

War Crimes Indictment for Good Friday

WAR CRIMES INDICTMENT

[WAR_CRIMES_INDICTMENT_Good_Friday_2017.pdf](#)

Indictment read by Matt Ryan, recorded by Judy Bello:

http://upstatedroneaction.org/wp/wp-content/uploads/Audio/Good_Friday_Indictment-Matt_Ryan.mp3

To President Donald Trump, to Secretary of Defense Secretary James Mattis, to the full Military Chain of the Command, including Command Chief Michael Will, to all Service Members and civilian staff of Hancock Air Base, and to the local police and Sheriffs Department of the Town of Dewitt, NY:

Each one of you, when you became a public servant, serving in a government position or when you joined the United States Armed Forces or police, you publicly promised to uphold the United States Constitution. We take this opportunity to call your attention to Article VI of the US Constitution, which states:

“This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the Contrary notwithstanding.

This clause is known as the Supremacy Clause because it provides that the Constitution and laws of the U.S., including treaties made under authority of the U.S. shall be supreme law of the land.

The Supremacy Clause provides part of the Supreme Law of the Land.

One Treaty duly ratified by the U.S. is the United Nations Charter. It was ratified by a vote of 89 to 2 in the U.S. Senate, and signed by the President in 1945. It remains in effect today. As such, it is part of supreme law of the land.

The Preamble of the U.N. Charter states that its purpose is to "save future generation from the scourge of war" and it further states, "all nations shall refrain from the use of force against another nation."

This Treaty applies both collectively and individually to all three branches of government, on all levels, U.S. federal, state and local governments, starting with the executive branch: the U.S. President and the executive staff; the judicial branch: all judges and staff members of the judiciary; the legislative branch: all members of the U.S. Armed Forces and all departments of Law Enforcement and all civilian staff, who have sworn to uphold the Constitution, which includes Article VI.

Under the U.N. Charter and long established international laws, anyone—civilian, military, government officials, or judge—who knowingly participates in or supports illegal use of force against another nation or its people is committing a war crime.

Today you must recognize that when you promised to uphold the Constitution, you promised to obey Treaties and International Law – as part of the Supreme Law of the Land and furthermore, under the Uniform Code of Military Justice of the U.S., you are required to disobey any clearly unlawful order from a superior.

Based on all the above,

WE, THE PEOPLE, CHARGE THE UNITED STATES PRESIDENT, DONALD

TRUMP AND THE FULL MILITARY CHAIN OF COMMAND

TO COMMAND CHIEF MICHAEL WILL, EVERY DRONE CREW, AND SERVICE MEMBERS AT HANCOCK AIR BASE, WITH CRIMES AGAINST PEACE & CRIMES AGAINST HUMANITY, WITH VIOLATIONS OF PART OF THE SUPREME LAW OF THE LAND, EXTRAJUDICIAL KILLINGS, VIOLATION OF DUE PROCESS, WARS OF AGGRESSION, VIOLATION OF NATIONAL SOVEREIGNTY, AND KILLING OF INNOCENT CIVILIANS.

We charge that the Air National Guard of the United States of America, headquartered at Hancock Field Air National Guard Base, home of the 174th Fighter Wing of the Air National Guard, under the command of the 174th Fighter Wing Commander, Command Chief Michael Will, is maintaining and deploying the MQ-9 Reaper robotic aircraft, called drones.

These drones are being used not only in combat situations for the purpose of assassinations but also for killings far removed from combat zones without military defense, to assassinate individuals and groups far removed from military action.

Extra judicial killings, such as those the U.S. carries out by drones are intentional, premeditated, and deliberate use of lethal force to commit murder in violation of U.S. and International Law.

It is a matter of public record that the US has used drones in Afghanistan and in Iraq for targeted killings to target specific individuals which has nearly always resulted in the deaths of many others.

There is no legal basis for defining the scope of area where drones can or cannot be used; no legal criteria for deciding which people can be targeted for killing, no procedural safeguards to ensure the legality of the decision to kill and the accuracy of the assassinations.

In support of this indictment, we cite the United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions, who has said that the use of drones creates “a highly problematic blurring and the law applicable to the use of inter-state force... The result has been the displacement of clear legal standards with a vaguely defined license to kill, and the creation of a major accountability vacuum... In terms of the legal framework, many of these practices violate straightforward applicable legal rules.”

See [United Nations General Assembly Human Rights Council Study on Targeted Killings](#), 28, May 2010.

The drone attacks either originating at Hancock or supported here are a deliberate illegal use of force against another nation, and as such are a felonious violation of Article VI of the US Constitution. By giving material support to the drone program, you as individuals are violating the Constitution, dishonoring your oath, and committing war crimes. We demand that you stop participating in any part of the operations of MQ-9 drones immediately, being accountable to the people of United States and Afghanistan.

As citizens of this nation, which maintains over 700 military bases around the globe, and the largest, most deadly military arsenal in the world we believe these words of Martin Luther King still hold true, “the greatest purveyor of violence in the world today is my own government”.

There is hope for a better world when WE, THE PEOPLE, hold our government accountable to the laws and treaties that govern the use of lethal force and war. To the extent that we ignore our laws and constitution and allow for the unchecked use of lethal force by our government, allowing the government to kill who ever it wants, where ever it wants, how ever it wants with no accountability, we make the world less safe for children everywhere.

We appeal to all United States citizens, military and

civilian, and to all public officials, to do as required by the Nuremburg Principles I-VII, and by Conscience, to refuse to participate in these crimes, to denounce them, and to resist them nonviolently.

Signed by: THE UPSTATE COALITION TO GROUND THE DRONES AND END THE WARS

Good Friday Statement at Hancock Base

FOR IMMEDIATE RELEASE

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upstatedroneaction.org, www.knowdrones.com/

GOOD FRIDAY HANCOCK DRONE ACTION STATEMENT

April 14, 2017 ~ Good Friday commemorates the crucifixion of Jesus Christ. Recognizing that 70% of our nation identify as Christian, we come to the gates of the Hancock drone base to make real the crucifixion today. As Jesus and others were crucified by the Roman Empire, drones are used by the U. S. Empire in a similar fashion. In Roman times, crosses loomed over a community to warn people that they could be killed whenever the Empire decided. So too, our drones fly over many countries threatening extrajudicial killings of whoever happens to be in the vicinity.

On this Good Friday, we recall Jesus' call to love and nonviolence. We're asking this air force base and this nation

to turn away from a policy which amounts to a modern-day crucifixion. Let's embrace Jesus call to build the Kingdom of God on Earth instead of killing suspected enemies and innocents, including children. In the process, we are crucifying Children, Families, Love, Peace, Community, Diplomacy, the Rule of Law, the US Constitution, the UN Charter, US Treaties and Due Process.

