

Unlike, for example, the anti-capitalism protests in London in June, Trident Ploughshares

members have always been disciplined since their first actions in May 1998. This is almost certainly one reason for the unusual level of tolerance they appear to command.

This was illustrated once more during Armstrong's third, unsuccessful swimming attempt to a Trident sub. MoD police had to help him out of the water because he was tired and gave him a lift back to shore.

Because he has been so persistent, Armstrong now faces being held on remand if he is arrested again. "I'm not planning to pay any fines I receive, so I expect to serve a few weeks each year for non-payment. I accept that, but I don't want to spend a long time on remand."



SCOTTISH SUNDAY HERALD 13/8/2007

he says. "Most of us treat this as our summer holidays."

Unlike some protest groups, Ploughshares are hard to stereotype. Many are at Coulport out of a religious commitment. Last week, Alan Wilkie, a retired company director and Church of Scotland elder, was among a group who staged a light-hearted "Harry Potter" protest at the depot's gates.

"We are here to overcome the latest manifestation of the dark arts," he told his fellow campaigners. Condemning MoD workers as "muggles" and Trident submarines as "unclear weapons", he added: "They can't distinguish between soldiers and civilians, friends and the enemy. They can't tell the difference



Ploughshares activists sit it out at Coulport, top, and the quach presented to them by West Dunbartonshire's Lord Provost

between wizards and muggles." Although the stunt was deliberately daft, the point was fundamental to the legal argument the group's activists have used hundreds of times in tiny district courts in Helensburgh and Dumbarton.

They claim nuclear weapons are illegal under international laws which state that weapons cannot be used if they don't distinguish between military and civilian targets and personnel.

Wilkie said the Lord Advocate's Reference at the High Court in Edinburgh in October was keenly anticipated not just by group members, but by legal experts around the world. "This is the highest court in the country actually addressing the

principles of the international court of justice. People from all over the world are interested to see how the Scottish justice system deals with it."

David Mackenzie, Ploughshares spokesman, said the courts were groaning under the strain of dealing with hundreds of minor offences over the past fortnight. "It has been an enormously encouraging two weeks. We are developing all the time in confidence and skills. We're also seeing a shift in the responses we are getting. Even the police are increasingly sympathetic.

"Whatever the outcome of the Lord Advocate's Review, we will go on."

The campaign has also found it useful to have an overall co-ordinating media infrastructure. This team maintains an overview of the media situation and in fact sends out the majority of press releases. It attempts to monitor coverage and to keep records. It co-ordinates media work at disarmament camps and other big events. It can offer the following to affinity groups and maximum disarmament groups:

1. Media contact lists which are regularly revised. This comprises a Main Media List as well as some more targeted, for example for AWE Aldermaston, and an e-mail list, which is composed mainly of 'alternatives'. At the time of writing there is the beginning of a switch among journalists towards e-mail, which will make communications so much easier.
2. A standard press release format which can be adapted to local use. Of course, affinity groups may prefer their own format, which is fine, but these should at least refer to the website and make the involvement with Trident Ploughshares clear.
3. Helping out the local group if it is at an early stage of growth or is short of local resources for covering media work. This could include helping develop local lists and contacts or sending out stories, or sending out scanned photographs.
4. A Press Release Checklist for making sure all the points are covered.

In return the media team need the following:

1. If at all possible some early warning of actions, especially maximum disarmament actions, so that we can respond reasonably intelligently to media queries.
2. Copies of press releases sent out (plus a copy to Mark Leach for the website).
3. Copies of local coverage for the media archive.
4. Knowledge of the good ideas and good practice that happen locally and could be adopted by the media team as a whole (including practical things like fax software that actually works, sources for contacts etc.). Tell us what worked for you and what didn't!

Contacts:

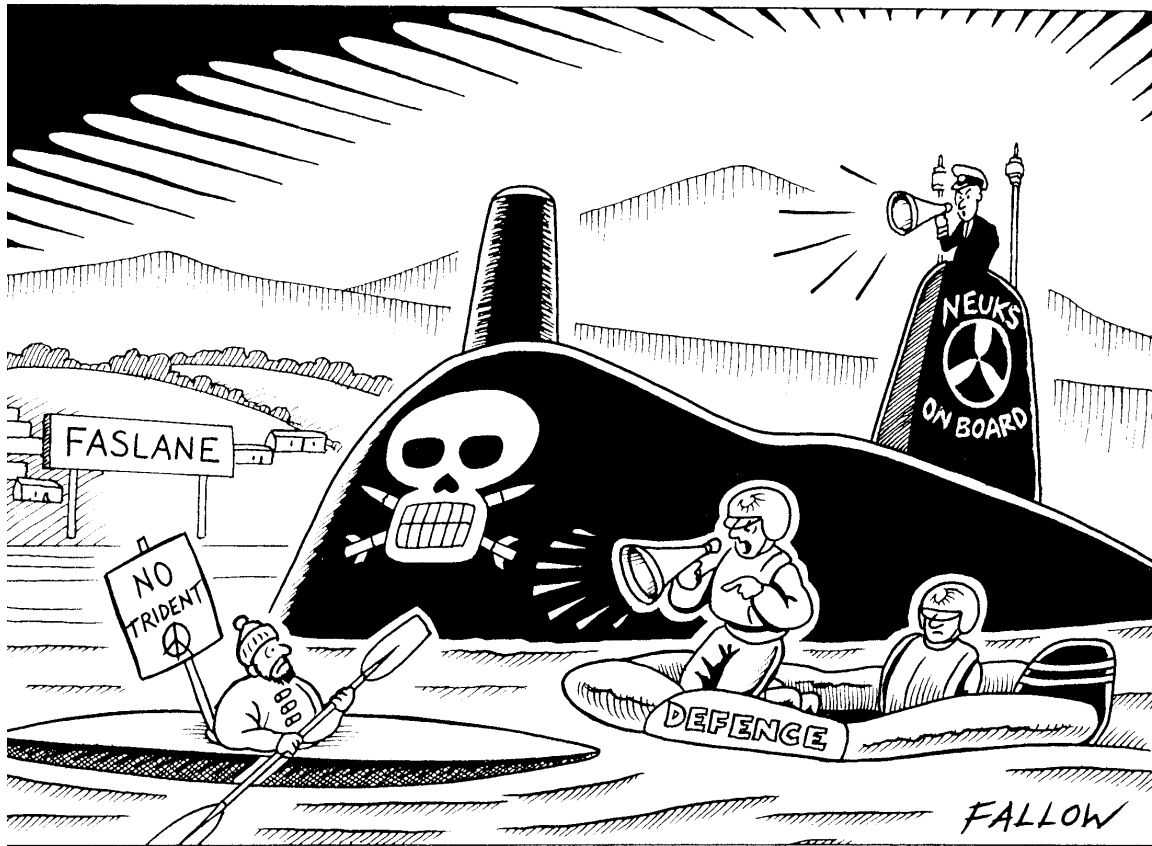
David Mackenzie	01324 880744 (07775711054) davidmc@enterprise.net
Jane Tallents	01436 679194 tp2000@gn.apc.org
Mark Leach	0131 664 8441 r.wensum@virgin.net

References and Acknowledgements

All press and photo archives are kept by David Mackenzie, who wrote this section.

PART 9: TEXTS OF GUIDELINES AND DOCUMENTS

Copies of all the documents in this section can be ordered from the Core Group and TP Office.



"Are you trying to get yourself killed?"



9.1 Pledge to Prevent Nuclear Crime



I am aware that the U.K. has signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. More than thirty years have now passed and the U.K. still continues to deploy nuclear weapons and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

I am also aware that on 8th July 1996, the President of the International Court of Justice (which is the highest legal body of the United Nations), Mohammed Bedjaoui, stated, 'The nuclear weapon, the ultimate evil, destabilises humanitarian law which is the law of the lesser evil. The existence of nuclear weapons is therefore a challenge to the very existence of humanitarian law, not to mention their long-term effects of damage to the human environment, in respect to which the right to life must be exercised'. The Court confirmed that the Declaration of St.Petersburg, the Hague Conventions, the Nuremberg Principles, the Geneva Conventions, and the Genocide Convention all apply to nuclear weapons. It stated very clearly that the threat or use of nuclear weapons is generally contrary to international humanitarian law. The Court could find no lawful circumstance for the threat or use of nuclear weapons.

I believe that the Trident nuclear weapon system is illegal, dangerous, unjust, polluting, a terrible waste of resources, and deeply immoral. I think Trident poses a threat rather than a defence.

It is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any weapon system that is breaching humanitarian law. I am also aware that most national legal systems, including the U.K.'s and other NATO countries' legal systems, allow serious damage to be done to objects if the damage is done in the belief that this would prevent serious crime from taking place. I believe that the damage Trident Ploughshares activists intend to cause to the U.K. Trident system will stop the ongoing crime of threatening to use nuclear weapons contrary to humanitarian law.

As a global citizen with international, national and individual responsibility, I will endeavour peacefully, safely, openly and accountably to help to disarm the U.K. nuclear weapon system. I will do this by actively joining with others in the Trident Ploughshares Project. This means that until the U.K. Government guarantees to completely disarm the British Trident system, then I pledge either, personally to enter Faslane, Coulport and any other Trident related facility, or to help and support other Trident Ploughshares activists to enter these places, in order that I or others can dismantle the system in such a way that it can not be used to threaten or harm living beings.

Our acts of disarmament are and will be intended to stop ongoing criminal activities under well recognised principles of international law.

I pledge that I will harm no living being by any of my acts and pledge to be calm and peaceful at all times.

Signed:

Dated:.....

Name and address printed clearly:

.....

