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Former US Attorney General Testifies for Plowshares Activists

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Tacoma, Washington – November 16, 2010 – At a motions hearing in the U.S. Federal District Court former US Attorney General Ramsey Clark testified on behalf of five plowshares activists who are going on trial Dec. 7.

Judge Benjamin Settle allowed testimony from Ramsey Clark, who responded to questions from Disarm Now Plowshares co-defendants. When asked by Anne Montgomery if the plowshares activists were justified to enter the restricted area of the U.S. Naval Base, Clark said that they “had a duty to prevent harm, they were justified, and even required to prevent harm.” Clark was speaking in the context of the Plowshares activists entering the base, in which nuclear weapons are stored, to expose the illegality of the government’s actions in preparing for nuclear war.



Ramsey Clark & Anne Montgomery

When asked by Susan Crane if Trident nuclear warheads are legal, Clark said “No,” and explained that the Supreme Court has ruled that international law is binding under the U.S. Constitution. Nuclear weapons are unlawful under the Nuclear Nonproliferation Treaty (NPT) because of the agreement of the nuclear powers to eliminate them. Clark was in the Justice Department when the NPT was drafted. **“Had we abided by the NPT, we would be a nuclear free world. It’s hard to believe we’ve come to this stage,” Clark said. The U.S. has ignored its obligations under the NPT, and now has enough warheads to destroy the planet.**

Clark quoted Hugo Grotius, who wrote in his book “Of The Law of War And Peace” in the 17th century that, **“The care to preserve society that is the source of all law.”** Essentially, the law is designed to preserve society, and this theme continued to grow over centuries through international treaties (such as the NPT).

“Possession of the bomb is a crime. Just like it’s illegal to have a switchblade or concealed weapon, the nuclear weapons are illegal,” Clark said. He explained that **99 percent of the deaths in the Hiroshima bombing were non-military**, and therefore extraordinarily disproportional. **Possessing thousands of nuclear weapons, each on many times more powerful than the Hiroshima bomb, and which do not discriminate between combatants and civilians, is definitely a crime.**

Clark concluded that **Plowshares activists are opposed to all violence, and particularly nuclear weapons, which are “the ultimate human degradation.”**

The former attorney general testified on behalf of Bill “Bix” Bichsel, SJ, Susan Crane, Lynne Greenwald, Steve Kelly, SJ, and Anne Montgomery, RSCJ, who all face **charges of Conspiracy, Trespass, Destruction of Property on a Naval Installation and Depredation of Government Property** for their November 2, 2009 Plowshares action. **They entered the U.S. Navy’s nuclear weapons storage depot at Bangor, Washington to symbolically disarm the nuclear weapons** stored there, and expose the illegality of the government’s continued preparations for nuclear war.

Among the documents being considered by the Judge in the Disarm Now Plowshares case is a motion for dismissal in which the co-defendants conclude that, “Because this case involves unjust and illegal weapons of mass destruction, the use of which is a war crime under US and international law, and defendants actions were taken to protect a greater good and much higher law than the laws they are accused of violating, this case should be dismissed immediately.” Clark spoke to the heart of this issue and elucidated **the duty of citizens to act when their government fails to follow the rule of law.** The five Disarm Now co-defendants firmly believe that there is sufficient legal doctrine substantiating their invocation of the necessity defense, and that the “Defendants’ actions are just and not at all illegal,” and therefore the case should be immediately dismissed.

A trial date has been set for December 7, 2010 in the U.S. District Court for the Western District of Washington, Tacoma Courthouse.

On the evening of December 6th Disarm Now Plowshares supporters will gather for a Festival of Hope at St. Leo Church in Tacoma to hear Angie Zelter speak. Zelter, a peace, human rights and environmental campaigner, has written several books, including “Trident on Trial – the case for **people’s disarmament.**”

On the evening of December 7th, Colonel Ann Wright will speak at St. Leo Church. Wright, who served in the U.S. Army and Foreign Service, resigned on the eve of the U.S. invasion of Iraq, stating that without the authorization of the UN Security Council, the invasion and occupation of a Muslim, Arab, oil-rich country would be a violation of international law. Most recently, she was on the May, 2010 Gaza Freedom Flotilla that was attacked by the Israeli military.

Ramsey Clark was U.S. Attorney General under President Lyndon B. Johnson from 1967 to 1969, and supervised drafting and passage of the **Voting Rights Act of 1965** and the **Civil Rights Act of 1968**. The former Attorney General has provided legal defense for Plowshares activist **Philip Berrigan, as well as other prisoners of conscience in the U.S., including Camilo Mejia, Leonard Peltier and Lori Berenson.**

Check the [“Events”](#) page for more information on trial-related events.