What if our country were constantly being spied upon by drones, with some of us killed by drones? What if many bystanders, including children, were killed in the process? If that were happening, we would hope that some people in that attacking country would speak up and try to stop the killing. We're speaking up to try and stop the illegal and immoral drone attacks on countries against which Congress has not declared war.

Those arrested today: Ex-CIA analyst of 32 yrs. Ray McGovern, Jessica Stewart, Ed Kinane, Tom Joyce, James Ricks, Joan Pleune, Mark Colville, John Amidon, Brian Hynes.

###

MLK: Beyond Vietnam

Some friends of ours held an event last week to commemorate the anniversary of Martin Luther King's powerful speech at the Riverside Church in New York on April 4, 1967, exactly one year before his assassination. In that speech Dr. King makes a powerful connection between racism and war. Kings' clear vision lit a new path for us but we were not ready to follow. Now it is more relevant than ever.

In this video, you can listen to Upstate Drone Action members Jim Clune and his wife Ann, Jack Gilroy and others in Binghamton recite the portion of the speech where Dr King explains why we should oppose the Vietnam war.

Remembering Dr. Martin Luther King Jr.'s April 1967 Riverside Church Speech

And if you would rather listen to the original, you can watch below:

Dr. Martin Luther King Jr. – Beyond Vietnam: A Time to Break Silence

War and Peace

Donald Trump moved ahead last night to bomb Syrian government facilities in retribution for an unproven claim, an event not yet investigated, with no grounded information, no warning and no discussion. He has taken his place on the tip of the spear of the war machine. But make no mistake, Mr. Trump pulled the trigger but he didn't aim the gun.

Hillary Clinton ran on a bigger version of this same scenario. The war machine has been geared up on invading Syria for years. It is so frustrating to watch the proxies muck around. And please be aware that, whatever you may read, the Russians and Chinese are taking this action very seriously. However, unlike our own government, they don't

act without intelligence, consideration and a plan.

If you think this is about a chemical gas attack, then please read Ray McGovern's prescient article, [The Sarin 'False Flag' Lesson](#), from last December. Apparently, we didn't get it.

So what can we do? Last week Doug Noble, Ted Wilcox and I met with Louise Slaughter and Kirsten Gillibrand's aides. We talked about the danger of making war on Syria and the many questions that arise from the massive propaganda campaign to support US military action there. We asked the Congress Woman and the Senator to support the Barbara Lee bill to restrain US placement of troops in Syria and the Tulsi Gabbard bill to stop US funding and arming of organizations that are affiliated with Al Qaeda in Syria.

We received the response at the end of this email from CW Slaughter's local aide, Sr. Beth, who quotes Jack, an aide in Washington DC who apparently didn't think our message was worth sharing with the Congress woman. Their response was a disrespectful brush off on all counts. The local people apparently didn't share the materials we provided and the DC aide responded without consulting our representative. The local people are good people. I've known them for years. But at this time, they have dropped the ball, and when we reminded them, they responded with tea and sympathy – not comprehension and action.

If you are as offended as I am after reading the response at the end of this post, please give Jack a call at (202) 225-3615 or call Jeff or Sr. Beth at (585) 232-4850 and let them know that you oppose US imperialist wars. Let them know that you do not support attacks on the Syrian State or any attacks on Syrian soil. Tell them if you don't support the holocausts in Yemen and Mosul Iraq in which the United States is a participant and a primary enabler.

At the same time, they wanted to know why we don't have a

movement behind us. And I wonder about that as well.

Of course we need to save the planet, so the environmental movement draws a lot of interest. We are clearly seeing the effects of environmental destruction around us. And, we are concerned about the plight of immigrants and undocumented workers in this country. America is a country of immigrants and the treatment of our most recent arrivals should concern all of us. But can we look beyond the ends of our noses?

For those who wish to focus on the environment, I would like to point out that:

- the fossil fuel industry is the immediate excuse for much of the US imperialist war mongering.
- The US military consumes more oil and gas than any other single entity
- The US military dumps untold quantities of toxins in their chosen war zones from Agent Orange to White Phosphorus to Depleted Uranium
- The US military burn toxic waste in the open when they are operating in war zones and leave behind stashes of toxic weapons and ammunition buried in the ground or pawned off on local allies
- A nuclear war would free the planet of it's human burden, and unfortunately, most of the other flora and fauna that currently inhabit it's biosphere.

If it is refugees and immigrants that are your concern:

- Like other poor people and people of color, refugees and immigrants have a difficult life in this country
- Still, they come because
 - Someone is paying terrorists to kill and maim ordinary civilians in their home countries.
 - Someone is bombing their home countries without permission and without the requisite intelligence to avoid civilian casualties

- Someone is supporting and has been supporting wars of aggression either
 - openly targeting internal political forces attempting to free the country of imperialist governance -as in Yemen;
 - disguised as as revolutions by (heavily armed) internal social movements (that are prepared to kill and maim their neighbors) - as in Syria and Ukraine;
 - using militarized chaos and misdirection on behalf of elite constituencies -as in Afghanistan, Pakistan, Turkey, Honduras, Venezuela – the list goes on and on.
- Someone is:
 - Making life a living hell in their home countries;
 - Making it impossible to survive in their cherished homes;
 - Destroying their cultural roots and ethnic histories

Who might that 'Someone' be? It is the US, the exceptional imperialist. And the US is us.

Meanwhile, they come here where they can be mistreated and impoverished in many cases, patronized in some contexts, but they can't just be 'normal' until they have given up the last vestiges of their cultural and ethnic identities, until only skin color and gender identity remain. It isn't that these don't matter, but rather that diversity is so much more complex and rich in fiber than basic physical identifiers which, as we know, turn out to be not so physical in any case.

So, after a generation or so, some may prosper; they may forget and join the cardboard American consensus, while others continue struggling against racism and poverty in ghettos across the country.

So I ask you,

- Wouldn't it be nice if the the world were safe for it's inhabitants to live and prosper in their own homes?
- Wouldn't it be nice for people to be free to live in peace in their homelands and to visit others and experience the richness of diversity in some kind of context?
- Wouldn't it be nice if a civilized global political community were able to address the welfare of our planet and serve the welfare of people every where?
- Wouldn't it be nice if a predatory exceptionalist imperialist government bursting with armaments and indignant self-righteous outrage did not control the actions of all other entities with its big bad attitude problem?

Is there a "new sheriff in town" as Nikki Haley told the United Nations Security Council or is there just a new bandit at the helm of the greatest war machine ever built, a hungry machine that feeds on history, civilization, natural resources, human lives and everything those of us who love life hold dear?

