

Punishing Anti-Nuke Protesters

Protesters facing 35-year jail sentence

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A twisted part of modern America is that harsh punishments are given to people who stand for truth and justice, while torturers and war criminals go free. That's the case for Bradley Manning who released secrets and anti-nuclear protesters who tied "crime scene" tape to a nuke site.

Risking your personal freedom for a worthy cause is as American as apple pie. But nonviolently putting your life at risk in defense of others is so rare that the actor is sometimes dismissed as crazy.

Some people think the Transform Now Plowshares activists were crazy for sneaking into a nuclear weapons factory — the Y-12 National Security Complex in Oak Ridge, Tennessee — in order to make a direct, unequivocal and crystal clear demand for an end to the expensive, poisonous, criminal and delusional self-destructiveness of building nuclear bombs.



Oak Ridge nuclear plant in Tennessee.

Of course Sr. Megan Rice, 82; Michael Walli, 63; and Greg Boertji-Obed, 57, are anything but crazy, even if they and could have been shot and killed for daring to snip through the flimsy chain-link fences that surround Y-12, and then walk up to its new storage fortress for bomb-grade uranium. That's what they did in the wee hours of July 28, after decades of conscientious peace and anti-poverty work prepared them for what would likely be the most dangerous protest of their lives.



From left, Greg Boertje-Obed, Sister Megan Rice, and Michael Walli. (Saul Young/News Sentinel)

At the wall they strung “crime scene” tape because dirty bomb conspiracies are criminal enterprises. They spray-painted disarmament messages, poured blood and hoisted banners. Not a single guard responded. Wackenhut, the contracted security company, was so discredited — and later humiliated by disclosures of its own internal corruption — that its contract was cancelled, heads rolled, a new agency was hired, and over \$15 million was spent trying to reestablish some semblance of a defended nuclear weapons complex.

In January, President and CEO of Wackenhut (also called G4S Gov’t Solutions) Paul Donahue told the Knoxville News Sentinel, “The enemy of today is not just organized Nation States, but vandals, activists and protesters looking not necessarily to harm material, or people, but clearly seeking to embarrass.”

All three are out of jail on conditional release preparing for trial — set for May 7 — on three felony charges that together carry a maximum of 35 years on prison. Yes, 35 years for trespassing, spray painting and embarrassing.

But as the News Sentinel reported on Feb. 3, the bold intervenors know “that great change never comes easy.” Boertji-Obed told the paper, “People in other countries are frequently killed because of their struggle for justice.”

The three were back in federal court on Feb. 7 for a motion hearing before U.S. Magistrate Richard Shirley. They argued against the prosecuting U.S. Attorney’s attempt to exclude any testimony about, get this, “nuclear weapons,” or “international law,” or the defendants’ intention to practice crime prevention at Y-12.

The prosecutor’s motion “in limine,” or gag order, would, if granted, keep the jury from hearing a word about the outlaw status of the nuclear warheads. As with previous anti-nuclear cases, the defendants contend that binding U.S. treaties and military service manuals make nuclear weapons illegal because H-bombs can only produce uncontrollable, indiscriminate, toxic mass destruction using radioactive firestorms.

Considering the sociopathic turpitude of preparing the use of such devices, all Sr. Rice, Boertji-Obed and Walli are guilty of, they contend, is an attempt at citizen’s arrest. Of course, the government doesn’t want the jury to hear what the law says about planning and preparing massacres.

For his part, Magistrate Shirley said he wouldn’t exactly limit the discussions of the defendants’ intentions. But Shirley only presides over pretrial hearings. The trial itself will be run by a federal judge who will rule on the motion “in limine,” choose the jury instructions, and decide on questions of “contempt” in the event that forbidden words are uttered by lawyers, defendants or observers.

It’s a testament to the dominance of the H-bomb culture, that one of its judges can forbid defendants in a criminal case from explaining the basis for their actions, while wielding the power to impose 35 years in prison for nothing more than embarrassing that culture. The nuclear war system isn’t called “overkill” for nothing.

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