Please return this signed pledge as soon as possible to:
 Trident Ploughshares, 42-46 Bethel Street, Norwich, Norfolk, NR2 1NR



9.2 Individual Nonviolence and Safety Pledge

- 1 I am a member of affinity group, have signed the Pledge to Prevent Nuclear Crime, am registered with Trident Ploughshares and have been through a minimum two-day nonviolence and safety workshop.
- 2 I will not engage in physical violence or verbal abuse toward any individual and will carry no weapons.
- 3 I will not bring or use any alcohol or drugs other than for medical purposes.
- 4 I will respect all the various agreements concerning the actions.
- 5 I will act safely at all times and act responsibly to ensure that no harm comes to any living being including myself.

Signed:.....

Dated:.....

Name and address printed clearly:

.....

.....

.....

.....

.....

Please return this signed pledge as soon as possible to:
 Trident Ploughshares, 42-46 Bethel Street, Norwich, Norfolk, NR2 1NR



9.3 Nonviolence and Safety Workshop Booking Form

I have read the Trident Ploughshares Handbook and require nonviolence training with my affinity group in preparation for our involvement. (If you have no affinity group please say so, and we will try to fit you into one.)

NAME		
ADDRESS		
		POSTCODE
PHONE	FAX	EMAIL
AFFINITY GROUP NAME		
OTHER MEMBERS OF AFFINITY GROUP		
(if you are not yet part of an affinity group, please state)		
HOW LONG HAS YOUR AFFINITY GROUP BEEN ACTIVE?		
We would prefer our workshop to be in the		area
Preferred dates:	1.	
	2.	
	3.	
(workshops normally take place over two consecutive nights & days, beginning the evening of the first night)		

Signature (on behalf of affinity group)	Date
--	------

Please read the following notes carefully and copy them before sending the form:

- Workshops will normally be arranged for two or more affinity groups at a time.
- It is important that ALL affinity group members attend for the full 2-day workshop.
- Every effort will be made to meet your date and location requirements, although this cannot be guaranteed.
- Responsibility for room hire, refreshments etc lies with the participants.
- Help will also be required with arrangements for the two workshop facilitators, eg transport organisation and costs and overnight accommodation.
- The cost of the workshop, including room hire, will be borne by the participants. The two facilitators will not be charging for their time. For advice about funding, finding suitable venues etc, please contact the Core Group.

Please answer the following questions for ALL members of your affinity group. Your answers will help us in the planning of your nonviolence training workshop.

What issues have you been campaigning on?

(tick for each affinity group member)

Nuclear weapons	<input type="checkbox"/>	Arms trade	<input type="checkbox"/>	Human rights	<input type="checkbox"/>	Animal rights	<input type="checkbox"/>
Nuclear energy	<input type="checkbox"/>	Education	<input type="checkbox"/>	Fair Trade	<input type="checkbox"/>	Civil rights	<input type="checkbox"/>
Homelessness	<input type="checkbox"/>	Transport	<input type="checkbox"/>	Trade union issues	<input type="checkbox"/>	Poll tax	<input type="checkbox"/>
Unemployment	<input type="checkbox"/>	Biodiversity	<input type="checkbox"/>	Prison reform	<input type="checkbox"/>	Healthcare	<input type="checkbox"/>
Genetic engineering	<input type="checkbox"/>	Alternative economics	<input type="checkbox"/>	Other (please state)	<input type="checkbox"/>	
Transnational corporations	<input type="checkbox"/>						

How long has each person been involved in campaigning work:

(one tick for each affinity group member)

Not till now	0-2 years	2-5 years
5-10 years	10-20 years	20+ years

What have your contributions been? (eg attendance at meetings, marches, letter-writing, newsletter, childminding, making the tea....). Answer for each group member.

How many of you have participated in direct actions before?

When & where?

How many of you have had experience of direct action with an affinity group?

How many of you have had experience of direct action with THIS affinity group?

How many of you have had experience of nonviolence training (in any capacity)?

Please return this completed form to:

Alison Crane, 36 Yelverton Ave, Weeping Cross, Stafford, ST17 0HE. ENGLAND. Tel: 01785 611768
email: alison.crane@ntlworld.com

- You will receive a quick acknowledgement of your request.
- Arrangements will be made to put the workshop facilitators in touch with you as soon as possible.



9.4 Individuals' Petition of Support for Trident Ploughshares



We the undersigned fully support all those who have signed the Pledge to Prevent Nuclear Crime and identified themselves as Trident Ploughshares activists. We believe that their peaceful and nonviolent attempts at disarming the Trident system are intended to stop ongoing criminal activities under well-recognised principles of international law.

We are aware that the U.K. signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. Thirty years have now passed and the U.K. still continues the nuclear arms race and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

We are also aware that on 8th July 1996, the President of the International Court of Justice (which is the highest legal body of the United Nations), Mohammed Bedjaoui, stated, 'The nuclear weapon, the ultimate evil, destabilises humanitarian law which is the law of the lesser evil. The existence of nuclear weapons is therefore a challenge to the very

existence of humanitarian law, not to mention their long-term effects of damage to the human environment, in respect to which the right to life must be exercised'. The Court confirmed that the Declaration of St.Petersberg, the Hague Conventions, the Nuremberg Principles, the Geneva Conventions, and the Genocide Convention all apply to nuclear weapons. It stated very clearly that the threat or use of nuclear weapons is generally contrary to international humanitarian law. The Court could find no lawful circumstance for the threat or use of nuclear weapons.

We understand that it is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any nuclear weapon system that is breaching humanitarian law. These Trident Ploughshares activists are acting as fully responsible global citizens and we support their intentions to disarm the UK nuclear system peacefully, safely, openly and accountably.

We applaud the attempts of the Trident Ploughshares activists to urge the U.K. Government, NATO, and others in positions of political and military power, to guarantee to completely disarm the British Trident system. The Trident Ploughshares activists do not wish to have to do the disarmament themselves, however they are willing and ready to do it themselves if necessary and we support them in their intention.

Signed	Dated	Name and address (printed clearly)	Amount of Donation (made out to Trident Ploughshares)



9.5 Groups' Petition of Support for Trident Ploughshares



We the undersigned fully support all those who have signed the Pledge to Prevent Nuclear Crime and identified themselves as Trident Ploughshares activists. We believe that their peaceful and nonviolent attempts at disarming the Trident system are intended to stop ongoing criminal activities under well-recognised principles of international law.

We are aware that the U.K. signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. Thirty years have now passed and the U.K. still continues the nuclear arms race and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

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We understand that it is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any nuclear weapon system that is breaching humanitarian law. These Trident Ploughshares activists are acting as fully responsible global citizens and we support their intentions to disarm the UK nuclear system peacefully, safely, openly and accountably.

We applaud the attempts of the Trident Ploughshares activists to urge the U.K. Government, NATO, and others in positions of political and military power, to guarantee to completely disarm the British Trident system. The Trident Ploughshares activists do not wish to have to do the disarmament themselves, however they are willing and ready to do it themselves if necessary and we support them in their intention.

Name and address of Group (printed clearly)		Amount of Donation (made out to Trident Ploughshares)
Person signing on behalf of organisation		
Name	Signature	Position/Status



9.6 Parliamentarians' Petition of Support for Trident Ploughshares



We the undersigned fully support all those who have signed the Pledge to Prevent Nuclear Crime and identified themselves as Trident Ploughshares activists. We believe that their peaceful and nonviolent attempts at disarming the Trident system are intended to stop ongoing criminal activities under well-recognised principles of international law.

We are aware that the U.K. signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. Thirty years have now passed and the U.K. still continues the nuclear arms race and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

We are also aware that on 8th July 1996, the President of the International Court of Justice (which is the highest legal body of the United Nations), Mohammed Bedjaoui, stated, 'The nuclear weapon, the ultimate evil, destabilises humanitarian law which is the law of the lesser evil. The existence of nuclear weapons is therefore a challenge to the very

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We applaud the attempts of the Trident Ploughshares activists to urge the U.K. Government, NATO, and others in positions of political and military power, to guarantee to completely disarm the British Trident system. The Trident Ploughshares activists do not wish to have to do the disarmament themselves, however they are willing and ready to do it themselves if necessary and we support them in their intention.

Name, Constituency and Country of Parliamentarian (MP, MEP etc.)		Amount of Donation (made out to Trident Ploughshares)
Name	Signature	Tick for more information
Address:		
PostCode	Tel No.	



9.7 Famous Peoples' Petition of Support for Trident Ploughshares



We the undersigned fully support all those who have signed the Pledge to Prevent Nuclear Crime and identified themselves as Trident Ploughshares activists. We believe that their peaceful and nonviolent attempts at disarming the Trident system are intended to stop ongoing criminal activities under well-recognised principles of international law.

We are aware that the U.K. signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. Thirty years have now passed and the U.K. still continues the nuclear arms race and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

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We understand that it is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any nuclear weapon system that is breaching humanitarian law. These Trident Ploughshares activists are acting as fully responsible global citizens and we support their intentions to disarm the UK nuclear system peacefully, safely, openly and accountably.

We applaud the attempts of the Trident Ploughshares activists to urge the U.K. Government, NATO, and others in positions of political and military power, to guarantee to completely disarm the British Trident system. The Trident Ploughshares activists do not wish to have to do the disarmament themselves, however they are willing and ready to do it themselves if necessary and we support them in their intention.

Known by the Public as: (writer, musician, artist etc.)		Amount of Donation (made out to Trident Ploughshares)
Name	Signature	Tick for more information
Address:		
PostCode	Tel No.	



9.8 Academics' Petition of Support for Trident Ploughshares



We the undersigned fully support all those who have signed the Pledge to Prevent Nuclear Crime and identified themselves as Trident Ploughshares activists. We believe that their peaceful and nonviolent attempts at disarming the Trident system are intended to stop ongoing criminal activities under well-recognised principles of international law.