And what responsibility do we bear in this context?

Letter from Louise Slaughter's Aides

Q: When might there be the emergence of bills like Barbara Lee's or others on war/peace on the congressional agenda? For example with budget and proposed amounts for military and wall versus domestic programs? We assume this will be a "hot" time? What do you think?

Jack: *Barbara Lee has been a leader on this issue for a long time and the Congresswoman has supported her efforts – I believe Rep. Lee even has a bill that would establish an Institute of Peace [apparently he doesn't know that there already is an 'Institute of Peace' in Washington DC populated*

by neocons]. In terms of the timeline, it's hard to say when you're in the minority. To move bills while in the minority, bipartisan support is key. With Republicans controlling the agenda and what comes up on the floor for consideration it's very hard for Democrats to have a say in what is considered. Also, with President Trumps "skinny budget" released and proposed increased in defense spending, we may not see an increase in domestic programs vs. defense programs in the near future. The Congresswoman stands ready to work to craft legislation that maintains important domestic programs, while preserving funding for our national defense in a reasonable, appropriate way.

Q: Who are the key people in Congress who might work on peace legislation? What chance is there for them to emerge in a leadership/spokesperson role? They spoke of Representative Barbara Lee's legislation as a plus. HR 1473. For example is she a leader on this issue, is this a good piece of legislation that might move ahead?

Jack: *I think LMS would be supportive of HR 1473 though I haven't asked her to cosign the bill [apparently you don't see it as important]. One thing Rep. Lee and some others have tried to push for is a new authorization for the use of military force (AUMF) in our fight against ISIS in the middle east. This would help clarify what kind of actions US forces could take in that conflict, including a clear answer on whether or not troops could be deployed there. However at this point I don't see HR 1473 moving anywhere fast. [since you don't feel it's worth cosigning why would it?]*

Q: What advice would you give peace groups like theirs and many others? What bills to watch, leadership to watch, what do advocate for and when?

Jack: *If they keep the pressure up I would recommend they keep looking for members and proposals that encourage a comprehensive dialogue on how the US can play a role in the*

peace process. [What 'peace process'?] Looking even at the Israeli-Palestine efforts, as well as the importance of robust international aid funding for the US worldwide so we can continue to be a leader and set an example to other countries and governments. Humanitarian and refugee issues I think are

Q: What else should they be aware of or other advice for them and their counterparts?

Jack: *Not sure I have much else for them minus what I included above. I'm always glad to chat over the phone [(202) 225-3615] as well if that would be helpful to them to talk more specifically about questions/ideas they have.*

Drone Activist Responds to the NY Times OpEd on Drones

On MARCH 16, 2017 the New York Times published an Editorial "[Preventing a Free-For-All With Drone Strikes](#)" where they express belated concerns about the US Drone program of Targeted Killing around the globe. Our organization has been educating people about the drones since 2010. We have engaged in a Gandhian Wave of civil resistance at Hancock Air National Guard Base, a domestic Reaper Drone hub, wherein many have been arrested many times, including Ed Kinane. Here is Ed's response to the NY Times.

"Preventing a Free-for-All With Drone Strikes"

Oh, so now that others are acquiring weaponized drone technology, it's become time for a re-think?

“For nearly a decade, drone strikes have been central to America’s counterterrorism policy. Operated from remote locations,”

Or, more precisely, from U.S. military bases: both here and abroad.

“the small aircraft can hover over targets for long periods of time and kill extremists”

Allegedly kill alleged “extremists.” Very slippery word. Who is “extreme” and who gets to define who they are. Funny thing, as far back as Republican Presidential hopeful Barry Goldwater, Republicans used to speak pretty highly of “extremism.”

with precision without risking American casualties.

So, it’s only U.S. casualties that matter? In fact, U.S. drones, violating due process, have assassinated and otherwise killed at least a handful of U.S. citizens. And, let’s not forget that some U.S. drone operators, seeing the dirty work they’re caught up in, suffer from PTSD. Seeing the aftermath of their drone strikes (demolished homes, incinerated bodies) can get old...and even deeply disturbing.

“President Barack Obama found drones so effective and useful that over two terms, he approved 542 strikes that killed 3,797 people”

3,797 “high value” targets? Using these Pseudos-tats in this way perpetuates the legend that weaponized drones are “precise” and that we somehow know how many and who are killed in drone strikes.

“in non-battlefield areas where American forces were not directly engaged,

including Pakistan, Yemen and”

The NY Times is perpetuating the notion tht U.S. forces – JSOC for example – weren’t operating on the ground in these target areas.

“But this seductive tool of modern warfare has a dark side. Seemingly bloodless”

Oh really?

“and distant, drone strikes can tempt presidents and military commanders to inflict grave damage without sufficient forethought, violating sovereign rights”

. . . .not to mention violating the U.N. Charter, other International Law and Article 6 of the U.S. Constitution – which makes International Law the “Highest Law of our land”.

“and killing innocent civilians.”

. . . not to mention armed others who can be said to be resisting attacks on their land. Whether or not this is a fair characterization of their motives, it’s clear that they aren’t invading the U.S., and that they aren’t being killed in “self-defense”.

“Civilian deaths during Mr. Obama’s tenure undermined American counterterrorism operations”

Such operations are themselves – like aerial warfare generally – terrorism. The so-called “War on Terrorism” is a War of Terrorism.

“and became a recruiting tool for more extremists. Mr. Obama was persuaded to impose sensible constraints on the use of

drone strikes between 2013 and 2016.”

It's not clear that Mr. Obama had the power to “impose” on the war machine. It's certainly not clear that during his administration drones were deployed with “sensible constraint”. At what point beyond “3797” do the killings begin to lack “constraint”? At what point beyond “3797” are killings no longer “sensible”? Does the NY Times realize the key role U.S. drones play in swelling the flood of refugees fleeing the killing fields?

“The White House would decide which individuals outside of the traditional”

To use “traditional” so blithely is to normalize illegality.

“war zones of Iraq and Afghanistan could be targeted, and there had to be

“near certainty” that no civilians would be killed.”

But apart from administration assertions, there's no evidence of such “near certainty”.

In traditional war zones, military commanders make these decisions without interagency review, and the threshold for acceptable civilian casualties is less strict.

Now comes disturbing news: President Trump and his administration are moving to dilute or circumvent the Obama rules. This could have disastrous outcomes,

“Could have”???

not least because Mr. Trump seems even more enticed by drone warfare than Mr. Obama was. In the days since his

inauguration, the tempo of airstrikes has increased significantly.

Yes.

