

Why We Persist: Activists Have Protested US Drone Base for Over a Decade

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“All human beings possess the basic right under international law to engage in non-violent civil resistance activities for the purpose of preventing, impeding, or terminating the ongoing commission of [international crime].” – International law expert Francis Boyle

Nonviolent civil resistance against international crime is about effectiveness *and* persistence. Or as Dorothy Day might say, *faithfulness*. We sow seeds – awakening the cogs in the machine of imperial crime *and* informing those who, with their federal taxes, help finance that crime.

But it's about *us* – getting off our duffs and out of our comfort zones. Here in Syracuse, New York, we call it “street heat” – baby steps toward resistance, dipping our toes into the waters of risk and sacrifice. The “streets,” where Chris Hedges and Noam Chomsky keep telling us that, if things on this planet are going to turn around, *that's* where it has to happen.

In the fall of 2003 in a series of front-page stories, the Syracuse *Post-Standard* announce

d with satisfaction that our local Hancock Field Air National Guard Base was becoming the hub for the wondrous weaponized MQ9 Reaper drone. For several days over that Thanksgiving weekend, several of us protested and fasted in downtown Syracuse.

Since then, for the past decade, immediately outside Hancock, with over 170 more protests, activists from what soon became

the Upstate Drone Action Coalition have sought to expose the ensuing Reaper drone terrorism in Afghanistan and elsewhere. Allies from the Syracuse Peace Council, Veterans For Peace, Voices for Creative Nonviolence and the Catholic Worker have provided the campaign's life blood.

The Campaign

For 45 minutes every first and third Tuesday of the month, a handful of us locals demonstrate across from Hancock's main gate. Yes, these are brief demos, but some of us are differently abled and some are "octos" – activists over 80 years old. We face the vehicles going in and out of the base at afternoon shift change. This is also rush hour along East Molloy Road. Our signs and banners urge, "STOP THE KILLING" and "ABOLISH WEAPONIZED DRONES" and "DRONES FLY, CHILDREN DIE."

A second, more dramatic element of the campaign is our episodic (roughly twice a year) "tableaux" and street theater blocking the driveway into that main gate. Both approaches – the first with little risk of arrest and the second with inevitable arrests – seek to poke the conscience of the 174th New York Air National Guard's Attack Wing operating out of Hancock.

Here at our very doorstep, 174th personnel pilot remotely controlled Reaper robots laden with bombs and "precision" Hellfire missiles. Via rapid satellite relay, from within the riskless anonymity of Hancock's fortified base, those warriors and their chain of command spew death and destruction.

Maybe our repeated poking will afflict their consciences. To the extent that they have eyes to see, the pilots get to witness firsthand on-screen the carnage they perpetrate – scattered and smoldering body parts. Such exposure just may induce "moral injury," the psychic wound caused by betraying one's core values. We hope that, despite being offered hefty

bonuses, these technicians will refuse to re-enlist. The fewer enlistments, the less death.

Their targets and their civilian victims are mostly uncounted, undefended, unidentified Muslims inhabiting oil-rich lands. Here is Islamophobia with a vengeance. Multitudes are terrorized. If they survive, many become internal or external refugees. And why wouldn't some also become the imperium's die-hard foes? As the Pentagon surely counts on, the inevitable blowback generates further mayhem. Such mutually reinforcing (but extremely asymmetrical) mayhems reliably produce the high-tech contracts Lockheed Martin and its ilk thrive on.

It's usually mid-morning when two of our Upstate Drone Action members and a videographer approach Hancock's main gate, unannounced, to hand-deliver a letter through the barbed wire fence to the armed gate-keepers. Addressed to the 174th Attack Wing, the letter urges personnel to uphold their oath to protect the U.S. Constitution. We cite Article Six of that Constitution, which mandates that international treaties and international law are the "Supreme Law of the Land." Such law, including the legally binding UN Charter, supersedes federal, state and local law. It stipulates that such military aggression amounts to a war crime.

Simultaneously, down the base driveway, our flash mob sets up banners and dramatic props. These, along with our bodies – vertical or horizontal, sometimes clad in hijab or draped in bloody shrouds – block any incoming traffic.

Within minutes, soldiers pop out from behind cement barriers to divert incoming vehicles to Hancock's other entrances. An officer marches out to inform us – with profound understatement – that we aren't wanted on base property. Working hand in glove with the military, the town, county and state constabularies arrive, red lights flashing. These, helpfully, draw the public's gaze to our event. The cops

schmooze with the soldiers, taking an hour or two to assemble their forces. Then, having dutifully warned us for the third time to leave, they handcuff us while soldiers confiscate our props. Our supporters across the road chant and sing. Surveillance cameras and police and military videographers record the scene.

At our tableaux and die-ins, up to 38 of us at a time have been arrested. We are driven to cells in area police stations. Despite these many forays onto federal property, military police never arrest us and we're never charged with federal crimes. Invariably we keep getting two contradictory state charges: trespass (private property) and disorderly conduct (for public places). Both charges are "violations," a minor matter. Violations for others generally lead to quick release with an appearance ticket. But we get special handling: strip searches along with the protracted tedium of being booked. After some hours, we are arraigned. In the late evening, we may be released with dates for the DeWitt Town night court. Often there's bail, not because we are flight risks (we relish our days in court) but as a kind of pre-trial chastisement. Some of us refuse to post bail.