We are aware that the U.K. signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. Thirty years have now passed and the U.K. still continues the nuclear arms race and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

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We understand that it is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any nuclear weapon system that is breaching humanitarian law. These Trident Ploughshares activists are acting as fully responsible global citizens and we support their intentions to disarm the UK nuclear system peacefully, safely, openly and accountably.

We applaud the attempts of the Trident Ploughshares activists to urge the U.K. Government, NATO, and others in positions of political and military power, to guarantee to completely disarm the British Trident system. The Trident Ploughshares activists do not wish to have to do the disarmament themselves, however they are willing and ready to do it themselves if necessary and we support them in their intention.

Name	Signature	Amount of Donation (made out to Trident Ploughshares)
Subject	University/College	Status (Lecturer/Professor etc)
Address:	Tick for more information	
Post code:	Tel no:	



9.9 Religious Leaders' Petition of Support for Trident Ploughshares



We the undersigned fully support all those who have signed the Pledge to Prevent Nuclear Crime and identified themselves as Trident Ploughshares activists. We believe that their peaceful and nonviolent attempts at disarming the Trident system are intended to stop ongoing criminal activities under well-recognised principles of international law.

We are aware that the U.K. signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. Thirty years have now passed and the U.K. still continues the nuclear arms race and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

We are also aware that on 8th July 1996, the President of the International Court of Justice (which is the highest legal body of the United Nations), Mohammed Bedjaoui, stated, 'The nuclear weapon, the ultimate evil, destabilises humanitarian law which is the law of the lesser evil. The existence of nuclear weapons is therefore a challenge to the very

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We understand that it is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any nuclear weapon system that is breaching humanitarian law. These Trident Ploughshares activists are acting as fully responsible global citizens and we support their intentions to disarm the UK nuclear system peacefully, safely, openly and accountably.

We applaud the attempts of the Trident Ploughshares activists to urge the U.K. Government, NATO, and others in positions of political and military power, to guarantee to completely disarm the British Trident system. The Trident Ploughshares activists do not wish to have to do the disarmament themselves, however they are willing and ready to do it themselves if necessary and we support them in their intention.

Name	Signature	Amount of Donation (made out to Trident Ploughshares)
Professional title (eg Bishop)	Religion	Tick for more information
Address:		
Post code:	Tel no:	

9.10

An Invitation to Join Trident Ploughshares

A mass nuclear ploughshares action focused mainly on Faslane and Coulport in Scotland, and on certain Trident-related sites in the U.K.

A **Ploughshares Action** is one in which we make a commitment to peace and disarmament by nonviolently, openly and accountably disabling a war machine or system so that it can no longer harm people. It is an enactment of the Biblical prophecies to 'beat swords into ploughshares' but is no longer purely a Christian or Jewish movement as it now embraces people from many belief systems. The underlying appeal is the universal call to peace, to abolish war and to find nonviolent ways to resolve our conflicts. It recognises that war is always an abuse of power and that threats to kill are deeply immoral.



The **Trident Ploughshares** project is part of the international peace movement that has been actively engaged in nuclear disarmament work ever since the first use of nuclear weapons in Hiroshima and Nagasaki over 50 years ago. As our part in the attempt to encourage a nuclear weapons free millennium, we will endeavour peacefully, openly and accountably to disarm the British nuclear Trident system. Our acts of disarmament are intended to stop ongoing criminal activity under well recognised principles of international law.

Over 170 international activists, organised into small, independent, support groups called 'affinity groups' of 3 to 15 people, have already signed a '**Pledge to Prevent Nuclear Crime**'. They are referred to as 'Pledgers'. Trident Ploughshares pledgers have publicly committed themselves to peacefully attempting to disarm the British Trident nuclear weapon system.

We first approached the Government in March 1998 asking them peacefully and responsibly to disarm the Trident submarines themselves in accordance with the many international agreements they have made. For instance, Article VI of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) states, "Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

We set up a group of independent advisors and formed a **Dialogue and Negotiation Team** who outlined a series of nine feasible and verifiable requests that would commit the government to a

practical process of nuclear disarmament. There has been no constructive reply to these requests and we have been refused a meeting. However, the dialogue work will continue throughout the life of Trident Ploughshares.

Liaison with Police and Security has also been ongoing, open and conducted in a friendly manner. The Handbook, Video and the Internet site have been useful in explaining our philosophy and rationale. All of the various authorities have been given a full list of those who have signed the Pledge to Prevent Nuclear Crime which again emphasises our commitment to full openness and accountability for our actions. Updated material with the names of new Pledgers is sent regularly to the Prime Minister and others.

Trident Ploughshares was publicly launched on May 2nd 1998 in London, Edinburgh, Gothenburg, Gent and Hiroshima. Further letters have been sent to government officials and all 16 NATO Heads of State and Foreign Ministers have been approached. We continue the exchange of letters and are keeping the doors open for any dialogue and negotiation. We are making it clear that we would prefer the 'authorities' to disarm Trident and that we are only making our own attempts because they continue to prevaricate.

The first of the **Open Disarmament Actions** started in August 1998 when several hundred people attended the first two-week disarmament camp, which led to around 100 arrests. By the end of the camp nine people from different countries were on remand in Scotland and tens of cases were being heard in the local Helensburgh District Court. Since that time, there have been a number of high-profile courtroom trials which provided the opportunity to present experts in International Law to demonstrate the general illegality of all nuclear weapons. The most successful of these was the ground-breaking trial in Greenock in Scotland, in

October 1999, of the 'Loch Goil Three'. The trial ended when Sheriff Margaret Gimblett found Angie Zelter, Ellen Moxley and Ulla Roder not guilty of malicious damage to a Trident submarine testing station and uttered the immortal words:

"I have heard nothing which would make it seem to me that the accused acted with such criminal intent."

By acquitting them and by recognising that international law applies to Britain's nuclear deterrent, she opened up a huge crack in official complacency about our weapons of mass destruction.

At the trial of the 'Newbury Four' in England, in March 2000, the judge allowed Trident Ploughshares activists to present expert witnesses in their defence but



ultimately found the defendants guilty. The trial of Rosie and Rachel - from the 'Aldermaston Women Trash Trident' affinity group, who boarded and damaged the latest Trident nuclear submarine while it was still at Barrow, resulted in a hung jury in September 2000. Full details of all these trials can be found on the Trident Ploughshares website www.tridentploughshares.org.

Each **Affinity Group** has to take part in a **Nonviolence and Safety Workshop** which is run by people trained by the Quaker-based Turning the Tide programme. This workshop helps individuals and groups to prepare themselves emotionally, physically and legally for their actions as well as clarifying the non-negotiable ground rules for those actions. These ground rules include total nonviolence, safety, openness and accountability. A Core Group member liaises with each group to check progress and give support and to ensure only responsible, totally committed nonviolent activists take part. We are dealing here with extremely dangerous and radioactive nuclear weapon systems and must ensure everyone's safety.

Some affinity groups are also committed to doing 'secret' disarmament actions whereby they do not inform anyone of their exact plans and dates, although they will of course be fully accountable and stand by their actions and explain them and take the consequences. All Trident-related sites can be the target of Ploughshares actions. Affinity groups may well do their follow-up actions and secret disarmament actions at the Trident related sites nearer to their homes, or if they are from abroad, at the NATO sites near them.

Although we have a good defence in law and we believe we are upholding the law, the courts may not agree with us. Each activist must understand that theoretically we may face **possible imprisonment of up to 10 years** if we are ultimately found 'guilty' of actual criminal damage or of conspiracy to commit massive criminal damage. Although the sentences in the Scottish courts have so far proved to be minor (most people have not been charged, and of the 40% of arrestees that have, they have mainly been admonished or given minor fines) we cannot rely on this continuing.

In any case, whether planning our actions for Scotland or England we have to be prepared for the maximum sentence. The maximum is 10 years. The whole moral and political strength of this action is to show just how many ordinary people are willing to make this personal sacrifice in order to disarm nuclear weapons. We must all be willing to face this possibility.

For those not willing to risk imprisonment, there are many essential active support roles that are just as important as the active disarmament roles and each affinity group needs both. There are also very many different disarmament actions with greater or lesser risks of imprisonment attached.

As this project is open and the 'authorities' know who we are and the dates for our open attempts, it is very hard to get near a Trident submarine and disarm it. However, even if we are arrested before we get near the bases - or whilst we are attempting to cut through the fences - we will not have failed because this project is also about disarming the public mind and persuading the Government to respond to popular opinion. It is the attempt and the intent that matters. Maybe hundreds of us, committed to disarming Trident ourselves, will persuade the British Government to do the disarmament themselves.

We have produced the 'Tri-denting It **Handbook** - an Open Guide to Trident Ploughshares'. This Handbook gives a fairly comprehensive overview of the philosophy, background and structure of Trident Ploughshares and also contains useful chapters on nuclear weapons inventories, the legal status of Trident, how groups work and advice on action, court and prison preparation, as well as ideas on how to disarm Trident.



It is advisable to read this thoroughly and also to view the 16 minute **video** entitled 'Tri-denting the Nuclear Conspiracy - Uphold International Law'. which gives a visual tour of Faslane and a summary of the nonviolence and safety ground rules.

Although many people taking part will be giving purely moral defences to their disarmament actions we have a very strong legal defence based upon the **World Court's Advisory Opinion** on the Legality of the Threat or Use of Nuclear Weapons (8th July 1996). There are now several written up examples of such legal defences that have been through the courts and which are available on our website www.tridentploughshares.org/ or from the TP Office, 42-46 Bethel Street, Norwich, NR2 1NR. There is also a permanent **Legal Support Team** able to support all of those appearing before the Scottish courts - and we are currently working on setting up a similar one to cover English court cases - it is stressed however, that each affinity group should be as autonomous and self-supporting as possible so that the campaign does not fall apart if there are mass arrests at any stage in the future.