“Mr. Trump has already granted a Pentagon request to declare parts of three provinces in Yemen, where Saudi Arabia is fighting Iranian-backed Houthi rebels, to be an “area of active hostilities.” This, The Times has reported, would enable more permissive battlefield rules to apply. The president is also expected to soon approve a Pentagon proposal to do the same for parts of Somalia, where militants of the Shabab who are linked to Al Qaeda threaten regional stability.”

Could it be that the U.S. imperial presence in the region is what threatens “regional stability”?

“Both designations are supposed to be temporary, giving the administration time to decide whether to rescind or relax the Obama rules more broadly.

Military commanders often chafe at civilian oversight. But there is no evidence that the Obama rules have slowed counterterrorism efforts, and there are good reasons to keep them in place, including the fact that the legal basis for such strikes lacks credibility because Congress never updated the 2001 authorization for war in Afghanistan to take

account of America's expanded military action against terrorists in Syria, Yemen and Libya."

So, if only the Congress attends to the bureaucratic detail of "updating" the rules, all will be Okay?

"Mr. Trump should heed the advice of national security experts who have urged the retention of strict standards"

As if under Mr. Obama, "strict standards" have been retained?! Have the NY times editors not read Jeremy Scahill's "Dirty Wars"?

"for using force in non-battlefield areas and warned how even a small number of civilian deaths or injuries can "cause significant strategic setbacks" to American interests."

"The mind-deadening phrase "American Interests,""

The mind-deadening phrase "American Interests," like "Terrorism," is seldom defined by pundits or main stream media. They seldom acknowledge, if ever, that "American Interests" = The Interests of U.S. corporations (i.e. not those of enlisted people or U.S. taxpayers).

He has already seen how a badly executed mission can have disastrous results: the raid in Yemen in January that resulted in the deaths of a member of the Navy's SEAL Team 6 and numerous civilians, including children.

And what were U.S. Seals doing there in the first place?! The U.S, is somehow entitled to send its warriors anywhere it wants?

"And as most experts agree, killing terrorists does not by

*itself solve
the threat from extremists.”*

There’s that slippery, normalizing NY Times language again.

*“For that, Mr. Trump will need a comprehensive policy that
also deals
with improved governance”*

*Is the NY Times suggesting that Mr. Trump and those that put
him in power should get to impose their notion of “improved
governance”?!*

*“in the countries where terrorists thrive and with ways to
counter their violent messages on social media.”*

Right.

###

Weaponized Drones And The Endless “War on Terror”

Ed Kinane at Left Forum

Session 7, 3:40 to 5:40 p.m., Sunday, May 22, 2016

Room 1,127

John Jay College of Criminal Justice, NYC

*Panel with Ed K., Nick Mottern, Debra Sweet, Shelby Sullivan-
Bennis*

Moderator: Amanda Bass

Like the phony “war on drugs,” the phony “war on terrorism”

promotes economic interests, serves political agendas, entrenches militarism. Neither war reduces drug use or violence. Nor are they designed to.

Terrorism – past and present – pervades the U.S. psyche and economy. Terrorism, so-called, and the fear thereof, blunts our minds, shrinks our hearts. This contrived national obsession gives the Pentagon and NSA/Homeland Security their ever-expanding powers. It tightens their grip. It swells their coffers.

Their bloated budgets, like the Congress that funds them, march to corporate drummers. Since World War II, terrorism/militarism has been exceedingly profitable for the so-called “defense” industry (think, for example, Lockheed Martin). U.S. corporations thrive on the export of weapons and weapon systems. Peace kills the war economy. Why seek peace?

The high-tech war industry – the U.S. economy’s warped backbone – enriches the rich, deprives the poor. Military spending sucks the life out of civil society. That military spree, barely monitored, finances death-dealing projects; these profit-intensive projects preempt job-intensive, life-serving ones.

Pentagon budgets assure grossly underfunded housing, schooling, health and infrastructure development. Along with the nuke industry – now in its eighth decade – the perpetuated terrorism/militarism nexus drives economic disparity, propping up this nation’s class structure.

Patriots and propagandists endlessly invoke, but seldom define, “terrorism.” Now, I’ll do the unusual – I’ll define “terrorism.” Terrorism is the use, or threat, of violence against civilians for military, political or economic ends. This definition cuts to the chase, cuts through the layers of jingoism and obfuscation perpetrated by the patriots and propagandists.

The definition has four corollaries:

~ First. Contrary to U.S. mainstream media usage, terrorists aren't inevitably people of color. Nor are they primarily swarthy or sallow. Here in the U.S. the term "terrorism" somehow only applies to what they – non-whites – do, not to what whites or the U.S. does.

~ Second. In the 20th and 21st centuries, it's fascism and capitalism that have colonized the skies. Hence most terrorism has been aerial: V-2 rockets, Cruise missiles, Hellfire missiles, napalm, white phosphorus, cluster bombs, depleted uranium, weaponized drones....

~ Third. Most terrorism is wholesale, not retail; most is state terrorism. Most terrorism is perpetrated by uniformed military. In these centuries most war casualties – in their tens of millions are civilian.

~ Last. Since at least August 6, 1945 the Pentagon has been the world's most relentless single purveyor of terrorism.

Bottom line: the so-called "war on terror" is a racist war, a war for hegemony, a war for profit. It's a war its perpetrators and its perpetuators have no desire to see end.

Terror is nothing new; it's built into this nation's DNA. Consider the continent-wide armed robbery of indigenous lands. Thanks to their higher tech weaponry, European invaders ethnically cleansed Native Americans – mostly non-combatants. Like our counterparts in Israel and other colonial settler states, U.S. Americans militarily occupy stolen land.

Yes, we are occupiers – and by a curious inversion or dialectic, now it is U.S. Americans who are finding ourselves occupied. The occupation is so incremental, so normalized, it's barely visible to us.

If the U.S.-as-occupied-nation notion seems outlandish,

consider the following:

- why was the interstate highway system built to military specification by a general,
- or why does the NSA so comprehensively monitor our phones and email,
- or why is every effort is made to keep the U.S. people distracted and dumbed down,
- or why does the judiciary neglect the First Amendment and why, despite Article Six of the Constitution, does the judiciary ignore International Law (*much as Southern judges ignored lynching*),
- or why are the police so heavily armed and drilled in military shoot-to-kill tactics,
- or why does the U.S. have such a vast prison system,
- or why do military bases, in all their redundancy, proliferate throughout the land,
- or – and this brings us directly back to today’s panel – why are surveillance and weaponized drones, so deadly overseas, increasingly flying over the U.S.?

Further, regarding our national DNA, consider the centuries-long wholesale abduction and displacement of Africans – robbing them of their labor, liberty, languages, dignity and their offspring. Ask: how did such a regime last so long? Without a whip at her back, a noose around his neck, no human endures such rape and servitude. See the film “12 Years a Slave.”