Sometimes, arbitrarily, misdemeanor charges are piled on: obstruction of government administration (OGA) or contempt of court for allegedly defying Orders of Protection (OOP) forbidding us to return to the base. Those stay-away orders "protect" the base commander who has alleged that we physically threaten him. This fiction parallels the perennial propaganda trope that migrants from afar – in Vietnam, Nicaragua, Afghanistan – threaten the U.S. The local judges impose OOPs on dozens of us. Bizarrely re-purposed, OOP wording is derived from child or spouse abuse boilerplate.

Such OOPs have been enforced unevenly. Several years ago, Mary Anne Grady Flores, a grandmother from Ithaca, New York, got a yearlong sentence for allegedly violating her OOP. Her sole crime: photographing protesters (who subsequently were all

acquitted) from Molloy Road's shoulder. After a few months in Jamesville Penitentiary, Mary Anne won release pending appeal. If eventually her appeal fails, she'll be re-incarcerated.

We've long lost track of the numbers, but well over 100 of our cases have been tried before either of the two elected part-time DeWitt Town justices, Robert Jokl Jr. or David Gideon. Those are mostly bench trials, in which a judge determines verdict and sentence; or, if involving misdemeanors, a six-person jury renders the verdict. In this court, not shy about doling out maximum sentences, juries are forbidden to hear what the max can be.

On the brink of a trial, the prosecutor may suddenly drop the misdemeanor charge, cleverly disrupting our defense prep. Jury trials in DeWitt are only occasional, since these burden the court calendar and the town budget, while providing us the opportunity to testify about drone atrocity. In an arrest-happy time and place, law enforcement and the court prop up the ambient militarism, particularly where a community embraces its military base as a "job-provider." Conveniently for stoking public buy-in, multitudes of redundant military installations are spread widely over congressional districts across the land.

Central New York is one of the nation's major drone technology incubators, housing a branch of Lockheed Martin and SRC Inc., a defense research company. This gravy train seems to mesmerize local mainstream media, the Chamber of Commerce, nearby citadels of higher learning, and those of all political stripes dependent on government jobs and grants: co-optation broad and deep. Even liberal activists compartmentalized in their domestic issues shrink from acknowledging Hancock's war crimes.

When we point out to police that war crimes occur just yards from where we're being arrested, we hear, "It's not our jurisdiction." The court dismisses out of hand our

International Law and Necessity defenses. Nor, of course, does it acknowledge that Hancock, in violation of the 1794 Treaty of Canandaigua, occupies Haudenosaunee Indigenous land. Note the historical continuity: most Reaper victims are themselves tribal or Indigenous people of color inhabiting formerly colonized but now nominally sovereign lands such as Pakistan, Somalia and Yemen. All areas, it happens, the U.S. has yet to even officially declare war upon. Those Hellfire missiles – talk about trespass!

The disorderly conduct charge is bogus; as the base's surveillance cameras attest, we treat everyone with respect and don't resist arrest. (Before each demonstration, every participant signs a pledge of nonviolence.) Nor do our blockades discommode the public. The OGA charge is likewise bogus: trial witnesses, citing "security," refuse to reveal details of Hancock's illegal and clandestine operations, which we call out and allegedly disrupt.

At trial, we defend ourselves *pro se* or with *pro bono* attorneys. Our lead attorney travels well over 300 miles from Long Island at his own expense. On the witness stand, we speak to what drone strikes do to human flesh, psyches and souls, and thus why we risk prison opposing brutality. We note that we don't do civil disobedience – we do civil *resistance*. We don't disobey law; we seek to *enforce* law – both U.S. and international. We observe the Nuremberg injunction that those aware of war crimes must try to expose and impede them – or else we would be complicit ourselves.

For the DeWitt court, international law is an alien concept. In many of this rogue nation's law schools, international law apparently isn't taught. U.S. superpower exceptionalism prevails. The Constitution's First Amendment – which validates our right to petition the government for redress of grievances – is also alien.

In the early days, seeking to deter continued civil

resistance, we were each customarily fined the maximum amount of \$375, and some of us were also sentenced to 15 days in jail. In a further attempt to deter, the DeWitt judges – in apparent cahoots with the base – eventually conjured up those aforementioned Orders of Protection. Fortunately, suburban juries can't always be counted on to find scrupulously nonviolent defendants guilty. Sometimes they find us not guilty on one or more counts, or the court feels compelled to dismiss a lackadaisically prosecuted charge.

Nowadays, the DeWitt court seems to be kicking the judicial can down the road. As I write in December 2019, our July 2018, June 2019 and September 2019 arrests have yet to be assigned trial dates. In DeWitt, New York, the notion that “justice delayed is justice denied” is quaint. This past summer, one judge, without explanation or apology, simply didn't show up for a motions hearing or to set a trial date. More recently, one evening's judge told us, after we'd all traveled to a mandated court hearing, that our case wasn't on that evening's docket. Can it be that the validity of our cause is now dawning on the judges, making it hard to know what to do with us?

Reaper terror, first under Bush, increasingly under Obama, then far more under Trump, keeps escalating. We may never know if our efforts somehow slow the pace. But we do know that here in our backyard, if we don't stand up and speak out against war crimes, it's unlikely anyone else will. And we know that if no one speaks out, the Pentagon will keep operating as if it has a popular mandate to keep up the killing.

So we persist.

For video footage of Hancock actions, see upstatedronaction.org. For updates on our arrests and trials, see nukeresister.org. To glimpse the horror of weaponized drones, see the Stanford and NYU Law Schools' joint 2012 report, “Living Under Drones.”

**Featured Image: An MQ-9 Reaper remotely piloted aircraft flies by during a training mission at Creech Air Force Base on November 17, 2015, in Indian Springs, Nevada. ~Isaac Brekken / Getty Images*

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