If you are interested in taking part then please fill out the Response Form (on next page) and return it to the TP office in Norwich. We will then try to help you find an affinity group if you are not already part of a group or have no-one else in your area willing to join with you.

Help Fund Trident Ploughshares

The project is designed to be as financially self-sufficient as possible, which is why each activist is asked to donate £10 to an account called 'Trident Ploughshares'. The public are also being asked to donate funds to us. Even if you decide you do not wish to take an active part we would be grateful for donations.

Response Form for Individual

Please complete this response form, ticking where appropriate and then return to Trident Ploughshares, c/o 42-46 Bethel St, Norwich, Norfolk, NR2 1NR, UK. Please be aware that filling in this form could open you up to charges of conspiracy and if you are worried about this then please contact the core group for a face to face confidential meeting.

1. NAME:

ADDRESS

.....

.....

TEL: FAX: E-MAIL:

2. I am interested in being a Trident Ploughshares activist: YES NO

3. I have my own affinity group YES NO

If YES, this affinity group consists of people who will become Trident Ploughshares activists with me.
put number in group

If NO, I will try and create an affinity group in my locality YES NO

or

I would like you to put me into an affinity group YES NO

4. If you want us to put you in an affinity group then please state anything about your age, sex, interests, or any personal details that you think are relevant to placing you in a suitable affinity group.

.....

.....

5. I would like to volunteer to help in the following ways:-

general mobilisation and outreach YES

press work YES

fund-raising YES

Please specify here any other offers of help you would like to make:

.....

.....

6. I would like to give a donation now of £..... (cheques made out to 'Trident Ploughshares' and sent with this response form). Each activist is asked to donate £10 if they can afford it.

7. I would like you to send me (put number required) leaflets that I will distribute.

8. Please feel free to make any comments or suggestions, in this space, about Trident Ploughshares.

.....

.....

.....

PART 10: USEFUL ADDRESSES AND RESOURCES

10.1 Useful Addresses

TP Addresses

TP administrative address - contact Trident Ploughshares, 42-46 Bethel St, Norwich, Norfolk, NR2 1NR, UK.

TP email - tp2000@gn.apc.org

TP phone and fax- Tel:01324 880744 Fax: 01436 677529

Email discussion list - to be included on it, contact Jane on tp2000@gn.apc.org

TP Newsline Answerphone - 01603 469296

TP Website - www.gn.apc.org/tp2000/ or www.tridentploughshares.org

Legal Support - General and Scotland team: contact Jane on 01436 679194 Fax: 01436 677529

England: contact Andrew on 0191 209 3140 or e-mail andrew@andrewgray.uklinux.net

Cornton Vale Prison Support Group - contact Helene on 01259-452458

Other Court and Prison addresses are listed in Part 7.7.4 and 7.8.2

Press Team - contact David on 01324-880744.

Nonviolence workshop bookings - c/o Alison Crane, 36 Yelverton Ave, Weeping Cross, Stafford, ST17 0HE. Tel: 01785 611768 email: alison.crane@ntlworld.com

Other Addresses

Faslane Peace Camp - Shandon, Helensburgh, G84 8NT. Tel: Phone: 01436 820901 email: faslania@faslanepeacecamp.org or faslanepeacecamp@hotmail.com website: www.faslanepeacecamp.org

Nukewatch UK - 22 Edmund St, Bradford, BD5 0BH. Contact Di McDonald on 02380 554434 email: nis@gn.apc.org

National CND - 162 Holloway Road, London, N7 8DQ. Tel: 020 7700 2393 Fax: 020 7700 2357 email: enquiries@cnduk.org website: www.cnduk.org

Scottish CND - 15 Barrland St, Glasgow, G41 1QH. Tel: 0141 423 1222 Fax: 0141 423 1231 email: cndscot@dial.pipex.com

Turning The Tide - Friends House, Euston Road, London, NW1 2BJ. Tel: 020 7663 1064 Fax: 020 7663 1049 email: kiris@quaker.org.uk

World Court Project UK - c/o George Farebrother, 67 Summerheath Rd, Hailsham, Sussex. 01323 844269. email: geowcpuk@gn.apc.org website: www.gn.apc.org/wcp

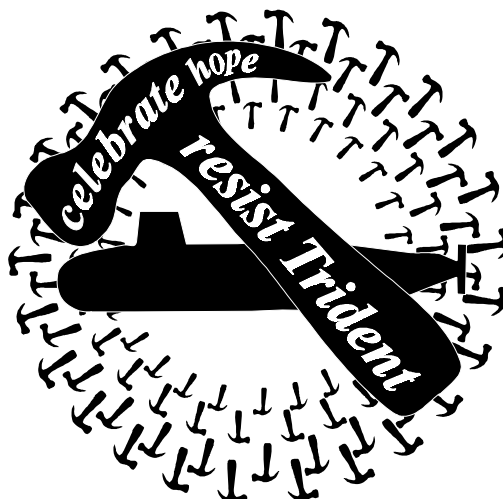
10.2 Resources

10.2.1 Useful Facts, Figures and Diagrams

Trident costs Britain:

- Between £1bn and £1.5bn a year
- £2000 per minute

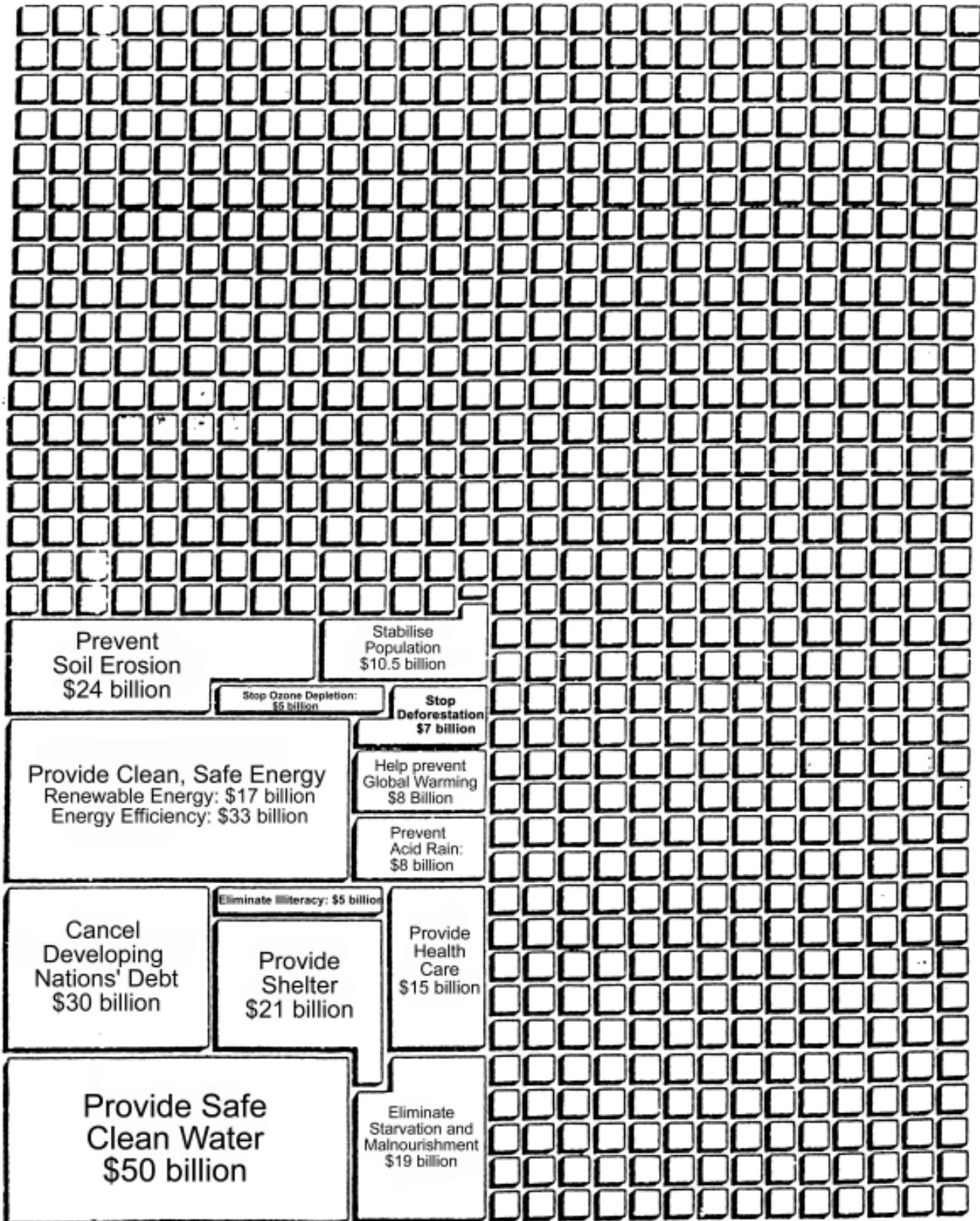
To work out how much money would be available to your community if it wasn't being wasted on Trident, take the annual spending figure, divide it by the British population (60m), multiply it by the population in your area, put it on a poster or leaflet and go and do a street stall. It is a good idea to illustrate the point by costing the socially useful projects that could be funded instead.