That terror regime in full force lives on today with mass incarceration and what author Michelle Alexander calls “The New Jim Crow.” Police assassinating young black men channel Ku Klux Klan castration. Both are seldom prosecuted. (Note the enduring intersection of impunity and racism.)

We’ve been conditioned to believe terrorism is violence perpetrated by the “other”– the non-white other. Blind to the origins of white supremacy and privilege, we are the legatees

of our previous – and ongoing – terrorisms. Only when terrorism is defined do we see Manifest Destiny and slavery for what they were. Only when terrorism is defined do we see that today's "War on Terrorism" for what it is: a war of, for and by terrorism.

Today's so-called "War on Terrorism" – quotation marks are a must – features aerial bombing of tribal people and people of color who can barely shoot back: the Anglosphere globalizing its centuries-long terror track.

Since August 6, 1945 the world has been chilled by U.S. nuclear blackmail. Since the grotesquely one-sided air war on Viet Nam and since the 2003 "shock and awe" terror attacks on Baghdad, the world knows it resists the Imperium at its peril. The world knows the U.S. mostly and more readily targets people of color – whether Japanese, Southeast Asian, West Asian, or...American. The dark-skinned world waits, defiantly, wondering who will be next.

Aerial terror can't neutralize, but it does provoke, non-state resistance – a resistance sporadically erupting as terrorism. How convenient for the propagandists! The hunter/killer MQ9 Reaper drone and its cowardly ilk seem for now to be just the thing for taking out so-called "bad guys." However, for each "bad guy" assassinated, many civilians are killed or maimed. More are recruited to resist. Not smart. While drones can be tactically clever, recruiting your enemy is strategically stupid...unless, of course, you profit from keeping the pot boiling.

Up our way in Central New York the local mainstream media normalizes the hunter/killer Reaper drone remotely piloted from Hancock Air Force Base on the outskirts of Syracuse. The Reaper, a former Hancock commandant boasts, operates over Afghanistan 24/7. These robots are deployed to kill with impunity. The media downplay, if not ignore, drone war illegality, its evasion of due process, its violating others'

sovereignty, and the government lies surrounding its terror. The media sanitize Reaper transgression against human bodies and human rights. The media ignore Reaper indecency, Reaper cowardice.

The Syracuse Post-Standard ignores the back story behind any blowback – always called “terrorism” – of those avenging and resisting U.S. aggression. Further, perhaps sensing instinctively what a boon to business drones and arms races are, the Post ignores the deadly prospect of weaponized drone proliferation.

U.S. media has little to say about drone “collateral damage” incinerating and dismembering women and children and other noncombatants, whether within or beyond so-called “legal” war zones. But our local media surely typify U.S. mainstream media. So, let me ask: how many in this room heard much about the killing of 150 unknown human beings by U.S. drones and manned aircraft on a single day, March 7, 2016, in Somalia – Somalia, a desperately poor tribal nation the U.S. isn’t even at war with? This massacre, noted in the New York Times, didn’t rate a blip in the Post-Standard.

The December 17 Post-Standard reported that the Reaper now is actually flying – not just being remotely controlled – out of Hancock Air Force Base and from Syracuse’s civilian international airport. The page 1 story, festooned with color photos, is headlined “REAPER DRONE MAKES HISTORY IN SYRACUSE.”

With no pretense to journalistic balance, such stories fail to note that since 2010 our grassroots group, Upstate Drone Action, has been continually protesting the Hancock Reaper and its operating unit, the 174th Attack Wing of the New York State National Guard. The increasingly militarized local police, at Hancock’s bidding, arrest us as we block Hancock’s main gate and exercise our First Amendment right to petition the government for redress of grievance. Maximum fines and multiple incarcerations ensue.

But the Post-Standard doesn't acknowledge such erosion of civil liberty. Nor does it investigate or even mention our allegations of Hancock war crime. Further, the Post has been eerily silent about the role that domestic drones are beginning to play in policing and intimidating dissidents and minorities.

Like the 1950s' "Atoms for Peace" hype masking the dark side of the then-emerging nuclear industry, mainstream media downplay the drone dark side. The Post, it seems, doesn't want to jinx upstate New York's becoming the Silicon Valley of an emerging domestic drone money machine. Over the next several years Governor Cuomo will be subsidizing that industry with tens of millions of taxpayer dollars.

What does domestic drone development and deployment have to do with terrorism? Plenty. Like the government-subsidized nuclear industry, the domestic drone industry (again think Lockheed Martin) will maintain the facilities, research, engineering expertise, skilled labor, and operators – i.e. the industrial base – that the Pentagon draws on for its terror wars.

As long as perpetual war keeps yielding corporate profit, state terrorism will keep "making history." If we let it. ###

[[drone terrorism remarks for 2016 left forum]]

Multifaith Conference

Anti-Drone

I attended the Multifaith Anti-Drone Warfare Conference at Stony Point Retreat Center in the lower Hudson Valley. It was a busy event with good food, good company and interesting

discussions. The videos were made by Wilton Vought and can be found on [Other Voices Other Choices](#), along with a lot of other interesting materials including audio podcasts.

The panel Friday evening featured ex CIA officer, Ray McGovern, ex Airforce Intelligence Officer Christopher Aaron who served in Afghanistan, and Kambali Musavuli of the Friends of the Congo. Between them, they revealed the connections. . . between lethal drones flying over Africa and the ongoing theft of resources in Africa. . . between government service and service to one's country. . . between telling the redacted truth to the rest of us and joining us on the street in active resistance. Both kinds of action are necessary for democracy to thrive, good information – right action.

Saturday morning, **Arun Kundnani**, Arun Kundnani is Adjunct Professor of Media, Culture and Communication at New York University and author of “The Muslims are Coming” and most recently, “Violence Always Comes Home: Terrorism, Empire and Islamophobia” gave the first Keynote. He spoke about the misleading social and cultural distortion of our perceptions about Islam and terrorism.

Followed by **Medea Benjamin** of CodePink Women for Peace who spoke about US policies, including drone warfare, that disrespect the people in foreign lands, exacerbate misunderstandings and invite continued threats and violence.

In the afternoon, a panel of religious people discussed the place of activism in a religious context and the insight that our faith can give to the ongoing wars and terrorism that our country is engaged in.

