



Pax Scotia

Issue 48

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Lex Innocentium: A law for a nuclear free world?

Gilbert Márkus, a former Dominican, is a medieval historian working in the University of Glasgow (Celtic and Gaelic). His published works include *Conceiving a Nation: Scotland to AD 900* and (with Thomas Owen Clancy) *Iona: the earliest poetry of a Celtic Monastery*.

In 1998 I was in Greenock Sheriff Court with some students from Strathclyde University. We had come to watch the trial of three women who stood accused of causing malicious damage to a barge carrying sonar equipment and documents which were part of the Trident nuclear submarine system based at Faslane.

The defendants, Ellen Moxley, Angie Zelter and Ulla Roder, admitted the facts alleged against them – they really had broken into the site and caused the damage in question – but they denied that this constituted a crime. And they adduced a lot of legal argument and evidence to prove their innocence. The Geneva and Nuremberg Conventions entered into the argument, as well as the 1996 ruling of the International Court of Justice which held that nuclear weapons were illegal. I vividly recollect the testimony of Ulf Panzer, a senior judge in the German criminal courts, who recollected past judicial complicity in Nazi war crimes, and reflected on modern judicial complicity in the modern nuclear war crime.

Perhaps the most surprising part of the women's defence was the appeal to a law enacted in the seventh century by the abbot of the monastery of Iona, Adomnán mac Rónáin.

This is the oldest surviving legal text from Scotland by a margin of several centuries. Adomnán's Law (*Cáin Adomnáin*) was an instrument for the protection of non-combatants (mostly women, but also children and clergy who didn't bear arms) from violence. It was enacted at a gathering at Birr, in the midlands of Ireland, in the year 697, where secular and ecclesiastical rulers from numerous kingdoms in Ireland and Britain gave guarantees that they would support and enforce it. This law was therefore a genuinely international one – the result of multiple kingdoms binding themselves to a just cause.

The key legal concept in Adomnán's Law is that of 'innocence' – literally 'doing no harm'. Those who are not fighting, those who are not armed, are not legitimate targets. It is a concept which gave rise to the Latin name of the law, Lex Innocentium or 'the Law of the Innocents'. In the Gaelic world of the time, traditional warfare involved pretty indiscriminate slaughter, and also the enslavement of those who were not killed – women more than men. But this law invoked a concept quite foreign to the native Gaelic legal tradition, a concept with its roots in a Christian vision of community and in the dignity of the powerless. (It is also worth noting that the concept was pretty foreign to Augustine too, whose concept of the 'just war' discussed when it was right to go to war (*ius ad bellum*), but had little to say about the actual conduct of war (*ius in bello*).

Nuclear weapons, of course, are incapable of distinguishing between combatants and non-combatants. To use them is to unleash a vast wave of destruction on the 'innocents', and even using them as a deterrent is to intend to use them should certain circumstances arise – an intention which is itself wicked. Adomnán's originality in creating an international law is still relevant, and his concept of *innocentia* is essential.

I was in court in Greenock when the Trident Three women were acquitted in 1998. And I am still here to see the emergence of a new peace-making group in Ireland who also acknowledge the inspiration of Adomnán: Lex Innocentium, 21st Century

[<https://lexinnocentium21.ie/mission-statement/>].

I pray for the success of their mission.

Gilbert Márkus

You can download a translation of Adomnán's Law as a PDF here (free of charge): <https://www.academia.edu/89991504/>



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A law from the past to protect the future

A New International People's Law to Put an End to War:

Lex Innocentium, 21 Century (The Law of the Innocents, 21st Century)

Dear Friends at Pax Christi,

We are delighted to have this opportunity to tell you about a new peace/non-violence initiative we hope to launch on International Day of Peace, 21st September 2024, called Lex Innocentium, 21st Century.

This is a new, international, bottom-up, soft-power, moral, people's law that declares war to be a Crime against Humanity, a Crime against the Earth, and a Crime against the Future.