What the World Wants

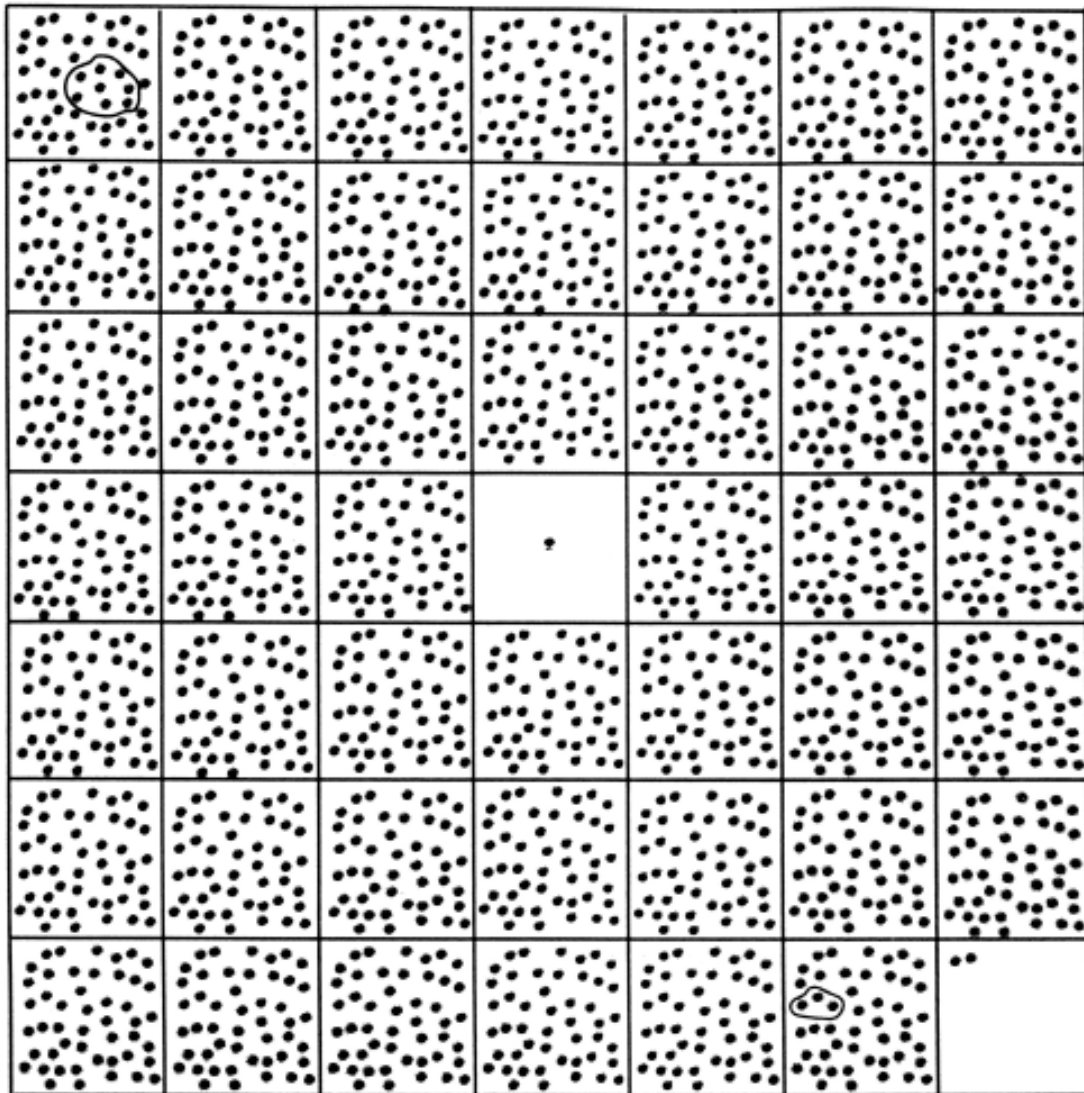
and how to pay for it

using World Military Expenditures.



The above are estimated annual costs of various global programs for helping to solve the major human need and environmental problems facing humanity. Their combined total cost is approximately 25% of the world's total annual military expenditures. All figures are at 1994 prices.

-  Total Chart = Total Annual World Military Expenditures: \$1 trillion
-  One-tenth of One Percent of Annual World Military Expenditures: \$1 billion
-  Amount That Was Needed to Eradicate Smallpox From the World (Accomplished 1978): \$300 Million



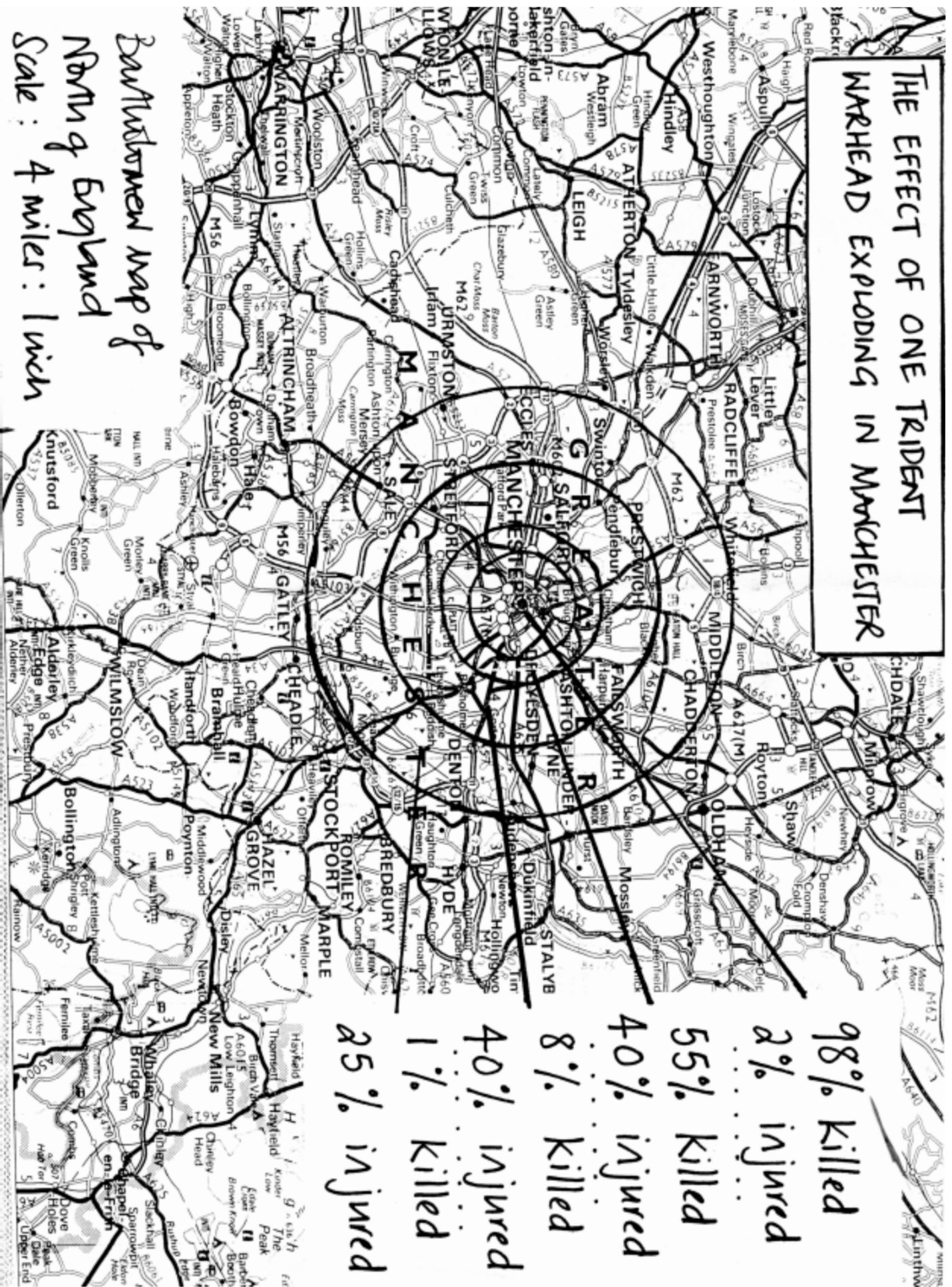
Nuclear Overkill in the 1990s

A dot chart similar to the one above was originally produced at the height of the Cold War, when the world's nuclear arsenals numbered above 65 000 weapons. This chart is a revision of that original, revised to reflect today's current arsenals, which number approximately 35 000 weapons. The majority of these weapons are divided between the US and Russia.

- The dot in the centre of the chart represents all the firepower of World War II - three megatons.
- The other dots represent the world's present nuclear weaponry, equal to 2667 World War IIs.
- The dots in the circle at bottom right - nine megatons or three World War IIs - represent the weapons on the Poseidon Submarine. This is enough firepower to destroy more than 200 of the largest cities in Russia, the US, or anywhere else in the globe.
- The dots enclosed by the circle at top left - 24 megatons or eight World War IIs - represents the weapons on one Trident submarine, enough firepower to destroy every major city in the Northern hemisphere.
- Just two squares (plus four more dots) - 300 megatons - represents enough firepower to destroy all the large- and medium-sized cities in the world.

**THE EFFECT OF ONE TRIDENT
WARHEAD EXPLODING IN MANCHESTER**

- 98% Killed
- 2% injured
- 55% Killed
- 40% injured
- 8% Killed
- 40% injured
- 1% Killed
- 25% injured



North of England
Scale: 4 miles: 1 inch

10.2.2 A Sample Letter to Your Favorite Policy Maker

Dear

While I was encouraged by the sentiments of the need for nuclear disarmament expressed at the recent Non-Proliferation Treaty (NPT) Review Conference, I am however disappointed by the lack of concrete action taken, in particular that no timescale was agreed for total disarmament.