Multifaith Perspectives on Drones, Islamophobia & Movement Building featuring Featuring: Muhammed Malik, Rabbi Michael Feinberg,

Imam Hamin Rashadah, Aaron Stauffer & Irene Siegel

Conference Sponsors:

Peace Action Education Fund

[Interfaith Drone Network](#)

[KnowDrones](#)

[Community of Living Traditions](#)

Endorsed by:

Code Pink, Veterans For Peace, Muslim Peace Fellowship, Westchester Coalition Against Islamophobia, Standing Together Against Racism and Islamophobia, WESPAC, United National Anti-War Coalition (UNAC), Muslims for Ferguson, Middle East Crisis Response, Veterans For Peace

Inside Drone Warfare Symposium

If, like me, you were not able to attend “Inside Drone Warfare”, the Whistle Blower Symposium organized by Nick Mottern and Ann Wright in Las Vegas this spring during Shut Down Creech!, you can still view the speakers in these YouTube videos. I watched them and was glad I took the time. Ann Wright moderates the event.

Part 1: Jesselyn Radack of Whisper Whistleblower and Resource Protection Program and Cian Westmoreland, former Drone Maintenance Technician

Part 2: Christopher Aaron, former Air Force Intelligence Officer with the Drone program in Afghanistan and Reverend

Chris Otto, Unitarian Universalist Minister and former Chaplain with the US Army in Afghanistan

Part 3: Shelby Sullivan Dennis of Reprieve with Faisal Bin Ali Jaber

Part 4: Marjorie Cohn

Part 5: Brian Terrell, Catholic Worker Drone Activist, Q&A

Indian Springs, Creech Home

Video by *John Amidon* that reflects on the presence of Creech Airforce Base, a national center for Military Drone control, beside the town of Indian Springs.

Indian Springs has Fallen shows some of the affects of the USAF on Indian Springs, NV and invites you to join with VFP at Shut Down Creech!

Sentencing Memo Sent to Judge Gideon by Professor

I would like to take the occasion of this memorandum to continue the conversation we have had over the past five years on the nature of civil disobedience, particularly in the context of the Reaper drone control center at Hancock Air

National Guard Base. I have benefited from those conversations and hope that, in some small way, you have as well. At the core of our discussions, I think, has been the question of what civil disobedience is and, specifically, how civil disobedience “works.”

I will begin by discussing the nature of civil disobedience, as defined by Gandhi and by John Rawls.

Gandhi distinguished two types of civil disobedience: “Aggressive, assertive or offensive civil disobedience is nonviolent, willful disobedience of laws of the State whose breach does not involve moral turpitude and which is undertaken as a symbol of revolt against the State. . . . Defensive civil disobedience , on the other hand, is the involuntary or reluctant non-violent disobedience of such laws as are in themselves bad and obedience to which would be inconsistent with one’s self-respect or human dignity.” ⁱ In Gandhi’s terms, our civil disobedience at Hancock involves the first type; disobeying a Jim Crow statute would have been of the second type.ⁱⁱ He also states: “civil disobedience is the inherent right of a citizen. . . . [T]o put down civil disobedience is to attempt to imprison conscience. . . . A civil resister never uses arms and hence he is harmless to a State that is at all willing to listen to the voice of public opinion.”ⁱⁱⁱ

Rawls defines civil disobedience as “a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government. ... [I]t does not require that the civilly disobedient act breach the same law that is being protested.” Later, he elaborates: “[T]he civilly disobedient act is indeed thought to be contrary to law, at least in the sense that those engaged in it are not simply presenting a test case for

a constitutional decision; they are prepared to oppose the statute even if it should be upheld.” Finally, he states: “The law is broken, but fidelity to law is expressed by the public and nonviolent nature of the act, by the willingness to accept the legal consequences of one’s conduct. . . . To be completely open and nonviolent is to give bond of one’s sincerity.”^{iv} For Rawls, civil disobedience is a political act, and, while it involves breaking the law, it ultimately is faithful to the spirit of the law. Civil disobedience must be limited to “instances of substantial and clear injustice”^v and legal alternatives must have been tried before engaging in it.^{vi} I believe that the evidence we have produced of the harms, including harms to civilians and children, caused by weaponized drones satisfy the first condition and that my prior (and concurrent) legal attempts to address this issue satisfy the second. Rawls concludes: “Although this mode of action is strictly speaking contrary to law, it is nevertheless a morally correct way of maintaining a constitutional regime.”^{vii}

I would submit that there are several ways that civil disobedience can operate, often simultaneously. First, as you argued in our first trial, civil disobedience can affect policy by the publicity it receives when the civilly disobedient person is arrested, convicted, and punished. Public outcry might lead executives or legislatures to change policy.

Second, civil disobedience can operate as symbolic action.^{viii} Civil disobedience actions are often attempts to juxtapose symbols in a way that sparks insight, that enables persons in the audience to see things in a new way, to break out of fixed worldviews. In this sense, it has been called parabolic action, using the same principle as the parables Jesus used to shock people out of their worldviews by juxtaposing images in new ways (e.g., the Good Samaritan, in which the despised

enemy is the one who comes to the rescue). Such symbolic actions would include the burning of draft records during the Vietnam War, the Plowshares actions initiated in 1980, blood poured on the Pentagon, and the symbolic die-ins we have used at Hancock. The juxtaposition of images (e.g., blood on the Pentagon) can be startling enough to shock some observers into a change of worldview, a change of paradigm if you will, that may be impossible through simple logical discourse. ^{ix} This approach is often related to the third approach to how civil disobedience “works.”

Third, from a spiritual or religious perspective, the practitioner of civil disobedience should be concerned with faithfulness rather than effectiveness. Catholic theologian Henri Nouwen put this distinction in terms of fruitfulness versus effectiveness. The responsibility of a person of faith is not to be effective but to be faithful (to the Gospel if one is Christian, as I hope I am). One must follow one’s conscience and bear the consequences, but the results will be up to God. Our responsibility is to plant seeds, not to achieve results. In many ways, civil disobedience as symbolic action ties in to this way of thinking – the symbolic interaction is the planting of a seed which may or may not take root. This approach challenges the very notion of effectiveness as an offshoot of industrial civilization and harks back to a more agricultural way of seeing the world. A prime example of fruitfulness was Franz Jaggerstatter, an Austrian peasant who was executed for refusing to be conscripted into the Nazi’s army. He accomplished nothing but leaving his wife and young children without a husband and father, and his story was almost forgotten. However, decades later, this story was uncovered by sociologist Gordon Zahn, who publicized it in his book *In Solitary Witness*. In 2007, Jaggerstatter was beatified by Pope Benedict XVI. His conscientious refusal now inspires Christians around the globe.