Lex Innocentium, 21st Century is inspired by the original Lex Innocentium (the Law of the Innocents), written by Adomnán, Ninth Abbot of Iona, and decreed at the Synod of Birr in the year 697 AD. In his law, Adomnán declared it a crime to kill or harm women, youth, clergy and those in the care of the Church (the Innocents) through acts of war or aggression. Bishops and abbots of the church and kings and other notables and chiefs from civil society from Ireland, Scotland and Northern Britain attended the Synod and signed the law. There were ninety-two signatories in all. This was a law for Ireland, Scotland (Pictland) and Britain.

Given the horrendous nature of modern weapons and warfare, and in a time when international laws for the conduct of war are being ignored, this new Lex Innocentium extends Adomnán's protection in war to all non-combatants, the Earth and the Future (the new Innocents) from the scourge and the horrors of war. Across its various clauses, Lex Innocentium, 21st Century makes modern warfare impossible and thus renders all war, including so-called 'just war', a crime.

Lex Innocentium, 21st Century will be launched on the 21st of September 2024 at Redwood Castle, Lorrha, Co. Tipperary (a twenty-minute drive from Birr), following a morning of short talks and music at the County Arms Hotel, Birr. Attendees will be invited to sign the law. A copy of the law and signatures will be kept in a time capsule. We will plant an oak tree in commemoration and, at 5.00 p.m., we will ring the bell at the castle, in keeping with the tradition of ringing peace bells at 5.00 p.m. on International Day of Peace all across the world.

Following the launch, people all over the world will be invited to sign the law on our website.

The more signatories we can gather, at the launch and later on the website, the more powerful our new law will be as a tool in the struggle for peace and justice across the world.

Copies of the law will be available in English, Irish (Irish Gaelic) and

Spanish. More information, including the law with its penalties, restitutions and letter to the future, can be read on our website.

Please contact us on our website or at the email address below if you have any queries. We will be delighted to hear from you.

Very best wishes.

*Elizabeth Cullen
Marian Naughton
Seán English*

Team Lex Innocentium, 21st Century

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"It is time. It is well past time – to put an end to war. War hurts innocent people. War hurts our beautiful planet. War threatens the future welfare of humanity and the earth."

(From the Lex Innocentium website)

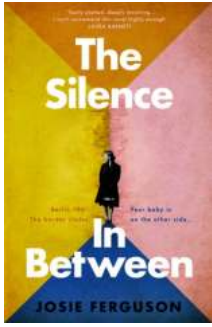
Iona Abbey





The realities of living through war & occupation

Marian Pallister, chair of Pax Christi Scotland, is an author and journalist who has experienced war in a number of countries around the world. Here she reflects on a new novel about World War II.



A novel shortlisted for the Waterstones Debut Fiction Prize 2024 may not sound a likely reading recommendation for a peace organisation – but if you want to know what it feels like to live through war, if you want to know what it feels like to live in an occupied country, if you want to know how ordinary lives are affected by the most extraordinary circumstances, then Josie

Ferguson's ***The Silence In Between*** makes compelling reading this summer.

Berlin during World War II. That's not a setting most of us on this side of the Channel give much thought to. We should.

After the attempted assassination of Donald Trump, Archbishop Timothy Broglio, President of the United States Conference of Catholic Bishops, reminded us of that very special element of Catholic Social Teaching – that we should promote the dignity of the human person, and “to keep constantly in our minds the fact that even if someone disagrees with me, he or she is still created in the image and likeness of God”.

Fiction and movies about World War II have predominantly cast all Germans as villains and all Americans and British as heroes. That of course couldn't possibly have been the case. In her novel, Ferguson follows an “ordinary” German family, first as the war unfolds and then as the people in the Russian sector of a divided Berlin are trapped behind the heavily fortified wall which stayed in place until 1989. A mother, a daughter, a granddaughter, caught up in events over which they have no control.

When Berlin eventually comes under fire during the war, life begins to fall apart. Homes are destroyed, food is scarce, and then, as the Germans are defeated and the Russians move in, the women's safety – their very lives – are threatened. Rape is a weapon of war and its consequences damn generations to come.

That sounds overdramatic, but there is nothing overdramatic about this novel. Ferguson manages to capture situations, characters and moods in a way that instils in the reader a great affection for and understanding of the women at the heart of the story. She is a writer of great skill, able to explore their human dignity, the knowledge that these women, their neighbours, their menfolk, are created in the image of God. Because we don't live in a world of goodies and baddies.