I believe that the people of Britain have waited long enough for nuclear disarmament to take place. Many of us share the government's priority of education and healthcare, and look forward to a time when the resources now spent on weapons of mass destruction are used in more positive ways.

Opinion polls show that the majority of UK citizens want the government to work harder to bring about a nuclear weapon free world. A poll taken in 1997 shows that 59% of British people believe that it would be best for British security if we do not have nuclear weapons. This belief stems from the fact that, although the NPT has mostly been successful in preventing widespread proliferation of nuclear weapon technology and production, there have been many failures. The moral and bargaining position held over non-signatories of the NPT who have now acquired nuclear weapons (India, Pakistan and Israel) is much weakened by our own possession of them.

The concept of the use of these weapons, which would cause unspeakable suffering, is utterly abhorrent. This suffering would be borne mainly by innocent civilians rather than by combatants and would effect neutral states that had nothing to do with the conflict.

In addition to the moral argument against the Trident system, there is a strong legal case. The International Court of Justice's Advisory Opinion found that the threat or use of nuclear weapons is generally contrary to international humanitarian law, and the Court confirmed unanimously that their threat or use, like other weapons, must comply with international humanitarian law and be judged according to their effects. Weapons which could not distinguish between civilian and military targets, would be unlawful.

The Court could not decide whether threat or use of nuclear weapons by a state would be lawful if its "very survival would be at stake" because it did not have sufficient detailed information before it. The British Government, after repeated requests, has declined to outline a way in which Trident could be used in line with international law. But I know that the UK Trident system consists of 100 kiloton warheads. I do not believe that the effects of the use of such a large warhead could ever be controllable or limited in such a way as to conform with international law. I would therefore ask that you inform me immediately of when you will uphold the law and disarm these illegal weapons of mass destruction.

I am also concerned about US plans to break the Anti-Ballistic Missile Treaty with its National Missile Defense programme which is strongly opposed by Russia and China. This is a dangerous and ill-advised move, and I would hope that Britain would take a stand against this development which is liable to renew a global arms race, and not co-operate with the US Government by allowing our land and resources to be used for such purposes.

I believe that Britain should cancel the Trident nuclear weapons system programme, with the first practical steps being:

- Declare a "no first use" of nuclear weapons policy as promised before the 1997 General Election;
- Remove Trident from NATO command;
- Immediate removal of Britain's four Trident submarines from 24 hour patrol;
- Immediate removal of the nuclear warheads from their delivery vehicles and their safe, secure storage ashore prior to dismantling;
- Help establish discussions which will address the technical, financial and political steps which will need to be taken in order to negotiate a Nuclear Weapons Convention.

There is an urgent need for Britain to take the lead in the international nuclear disarmament process. I ask that you do all that you can to speed our way towards a nuclear weapons free world.

Yours sincerely,



10.2.3 Information about Nuclear Accidents

By Dr Lloyd Dumas

A decade ago, when the Cold War ended, much of the world heaved a collective sigh of relief.

Fifty years of confrontation between two superpowers armed with arsenals of nuclear weapons had come to a close—peacefully. Finally, it seemed, the ticking nuclear time bomb had been defused. But things are not always what they seem.

Though the Cold War is over, it has left behind a deadly nuclear legacy that continues to threaten us. Late last summer, when the Kursk, the newest submarine in the Russian fleet, sank, the world's attention was focused on the fate of the 118 Russian sailors aboard. But the sinking was more than just another tragedy at sea. It sent two more nuclear reactors, and possibly nuclear warheads as well, to the nuclear graveyard at the bottom of the sea.

“There is an average of almost one serious [nuclear] accident every six months for nearly half a century. In addition to submarines, these accidents have involved fighter planes, bombers, missiles, military nuclear waste storage facilities and surface ships.”

There they joined the half-dozen reactors and almost fifty nuclear warheads already scattered on the floor of the world's oceans. It is not at all clear how much environmental damage this part of the Cold War legacy is currently doing or will do in the future. It is equally unclear just how stable all these reactors and warheads will prove to be as the years go by.

How did they get there? Two US and five Russian nuclear submarines preceded the Kursk to the ocean's floor. Just one of those ships, a Yankee-class Russian submarine that sank because of an explosion triggered when liquid missile fuel aboard caught fire, added one reactor and 34 nuclear warheads to the total. It was carrying 2 nuclear torpedoes and 16 missiles with two warheads each when it went down 600 miles Northeast of Bermuda in 1986.

In the mid-1990s, Russian scientists told American experts that the ship had broken apart, and that the

missiles and warheads it scattered around the ocean floor were badly damaged. The Russians also reportedly said they believed it is “certain that the warheads are badly corroded and leaking plutonium and uranium.”

In the 45 years before the Kursk was even built, there were at least 89 serious, publicly-reported nuclear military accidents (listed in the appendix of my book, *Lethal Arrogance*).

That is an average of almost one serious accident every six months for nearly half a century. In addition to submarines, these accidents have involved fighter planes, bombers, missiles, military nuclear waste storage facilities and surface ships. Fifty-nine occurred in US forces, 25 in the Russian/Soviet military, four in the French and one in the British armed forces. These include: an A-4E Skywarrior jet loaded with a B43 nuclear warhead that rolled off the American aircraft carrier *Ticonderoga* and sank in 3,000m of ocean 200 miles east of Okinawa in 1965; a Soviet military aircraft carrying at least one nuclear weapon that crashed into the Sea of Japan before 1970; and a 1984 accident, also in the Sea of Japan, in which a Soviet Golf-2 class nuclear submarine was disabled and set adrift when the missile fuel it was carrying caught fire.

In 1989, the American military finally disclosed that the B43 nuclear warhead that fell into the sea near Okinawa was still at the bottom of the sea, only 100 km from the nearest Japanese island. They also said they believed the enormous water pressure at that depth had almost certainly broken the H-bomb apart, contaminating the ocean floor with highly toxic plutonium.

Huge inventories of plutonium and enriched uranium are yet another part of the deadly Cold War legacy. Plutonium is particularly dangerous. In early 1996, the US Department of Energy (the agency running the American nuclear weapons program) issued a landmark report, “Plutonium: the First 50 Years,” in which it indicated that its stockpile of plutonium, combined with that of the Department of Defense, totalled 111,400 kg.

Only 4 to 5 kg of plutonium, a metal which is heavier than lead, is enough to build a typical nuclear weapon. Inhaling as little as 1 to 12 mg of plutonium dust will kill half of the humans exposed within a year or two; inhaling as little as one microgram can cause lethal cancer after a long latency period.

Every system for keeping track of inventories includes a category that amounts to a margin of error. The US plutonium accounts are no exception. Up to 1978, it was called “material unaccounted for” (MUF); after 1978, it was changed to “inventory difference” (ID). The meaning, however, remained the same: MUF/ID is the difference between what the record keeping system says is in the inventory and what a physical count shows is actually there.

The First Fifty Years reported that the MUF/ID for US plutonium accounts averaged about 2.5 percent. It claimed that improved practices lowered the MUF/ID to only about 0.8 percent in later decades. Yet even an MUF/ID of 0.8 percent applied to the enormous American plutonium inventory would leave some 890 kg in the “uncontrolled” fringe, enough to build 180 nuclear weapons—more than enough to destroy any nation on earth.

And we have not even considered the inventories of plutonium held by Russia, where there is reason to believe that records of nuclear materials are far less accurate. At least as recently as 1996, Russia still did not have accurate records of the quantity, distribution and status of nuclear materials at many of the 1500-2000 specific nuclear areas throughout the former Soviet Union.

Being in the “uncontrolled fringe” does not mean that the plutonium is lying around unprotected in some school yard or parking lot. It means that that much plutonium could have been taken from the stockpile without the record keeping system ever showing that it had disappeared.

The MUF/ID problem also exists for inventories of other nuclear materials, chemical explosives, conventional arms and for that matter, nuclear weapons. We know that police in Western Europe have recorded hundreds of arrests in schemes to sell nuclear materials on the black market that have apparently been stolen from facilities in the former Soviet Union.

General Alexander Lebed, former security advisor to Boris Yeltsin, claimed in 1997 that more than 100 “suitcase” nuclear bombs were missing from the Russian arsenal.

Less than perfect control of these inventories could encourage proliferation to other countries. Equally frightening is the possibility that terrorists or criminals might someday get their hands on either nuclear weapons themselves or the nuclear materials critical to building them.

The knowledge required to design workable nuclear weapons has been in the public domain for a long time. More than 25 years ago, two American undergraduate college students designed workable weapons independently of each other in a matter of months, using only publicly available information.

The key issue is access to the required nuclear materials. According to contemporary reports, the Aum Shinrikyo doomsday cult, which released sarin nerve gas in the Tokyo subways in 1995, was also suspected by Japanese police of having tried to acquire uranium to be used in building nuclear weapons.

About the same time, it was reported that 17 scientists at Los Alamos nuclear weapons laboratory in the US had been given the assignment of trying to build terrorist-type nuclear weapons using technology no more sophisticated than that found at typical consumer electronics stores and nuclear fuel of the type that might be acquired on the black

market. They successfully built more than a dozen “homemade” nuclear bombs. The legacy of the Cold War also includes a huge amount of nuclear waste, the by-product of nuclear weapons production.

In Russia, the Kola Peninsula has become a junkyard for a hundred Soviet era nuclear-powered submarines, rusting away with their nuclear reactors still on board. 50,000 nuclear fuel assemblies from those reactors sit in storage tanks, some of which are undoubtedly leaking, and in open air bins on military bases and shipyards. It may take decades to transport them for reprocessing or safer, more permanent storage.