Finally, the impact of civil disobedience on policy can be mediated by the response of judges hearing civil disobedience cases. I believe that we need human beings acting as judges within the system (as opposed, to, say, artificial intelligences) precisely because, as John Rawls argues in his discussion of civil disobedience, no human legal system is perfect. Artificial intelligence may be able to apply the existing legal rules more accurately than a human judge; however, only a human judge can take into account the larger sense of justice which animates the law; only a human judge can identify a situation in which application of even a just law becomes injustice because the law is being used to uphold a larger injustice.

Judges who have become convinced that their obligation includes a wider view of justice have chosen a variety of ways to embody that obligation.

One approach can involve the decision itself. In a 2012 lawsuit against New York City police for wrongful arrest, Federal Judge Jed S. Rakoff found for the plaintiffs and wrote:

“What a debt this nation owes to its ‘troublemakers.’ From Thomas Paine to Martin Luther King, Jr., they have forced us to focus on problems we would prefer to downplay or ignore. Yet it is often only with hindsight that we can distinguish these troublemakers who brought us to our senses from those who were simply . . . troublemakers. Prudence, and respect for the constitutional rights to free speech and free association, therefore dictate that the legal system cut all non-violent protestors a fair amount of slack. Let us hope that other judges hear this decision and that nonviolent civil disobedience can continue to hold its rightful place as a cornerstone of our liberty.” [x](#)

In my own civil disobedience career, I have sometimes been found not guilty. Two of these verdicts were, I think, attempts to address a larger justice. When I was put on trial in 1981 for civil disobedience at the Pentagon, charged with depredation of government property, for pouring blood on the Pentagon in protest of U.S. nuclear weapons, the Judge dismissed the charges because the prosecutor had not "provided me with any evidence that the government owns the Pentagon." My mother believes that verdict was a direct result of her prayers; I believe it was an indirect attempt to address the larger issues of justice. When I was charged with trespass at the Rochester Federal Building in 2003 for protesting the impending invasion of Iraq, Rochester City Court Judge Anne Pfeiffer found us not guilty because we had been arrested before we had gone through the metal detectors. In rendering her verdict, she apologized to me (I suspect, tongue in cheek) for not addressing my international law argument that the U.S. had no jurisdiction to charge anyone with trespass because they had just committed perhaps the largest act of trespass since World War II.

Brian Terrell, a Catholic Worker whom you may remember from the Hancock 38 case, along with four other demonstrators, was acquitted of trespass in Senator Charles Grassley's Des Moines office in a July 2007 jury trial after presiding judge Odell McGee allowed Brian to read the text of the First Amendment to the jury. Judge McGee further instructed the jury that the defendants "were not justified in remaining on the property if the State proved . . . that the defendant(s) did not have a constitutional right to remain on the property."^{xi}

Gandhi's standard procedure in civil disobedience was to plead guilty and ask for the harshest possible punishment. Yet, in doing, so, he still gave the judge a choice of whether to affirm the legal system or not. His first case of civil disobedience in India involved defying a government order not to enter the district of Champaran, where he proposed to

conduct an inquiry into labor conditions. He appeared in court and pled guilty; however, before his sentencing date, the Lieutenant Governor ordered the case against him withdrawn, and he was allowed to pursue his investigation. Gandhi saw this conclusion as a victory for civil disobedience, despite the fact that he wasn't sent to jail: "The country thus had its first direct object-lesson in Civil Disobedience. The affair was freely discussed both locally and in the press, and my inquiry got unexpected publicity."^{xii} Thus, Gandhi himself felt that civil disobedience could be fruitful even without conviction and punishment.

Another approach is to address issues of broader justice at sentencing, in the sentence itself and/or in a sentencing statement. I have previously cited the case of Federal Judge Miles Lord, who in 1984, sentenced Barbara Katt and John Laforge to a six month conditional discharge and gave one of the most powerful critiques of justice in America ever presented from that side of the bench. I cite a part of his sentencing statement:

"It is the allegation of these young people that they committed the acts here complained of as a desperate plea to the American people and its government to stop the military madness which they sincerely believe will destroy us all, friend and enemy alike.

They have made a plausible argument that international law prohibits what our country is doing by way of manufacturing mass weapons of destruction. Common sense should, in my own personal view, dictate that such manufacture be curtailed.

The anomaly of this situation is that I am here called upon to punish two individuals who were charged with having caused damage to the property of a corporation in the amount of \$33,000. It is this self-same corporation which only a few months ago was before me accused of having wrongfully embezzled from the U.S. Government the sum of \$3.6 million. .

. . .
“If there be an adverse reaction to this sentence, I will anxiously await the protestations of those who complain of my attempts to correct the imbalance that now exists in a system that operates in such manner as to provide one type of justice for the rich and a lesser type for the poor. One standard for the mighty and another for the meek. And a system which finds its humanness and objectivity is sublimated to military madness and the worship of the bomb.”[xiii](#)

In another case, it was the sentencing itself that was significant. On March 5, 1986, Scott Schaeffer-Duffy of the Worcester MA Catholic Worker and Carol Bellin were tried and found guilty of trespassing and disorderly conduct at an anti-war protest at the GTE plant in Westborough MA. The DA recommended sentences of thirty days for the trespass and sixty days for the disorderly conduct, to be served consecutively. Judge Paul LeConto asked the defendants if they would pay a fine or do community service. Scott replied, “No, your honor. We could not pay a fine in good conscience, and we believe that our actions at GTE were a community service.” The judge called for a recess, and, when he returned, said simply: “Guilty finding. You are free to go.” [xiv](#)

Sometimes, judges have changed their mind and reversed their positions, even after sentencing.

As one example, in November, 1978, four protestors were arrested for nonviolent civil disobedience at the First Annual Military Electronics Exposition in Anaheim, California. After spending a night in jail, they were given one year probation. In October, 1979, two of the protestors, LA Catholic Workers Jeff Dietrich and Kent Hoffman, were again arrested at the exposition, two weeks before their probation ran out. Robert Fitzgerald, the same judge who had ordered the probation, gave them six month sentences in the county jail, double the

recommendation of the DA. And yet, he ordered their release two months later. Kent met with Judge Fitzgerald not long after that, and, as Kent recounted:

“He spoke of the confusion he experienced, of the influence provided by receiving over 700 letters of concern on our behalf, of the movement from distrust to appreciation for our sincerity and tenacity of commitment. He had gone through a rare agony for one so solidly entrenched in power and the pride of power. He had chosen to admit openly and publicly the mistake he had made.”^{xv}

Kent told the judge of a dream he had had, of Judge Fitzgerald standing beside him serving Christmas dinner to the homeless guests at the LA Catholic Worker. Judge Fitzgerald told him of someone he loved who had died on Skid Row and said he would be honored to serve Christmas dinner at the Worker.

