

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.

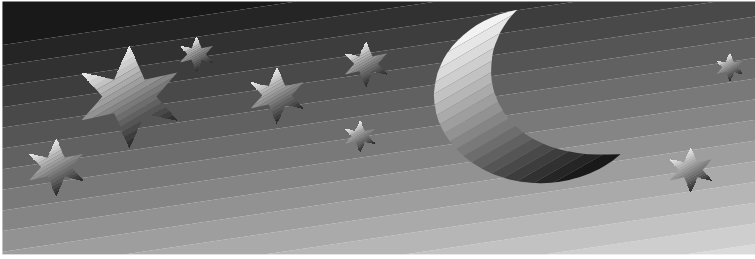
Any individual or affinity group that has suggestions and ideas for Trident Ploughshares as a whole, is encouraged to initiate a discussion and build consensus for the idea by contacting other

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
Sylvia Boyes	robinandsylvia@yahoo.co.uk
Maggie Charnley	mcharnley@freenet.co.uk
Alison Crane	alison.crane@ntlworld.com
Jenny Gaiawyn	mia_kat@yahoo.com
Kirsty Gathergood	-
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

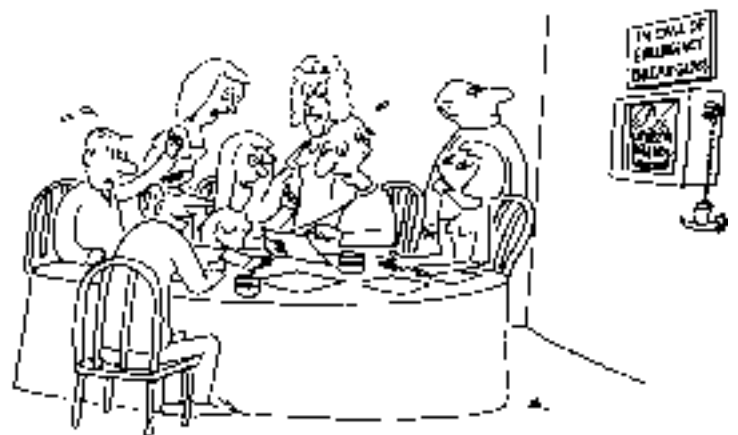
Each affinity group for Trident Ploughshares contains between three and fifteen Ploughshares activists, who have signed the Pledge to Prevent Nuclear Crime and the Nonviolence and Safety

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.

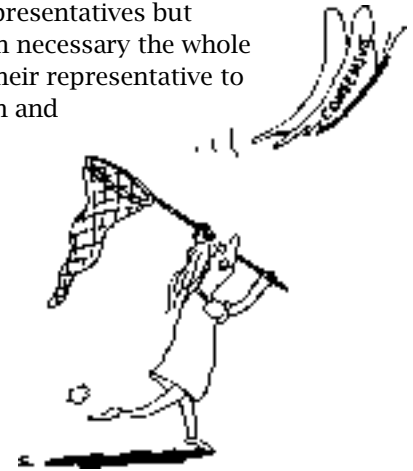
A decision made by consensus only goes ahead if everyone is willing to accept it as right for the group and its members. Any one person can block a decision and this sometimes leads to a much better decision being made in the end. People need to take care to use this 'power of veto' sparingly and responsibly 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?"