More than 20 percent of the US population now lives within 50 miles of a military-related nuclear waste storage site. Millions of gallons of liquid nuclear waste are stored in tanks above or just below ground. There have been many problems. At one site, in Hanford, Washington, more than 900,000 gallons of radioactive waste leaked from 68 storage tanks and another 1.3 billion cubic meters of liquid radioactive waste and other contaminated fluids were deliberately pumped into the ground.

The government had claimed that there was no reason to worry, because none of the waste would reach groundwater for at least 10,000 years. Yet by November 1997, it was already there.

The fact is, no one yet knows how to safely dispose of or store all the nuclear waste we have generated, some of which must be isolated from the biosphere for more than 10 thousand years.

That is longer than all of recorded human history. Considering all that has changed—politically, socially and technologically — from a time thousands of years before the pyramids of Egypt to the space and computer age, it is difficult to imagine that we could even keep track of, let alone precisely control, so much dangerous material for so long.

Another part of the legacy, Cold War institutions, ways of operating and ways of thinking are still very much with us. Today, a decade after the Cold War, thousands of American nuclear weapons, and presumably Russian nuclear weapons as well, continue to be operated on quick response alert.

While it is true that many US and Russian missiles are now targeted at the open sea, it is also true that they can be retargeted within minutes. This is a very dangerous situation. It is not difficult to invent a scenario in which the failure to de-alert these weapons could lead the world into an accidental nuclear holocaust. But it is also not necessary.

On January 25 in 1995, Russian warning radars detected the launch of a rocket from the Norwegian Sea. About the size of US submarine-launched Trident missile, it seemed to be streaking toward Moscow: time to impact, only about fifteen minutes.

The radar crew transmitted the warning to a control centre south of Moscow, which relayed it up the chain of command to President Yeltsin. Alarms

sounded on military bases all over Russia to prepare to attack. Only a few minutes before the response deadline, senior military officers finally decided that the rocket was headed far out to sea. It was not a threat to the Russian homeland.

Where did this missile come from? It actually was an American rocket — a scientific probe designed to study the aurora borealis, launched from the Norwegian island of Andoya. Norway had notified the Russian embassy in advance of the launch, but somehow the message never reached Russian military commanders.

In January 1987, the Indian Army was preparing to carry out a major military exercise near the bordering Pakistani province of Sind. Because there was a great deal of secessionist sentiment in Sind, the Pakistanis mistakenly concluded that India was preparing to attack, and moved their military forces to the border. Seeing this, the Indian military sent reinforcements.

Soon these two nations, which had fought three wars with each other since 1947, had one million troops on the border, waiting for war to begin. Fortunately, intensive diplomatic efforts managed to clear the confusion, and the crisis ended.

India and Pakistan had come very close to having a major war by accident.

Today, they have made little progress resolving the tensions that brought them so close to accidental disaster. Today, both are armed with nuclear weapons.

We must find a way to free ourselves from the deadly legacy of the Cold War. We cannot simply assume that all of the nuclear weapons and nuclear reactors littering the world's oceans will remain stable indefinitely and do us no harm.

Careful studies must be done of the feasibility and desirability of alternative methods of retrieval, treatment or permanent entombment in place.

Since this is a global problem, the results of these studies should be made public and subjected to open international criticism and debate. And when a decision has been made as to the best approach, whichever nations can most effectively implement it should be mobilised in a concerted, cooperative and timely effort.

We must assure that worldwide inventories of plutonium and enriched uranium are reduced to a form not easily converted into nuclear weaponry, carefully stored, monitored and guarded. Far more attention must be paid to the development of improved technology for the treatment and safest possible storage of nuclear waste. At present, funding levels for this kind of research are paltry compared to the magnitude of the problem nuclear waste poses to our present and future wellbeing.

Without any further delay, all nuclear nations should de-alert their nuclear arsenals. It is hard to imagine by what logic that was not done years ago. But we must go much farther. It is time, not just to reduce arsenals of nuclear weapons.

It is time to build a movement strong enough to rid the earth of them. In the mid-1990s, George Lee Butler, the general in charge of all US strategic nuclear weapons from 1991-1994, and General Charles Horner, head of North American Aerospace Defense publicly declared their belief that nuclear weapons can and should be abolished.

In 1996, more than 50 other retired generals and admirals from the US, Russia, Britain, France and China signed a statement at the UN endorsing that idea. The Cold War ended long ago. It is time that we do everything possible to permanently bury its remains. To do anything less is to court disaster on a global scale.

Lloyd Dumas is author of Lethal Arrogance: Human Fallibility and Dangerous Technologies (New York: St Martin's Press, 1999). From 1994-1996, he was consultant on conversion to Los Alamos National Laboratories. Currently he is Professor of Political Economy at the University of Texas at Dallas.

Trident Submarine Runs Aground In Clyde

The Trident nuclear submarine, HMS Victorious, hit a sandbank in the Clyde Estuary at the end of November. Apparently the submarine was travelling on the surface in poor weather conditions at the time. It crashed into Skelmorlie Bank and hit sand and mud. The vessel then returned to Faslane and is now back at sea again. The MoD has just admitted that the accident took place and that there was minor damage to the casing of the hull.

This happened within two weeks of a similar incident. The hunter killer submarine HMS Triumph hit the seabed on 19 November 2000 off the West coast of Scotland.

"These Trident submarines are a risk to the people of Scotland. This incident could have resulted in a major nuclear accident. The submarine should never have been in water so shallow that it could hit the seabed."

References and Acknowledgements

10.2.1 Useful Facts, Figures and Diagrams

This section was written by Rachel Boyd and Davida Higgin.

10.2.2 A Sample Letter to Your Favorite Policy Maker

The letter was composed by Rachel Boyd.

Recommended Further Reading

From Nuclear Deterrence to Nuclear Abolition - General Lee Butler, Address to the National Press Club in Washington on December 4th 1996.

This text is available on our website, and comes highly recommended.

Trident Ploughshares Pledgers' List

River	England	Andrew Gray	England	Joy Mitchell	England
Mark Akkerman	Netherlands	Alison Greenhalgh-Watson	England	Koen Moens	Belgium
Justin Alexander	England	Hannah Griffin	England	Janet Moir	England
Stephen Allcroft	England	Sara Groser	England	Ellen Moxley	Scotland
Kathryn Amos	England	Dirk Grutzmacher	Australia	John Myhill	England
Emma Appleton	England	Gyosei Handa	Japan	Martin Newell	England
Marcus Armstrong	England	Anthony (Teapot) Hannigan	Scotland	Grace Nicol	Scotland
John Baker	Ireland	Helen Harris	England	Bill North	England
Morag Balfour	Scotland	Tracy Hart	England	Allen O'Keefe	England
Gaynor Barrett	England	David Heller	England	Yuko Ohara	Japan
Emilia Benjamin	England	Davida Higgin	England	Jean Oliver	Scotland
Johanna Berking	England	Dougald Hine	England	Igge Olsson	Sweden
Duncan Blinkhorn	England	Robert House	Scotland	Tara Ann Plumley	England
Hazel Bloor	England	Mike Hutchinson	England	Frances Judith Pritchard	England
Anna Boll	Netherlands	Fredrik Ivarsson	Sweden	Brian Quail	Scotland
Amanda Booth	England	Rosie James	England	Hazel Rennie	England
Rachel Boyd	England	Louise James	Ireland	Ian Richardson	Scotland
Sylvia Boyes	England	Hanna Jarvinen	Belgium	Natasha Jane Ritchie	Scotland
Betty Brown	England	Sid Jefferies	Wales	Ian Roberts	Scotland
Liz Brown	England	Petter Joelson	Sweden	Ulla Roder	Denmark
Roz Bullen	Scotland	Helen John	England	Koen Roggen	Belgium
Stuart Burbridge	England	Terry Johnson	England	Dave Rolstone	England
Janet Cameron	Scotland	Margaret Jones	England	Anne Scholz	Germany
Una Campbell	Scotland	Sian Jones	England	Amy Scott	England
Warren David Canham	Scotland	Tarna Kannisto	Finland	Norman Shanks	Scotland
Kay Carmichael	Scotland	Mary Kelly	Ireland	Douglas Shaw	Scotland
Viv Carnea	England	Martyn Kelly	Ireland	Katri Silvonon	Belgium
Martina Caruso	England	Paul Andrew Kelly	Scotland	Lou Smith	England
Maggie Charnley	England	Jutta Kill	Germany	Rick Springer	USA
Anna Coldham	Scotland	Ganesh Bruce Kings	England	Robert Peter Sprocket	England
Vanessa Cope	England	Carol (Kez) Kirby	England	Helen Steven	Scotland
Maxwell Craig	Scotland	Leeron Koren	Israel	Eleanor Stobo	Scotland
Alison Crane	England	Andrea Kuhnke	Germany	Barbara Mary Sunderland	England
Cat Crone	England	Hans Lammerant	Belgium	Robban Sundstrom	Sweden
Emily Crosby	England	Peter Lanyon	England	Jane Tallents	Scotland
Marilyn Croser	Scotland	Sarah Lasenby	England	Alan Thornton	England
Sarah Cunningham	England	Mark Leach	Scotland	Anna Tuominen	Finland
Pol D'Huyvetter	Belgium	Martin Lee	England	David Turner	Scotland
Susan Davis	England	Annette Lee-Forrester	England	Astrid Ubas	Netherlands
Bernard De Witte	Belgium	Kristel Letschert	Netherlands	Wendy Vale	England
Stuart Dennis	England	Richard Lewis	England	Susan Van Der Hyden	Netherlands
Paul Dolman	England	Anja Light	Australia	Iskander Van Spengen	Scotland
Mog-Ur Kreb Dragonrider	Scotland	Jens Light	Australia	Krista Van Velzen	Netherlands
Hugh Drummond	Scotland	Anne Livingstone	Scotland	Eric Wallace	Scotland
Rowland Dye	England	Angela Loveridge	Wales	Agnes Walton	Scotland
Klaus Engel	Sweden	Debbie Mace	England	Stokely Webster	Wales
Keeley Morris	England	Babs Macgregor	Scotland	Zoe Weir	Scotland
Roo Eris	England	Tigger Macgregor	England	Rachel Wenham	England
George Farebrother	England	Sheila Mackay	Scotland	Louise Wilder	England
Claire Fearnley	England	David Mackenzie	Scotland	Maire-Colette Wilkie	Scotland
Marguerite Finn	England	Jacinta Manning	England	Alan Wilkie	Scotland
Iona Fisher	Scotland	Yoshie Marute	Japan	Marjan Willemsen	Netherlands
Roger Franklin	England	Barbara Maver	Scotland	Erica Wilson	England
Clive Fudge	England	Eoin Mccarthy	Scotland	Ben Wincott	Scotland
Jenny Gaiawyn	England	James Mclachlan	Scotland	Raga Woods	England
Myra Garrett	England	Kath McNulty	Wales	Marlene Yeo	England
Kirsty Gathergood	England	Kate McNutt	England	Becqke Young	England
Martha Goddard	England	Joan Meredith	England	Angie Zelter	England
Colin Goldblatt	England	Joan Miller	Scotland		