We do, however, live in a world in which democracy can so easily be threatened. The French writer and philosopher Albert Camus warned “Be careful. When a democracy is sick, Fascism comes to its bedside, but it is not to inquire about its health.”

The Silence in Between puts clothes on that warning. There was “normality” for the women of Berlin until a war ignited by a Fascist leader changed everything. And then, for Berliners living in the Russian sector of their city, the building of the wall changed things yet again – this time overnight. We don't value our freedom until it is snatched away.

I'm not giving any spoilers. I am saying that this is not only a book of great value to today's society, but a gripping read about issues and characters who matter. If we want a nonviolent society, I think Ferguson's book should be obligatory reading.

Marian Pallister

The Silence in Between is published by Doubleday, 2024. Available on Kindle.

Our website

Blogs, podcasts, past and future events – these are all on our Pax Christi Scotland website. All newsletters are archived there. You can pay your annual membership fee on the Membership page and make donations. Please explore and share:

<https://www.paxchristiscotland.org>

Continued thanks to webmaster Chris Boles of Caledonian Websites:

<https://www.caledonianwebsites.com/>

Membership Reminder

Please pay by the invoice sent out (see below) - OR

Pay on the membership page of our website.

If you pay by online banking, please give your name to identify your payment.

If you wish to pay by cheque, send to the address below, cheques payable to Pax Christi Scotland.

You can also make regular donations on our 'donate' page or by standing order - thank you.

Membership fees are £10 for waged, £5 for unwaged.

Explore the website for all our activities:

<https://www.paxchristiscotland.org>

Where to find Pax Christi Scotland:

<http://www.paxchristiscotland.org>

[https://www.facebook.com/](https://www.facebook.com/PaxChristiScotland)

[PaxChristiScotland](#)

[@PaxScotland](#)

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YouTube Channel

You can find recordings of all our events at:

<https://www.youtube.com/>

[@paxchristiscotland](#)

Click on the word 'Subscribed' and you will be informed whenever a new recording is posted.

Pax Scotia July-August 2024 Issue 48



Peace dates in August and September

Faslane will be the focus of the peace movement on August 3, and we hope that Pax Christi Scotland members and friends will make the journey to the south gate of the nuclear submarine base on the Clyde estuary.

Sir Keir Starmer has made it clear that he is going to continue the Trident programme - a costly exercise that will disadvantage health care, education and much more (see https://www.declassifieduk.org/starmers-red-button-labours-long-addiction-to-nuclear-weapons/?utm_source=drip&utm_medium=email&utm_campaign=In%20Case%20You%20Missed%20It%C2%A0&fbclid=IwZXh0bgNhZW0CMTEAAR0dJoi6Xta1kzhqMwMvbmZxmShNWq_abrtoPhaubQ8ONE7HMa72FbVaqE0_aem_cQ_3qw568U3m-m28dbrvlG).

Our presence on the Clyde will send a message that Scotland does not want weapons of mass destruction on its shores - and that our religious leaders are united in condemning nuclear weapons.

Please join us.

Justice & Peace Scotland invite you to...
FASLANE PEACE VIGIL

"The use of nuclear weapons, as well as their mere possession, is immoral." Pope Francis

A Christian gathering in united opposition to nuclear weapons.

Speakers will include...

ARCHBISHOP WILLIAM NOLAN
Archbishop of Glasgow

RIGHT REV SHAW J PATERSON
Moderator of the General Assembly of the Church of Scotland

BISHOP ANDREW SWIFT
Bishop of Brechin

DATE: Saturday 3rd August TIME: 10.30am - 12.00pm

LOCATION: HMNB Clyde (Faslane), South Gate, Maidstone Road

And if you can head to Ireland on September 21, what a peace event that is going be!

See P2, where the *Lex Innocentium 21st Century* organisers say:

"Lex Innocentium, 21st Century will be launched on the 21st of September 2024 at Redwood Castle, Lorrha, Co. Tipperary (a twenty-minute drive from Birr), following a morning of short talks and music at the County Arms Hotel, Birr. **Attendees will be invited to sign the law.**"

What an honour and what a statement that will be.