A second example is contained in a piece by Frank Cordaro, of the Des Moines Catholic Worker, from November 5, 2009. The day before, there had been a civil disobedience action at the “Space Weapons Bazaar” in Omaha, Nebraska. Four “out of state” demonstrators were held overnight in Douglas County Jail and appeared with a group of about 60 persons, mostly poor and black, before Judge Darryl Lowe the morning of the 5th. The court session went on, in assembly line fashion, for hours, and the four protestors were the last to come before the judge. Father Louie Vitale pled “no contest” and was sentenced to five days. The Judge added “If you had pled guilty it would have been three days. Next.” Father Jim Murphy was up next. Upon pleading guilty, he was sentenced to three days. When the third protestor, Steve Clemens, approached the bench, Judge Low asked “What were you guys doing at the Qwest Center in the first place?” Steve replied, “Your honor, we were there to protest the Strategic Space Symposium. We were there to protest the selling of space weapons technology to STRATCom!” Frank, still awaiting his appearance, called to the judge “And

you just sentenced two Catholic priests to jail!" As Cordaro recounts:

"Judge Lowe just assumed the four of us were arrested for intoxication. He just thought we were four old drunks. . . . 'Catholic priest! Protest!' exclaimed Judge Lowe ... 'Bring those two priests back before me. Give me their files.' The judge asks me to join them all at the bench. We explained to him what our nonviolent protest was all about. He congratulated us for our witness. He said he believed in nonviolent civil disobedience. He said more of it needed to be done. He told us his father was active in the civil rights movement."

Judge Lowe shook each of their hands, and they were all sentenced to time served. Judge Lowe concluded by saying "I hope you all come back again next year!"^{xvi}

Finally, in a more radical approach, judges can engage in civil disobedience themselves. The most powerful case I know of occurred in Germany. Although it occurred outside the United States, it may be of interest particularly because of your father's involvement in the Nuremberg Trials. On January 12, 1987, twenty German judges were arrested in the small town of Mutlangen for blocking the road to the base which housed Pershing II nuclear armed missiles. Their action was part of a nonviolent campaign in which over 1,000 persons had been arrested by that time. One of the twenty, Judge Ulf Panzer, stated:

"Fifty years ago, during the time of Nazi fascism, we judges and prosecutors allegedly 'did not know anything.' By closing our eyes and ears, our hearts and minds, we became a docile instrument of suppression, and many judges committed cruel crimes under the cloak of law. We have been guilty of complicity. Today we are on the way to becoming guilty again, to being abused again. By our passivity, but also by applying laws, we legitimize terror: nuclear terror. Today we do know.

We know that it needs only the push of a button and all Germany, Europe, the whole world, will be a radiating desert without human life. It is because we know this that we have to act. Many of us judges have organized 'Judges and Prosecutors for Peace.' We have raised our voices in warning against nuclear death. We have worked with local peace groups, advertised against nuclear armaments, demonstrated and submitted resolutions to our parliament ... Our warnings have died away unheard. That is the reason why we today block the U.S. air base in Mutlangen. We hope that such an action will be heard more loudly than all our words before." [xvii](#)

There had been 1,096 guilty verdicts in the Schwabish-Gmund court for blocking the base. Four days after the action of the judges, there were seven acquittals, the first in the campaign.

In light of this memorandum, Judge Gideon, I make one request – that at my sentencing you make a statement that includes your conclusions about the morality and legality of using weaponized drones. For five years, you have heard evidence about weaponized drones such as those flown out of Hancock. You have heard arguments about international law as it affects drone killings. You have heard from people who have been in Afghanistan and Iraq talk about their encounters with people living under the drones. You have heard excerpts from the United Nations Assistance Mission to Afghanistan which document that drones have killed civilians, on a regular basis. You have heard that a classified report authored by Larry Lewis concluded that drones in Afghanistan were significantly more likely to kill civilians than were "manned" aircraft.

Judge Gideon, you are an intelligent, thoughtful person. You stated in your written opinion for the Hancock 38 that you have struggled with the issues we have raised. I would very much like to know your reactions to our evidence and

arguments, whether those reactions be for or against the piloting of weaponized drones out of Hancock. I understand that such a statement would not be appropriate in the context of a trial or a verdict. However, I believe it can legitimately be done at sentencing and I hope you will consent to do that.

Thank you for your attention and engagement in this discussion. I look forward to seeing you on March 9th.

Sincerely,

Harry Murray

Professor of Sociology

[i](#)[□] M.K. Gandhi, *Non-Violent Resistance*, Bharatan Kumarappa (ed.). (1951: New York: Schocken), p. 175

[ii](#)[□] Gandhi, it seems, used the terms civil disobedience and civil resistance interchangeably. I will use the former in this memorandum.

[iii](#)[□] Ibid., p. 174

[iv](#)[□] John Rawls, *A Theory of Justice*. (1971: Cambridge, MA: Belknap Press of Harvard University Press), pp. 364-367

[v](#)[□] Ibid., p. 372.

[vi](#)[□] Ibid., p. 373.

[vii](#)[□] Ibid., p. 384.

[viii](#)[□] Murray Edelman, *Politics as Symbolic Action*. (1971: Chicago, Markham Publishing Company).

[ix](#)[□] See Thomas Kuhn, *The Structure of Scientific Revolutions: 50th Anniversary Edition* (2012: Chicago, University of Chicago Press) for a detailed analysis of how paradigm shifts work in science.

[x](#)[□] quoted in Rosalie G. Riegler, *Crossing the Line: Nonviolent Resisters Speak Out for Peace*, (2013: Eugene, OR: Cascade Books), p. xiii

[xi](#)[□] Brian Terrell, email to the author, March 2, 2007.

[xii](#)[□] Mohandas K. Gandhi, *An Autobiography: The Story of My Experiments with Truth* (1957: Boston, Beacon Press), p. 414

[xiii](#)[□] "The Statement of Judge Lord," reprinted in Peace Magazine, <http://www.peacemagazine.org/archive/v02n5p40.htm>

[xiv](#)[□] Scott Schaeffer-Duffy, *Nothing is Impossible: Stories from the Life of a Catholic Worker*. (2016: Athol, MA: Haley's).

[xv](#)[□] Kent Hoffman, preface, in Jeff Dietrich, *Reluctant Resister: The Prison Letters of Jeff Dietrich*. (1983: Unicorn Press, North Carolina).

[xvi](#)[□] Frank Cordaro, "Douglas County Jail Court Report," Nov. 5, 2009, personal copy sent to me by Rosalie Riegler.

[xvii](#)[□] "Twenty German Judges Arrested at American Air Force Base in West Germany," January 12, 1987 and "In the Name of the :People: Away with Missiles!", personal copies, from Jonah House website.