9.8 Academics' Petition of Support for Trident Ploughshares



We the undersigned fully support all those who have signed the Pledge to Prevent Nuclear Crime and identified themselves as Trident Ploughshares activists. We believe that their peaceful and nonviolent attempts at disarming the Trident system are intended to stop ongoing criminal activities under well-recognised principles of international law.

We are aware that the U.K. signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. Thirty years have now passed and the U.K. still continues the nuclear arms race and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

We are also aware that on 8th July 1996, the President of the International Court of Justice (which is the highest legal body of the United Nations), Mohammed Bedjaoui, stated, 'The nuclear weapon, the ultimate evil, destabilises humanitarian law which is the law of the lesser evil. The existence of nuclear weapons is therefore a challenge to the very

existence of humanitarian law, not to mention their long-term effects of damage to the human environment, in respect to which the right to life must be exercised'. The Court confirmed that the Declaration of St.Petersberg, the Hague Conventions, the Nuremberg Principles, the Geneva Conventions, and the Genocide Convention all apply to nuclear weapons. It stated very clearly that the threat or use of nuclear weapons is generally contrary to international humanitarian law. The Court could find no lawful circumstance for the threat or use of nuclear weapons.

We understand that it is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any nuclear weapon system that is breaching humanitarian law. These Trident Ploughshares activists are acting as fully responsible global citizens and we support their intentions to disarm the UK nuclear system peacefully, safely, openly and accountably.

We applaud the attempts of the Trident Ploughshares activists to urge the U.K. Government, NATO, and others in positions of political and military power, to guarantee to completely disarm the British Trident system. The Trident Ploughshares activists do not wish to have to do the disarmament themselves, however they are willing and ready to do it themselves if necessary and we support them in their intention.

Name	Signature	Amount of Donation (made out to Trident Ploughshares)
Subject	University/College	Status (Lecturer/Professor etc)
Address:		Tick for more information
Post code:	Tel no:	



9.1 Pledge to Prevent Nuclear Crime



I am aware that the U.K. has signed the Non-Proliferation Treaty in 1968, Article VI of which stated that each of the parties 'undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and to a treaty on general and complete disarmament under strict and effective international control'. More than thirty years have now passed and the U.K. still continues to deploy nuclear weapons and NATO is still a nuclear alliance containing three of the major nuclear powers. The Trident system is an escalation in the U.K.'s nuclear capability having three times the range, being far more accurate and being able to hit eight times as many targets as the Polaris system it replaces.

I am also aware that on 8th July 1996, the President of the International Court of Justice (which is the highest legal body of the United Nations), Mohammed Bedjaoui, stated, 'The nuclear weapon, the ultimate evil, destabilises humanitarian law which is the law of the lesser evil. The existence of nuclear weapons is therefore a challenge to the very existence of humanitarian law, not to mention their long-term effects of damage to the human environment, in respect to which the right to life must be exercised'. The Court confirmed that the Declaration of St.Petersburg, the Hague Conventions, the Nuremberg Principles, the Geneva Conventions, and the Genocide Convention all apply to nuclear weapons. It stated very clearly that the threat or use of nuclear weapons is generally contrary to international humanitarian law. The Court could find no lawful circumstance for the threat or use of nuclear weapons.

I believe that the Trident nuclear weapon system is illegal, dangerous, unjust, polluting, a terrible waste of resources, and deeply immoral. I think Trident poses a threat rather than a defence.

It is the duty of every citizen to uphold the law relating to nuclear weapons and under the Nuremberg Principles carefully, safely and peacefully to disarm any weapon system that is breaching humanitarian law. I am also aware that most national legal systems, including the U.K.'s and other NATO countries' legal systems, allow serious damage to be done to objects if the damage is done in the belief that this would prevent serious crime from taking place. I believe that the damage Trident Ploughshares activists intend to cause to the U.K. Trident system will stop the ongoing crime of threatening to use nuclear weapons contrary to humanitarian law.

As a global citizen with international, national and individual responsibility, I will endeavour peacefully, safely, openly and accountably to help to disarm the U.K. nuclear weapon system. I will do this by actively joining with others in the Trident Ploughshares Project. This means that until the U.K. Government guarantees to completely disarm the British Trident system, then I pledge either, personally to enter Faslane, Coulport and any other Trident related facility, or to help and support other Trident Ploughshares activists to enter these places, in order that I or others can dismantle the system in such a way that it can not be used to threaten or harm living beings.

Our acts of disarmament are and will be intended to stop ongoing criminal activities under well recognised principles of international law.

I pledge that I will harm no living being by any of my acts and pledge to be calm and peaceful at all times.

Signed:

Dated:.....

Name and address printed clearly:

.....
.....
.....
.....
.....

Please return this signed pledge as soon as possible to:
Trident Ploughshares, 42-46 Bethel Street, Norwich, Norfolk, NR2 1NR



9.3 Nonviolence and Safety Workshop Booking Form

I have read the Trident Ploughshares Handbook and require nonviolence training with my affinity group in preparation for our involvement. (If you have no affinity group please say so, and we will try to fit you into one.)

NAME		
ADDRESS		
		POSTCODE
PHONE	FAX	EMAIL
AFFINITY GROUP NAME		
OTHER MEMBERS OF AFFINITY GROUP		
(if you are not yet part of an affinity group, please state)		
HOW LONG HAS YOUR AFFINITY GROUP BEEN ACTIVE?		
We would prefer our workshop to be in the		area
Preferred dates:	1. 2. 3.	
(workshops normally take place over two consecutive nights & days, beginning the evening of the first night)		

Signature	Date
(on behalf of affinity group)	

Please read the following notes carefully and copy them before sending the form:

- Workshops will normally be arranged for two or more affinity groups at a time.
- It is important that ALL affinity group members attend for the full 2-day workshop.
- Every effort will be made to meet your date and location requirements, although this cannot be guaranteed.
- Responsibility for room hire, refreshments etc lies with the participants.
- Help will also be required with arrangements for the two workshop facilitators, eg transport organisation and costs and overnight accommodation.
- The cost of the workshop, including room hire, will be borne by the participants. The two facilitators will not be charging for their time. For advice about funding, finding suitable venues etc, please contact the Core Group.

Please answer the following questions for ALL members of your affinity group. Your answers will help us in the planning of your nonviolence training workshop.

What issues have you been campaigning on?

(tick for each affinity group member)

- | | | | | | | | |
|----------------------------|--------------------------|-----------------------|--------------------------|----------------------|--------------------------|---------------|--------------------------|
| Nuclear weapons | <input type="checkbox"/> | Arms trade | <input type="checkbox"/> | Human rights | <input type="checkbox"/> | Animal rights | <input type="checkbox"/> |
| Nuclear energy | <input type="checkbox"/> | Education | <input type="checkbox"/> | Fair Trade | <input type="checkbox"/> | Civil rights | <input type="checkbox"/> |
| Homelessness | <input type="checkbox"/> | Transport | <input type="checkbox"/> | Trade union issues | <input type="checkbox"/> | Poll tax | <input type="checkbox"/> |
| Unemployment | <input type="checkbox"/> | Biodiversity | <input type="checkbox"/> | Prison reform | <input type="checkbox"/> | Healthcare | <input type="checkbox"/> |
| Genetic engineering | <input type="checkbox"/> | Alternative economics | <input type="checkbox"/> | Other (please state) | <input type="checkbox"/> | | |
| Transnational corporations | <input type="checkbox"/> | | | | | | |

How long has each person been involved in campaigning work:

(one tick for each affinity group member)

- | | | |
|--------------|-------------|-----------|
| Not till now | 0-2 years | 2-5 years |
| 5-10 years | 10-20 years | 20+ years |

What have your contributions been? (eg attendance at meetings, marches, letter-writing, newsletter, childminding, making the tea....). Answer for each group member.

How many of you have participated in direct actions before?

When & where?

How many of you have had experience of direct action with an affinity group?

How many of you have had experience of direct action with THIS affinity group?

How many of you have had experience of nonviolence training (in any capacity)?

Please return this completed form to:

Alison Crane, 36 Yelverton Ave, Weeping Cross, Stafford, ST17 0HE. ENGLAND. Tel: 01785 611768
email: alison.crane@ntlworld.com

- You will receive a quick acknowledgement of your request.
- Arrangements will be made to put the workshop facilitators in touch with you as soon as possible.