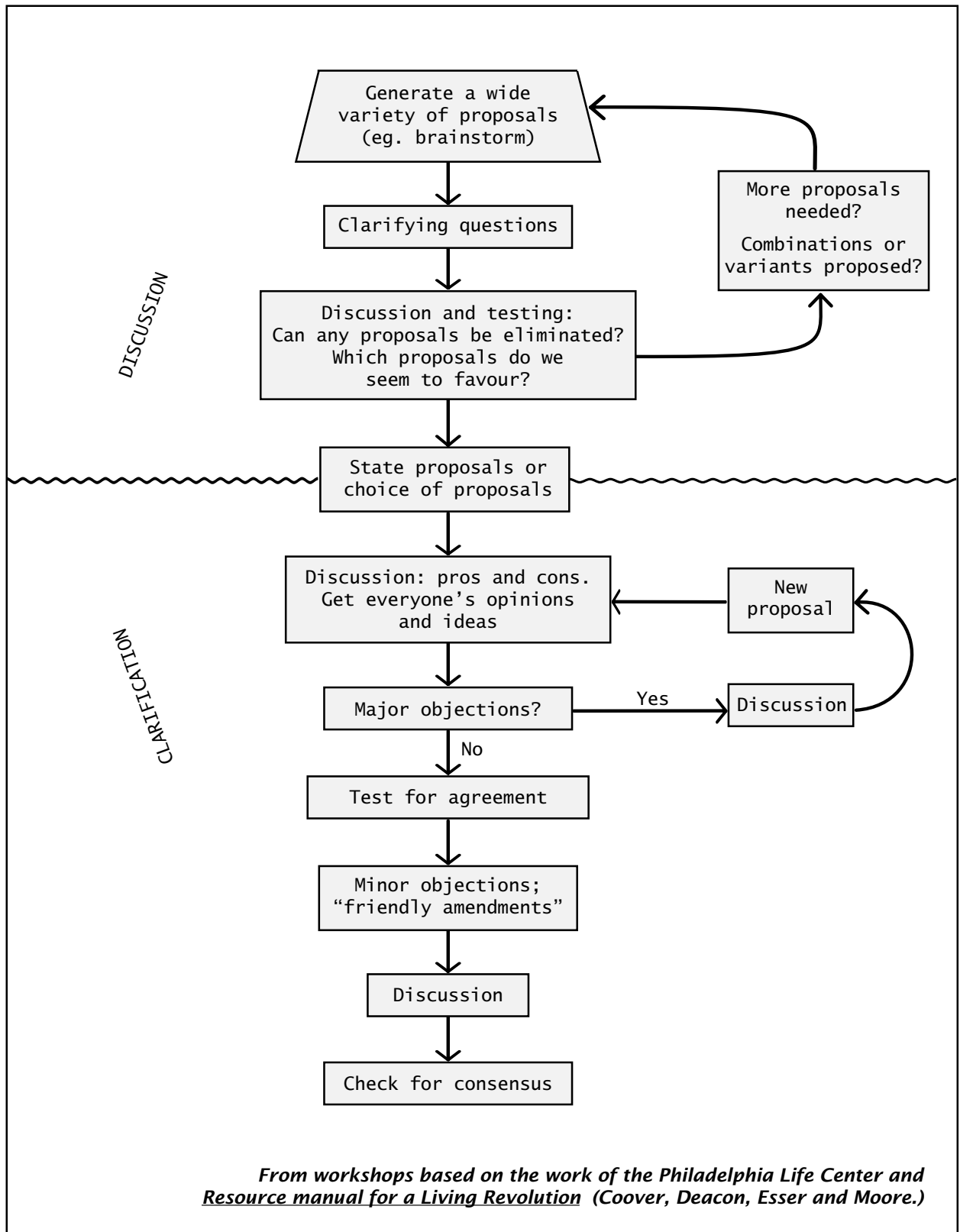
From Starhawk's Truth or Dare

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



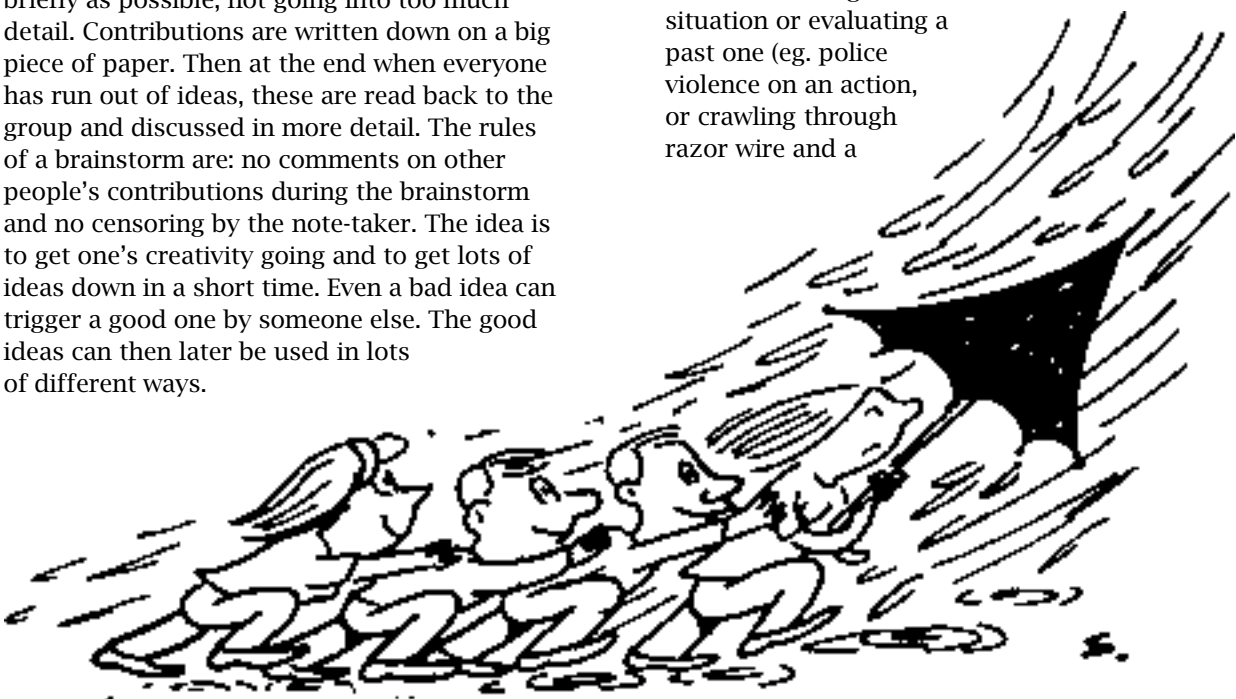
The kinds of decisions you will be making by consensus within your affinity group include what kind of disarmament action you will be doing and how, what roles you will each take, who will be your affinity group representative, what your affinity group name is, what your group commitment (Part 2.6.6)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

10

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.

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 Coulport and Faslane, FOSSNI.

Contents: Statement of our concern about ongoing criminal activities at Faslane and Coulport 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.



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 process. 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).

