

# Peace group didn't flaunt court — Thorburn

By Kathy Parrish  
staff writer

A group of Methodist peace activists escaped jail when Williams International Corp. failed to show they had a "community of purpose" with organizers of other protests in the Commerce Township defense supplier's driveway.

Oakland Circuit Judge James S. Thorburn refused to change the eight with violating his court order barring Covenant for Peace from trespassing at Williams.

Thorburn, of Birmingham, ruled Monday there was no proof the group — four of them United Methodist ministers — acted "in concert" with Covenant for Peace. The Lansing-based

peace group has spearheaded protests at Williams, where 99 people have been arrested in the past two years.

"The action at Williams has grown," said Detroit attorney Kenneth Mogill, one of several lawyers defending the activists for free.

"Other people independently and on their own have chosen to participate. The events have outgrown the injunction."

DURING A show-cause hearing, Williams International charged the eight broke the injunction issued by Thorburn against Covenant for Peace.

As in the past, the company asked that the activists be jailed until they promise not to return to the driveway,

on Maple Road west of Haggerty. Michigan Court of Appeals is weighing the practice, which has been challenged by the protesters. One group of activists recently spent 92 days in jail.

Arrested April 8 while handing out pieces of communion bread to plant workers, the defendants still face trespassing charges May 6 before 53rd District Court Judge Michael Batchik in Walled Lake.

THE SEVEN Methodists and one Catholic denied their actions were spurred by the Lansing-based group. Actually, the activity was undertaken through the efforts of the Peace Section of the United Methodist Church's Detroit and Western Michigan districts, they said.

Defendant Margo Munger said 4,000 invitations were sent out to Methodists who might like to "witness" at Williams.

"We were drawn together to witness as a denomination," explained the Ann Arbor resident, who is office manager of the national arms control lobby group SANE. She said the Peace Section did not advocate civil disobedience, but "did make an invitation."

"We hope people become more familiar with church doctrines and discern for themselves what it means to live faithfully in a nuclear age," Munger said.

Williams is a target of peace groups because it makes engines for low-flying cruise missiles.

The firm also manufactures turbine engines for cars and trucks, industrial gas turbines and low pollution turbines for generating electric power from natural gas and coal. A version of the cruise missile engine is used in WASP II, a small one-person flying device.

Attempting to link the new arrests with previous ones, the company pointed out that two defendants were repeat offenders. The Rev. Bill Kellerman and the Rev. Tom Jones were arrested during the weeklong 1983 protests.

Williams also said the presence of two Covenant for Peace members — Mrs. Liz Walters and Margaret Dewey — indicated the recent activists were acting in concert with them.

"The alleged contemptuous conduct here goes to April 8, 1985," said Detroit attorney William Goodman. "The fact that they may have done something December 1983 does not prove an act of concert."

KELLERMAN SAID 20,000 Europeans also protested cruise missiles on Easter, when a prayer vigil was held at Williams. The vigil was linked to the arrests the next morning.

"No one would say we acted in concert with 20,000 Europeans," said the Detroit inner city pastor.

"It was an Easter action," Williams attorney Dawn Phillips admitted all the evidence linking the defendants to Covenant for Peace was "inferential."

"They all knew what they were doing, acted in the same fashion," said the Troy lawyer, who is also Methodist.

"All the evidence is inferential. There is no other proof except parallel conduct."

"You have to establish at least a community of purpose," said Thorburn. "History has its own peculiar sweep. It brings people together," added Goodman.



Judge James Thorburn

THORBURN, WHO has been accused of unfairness by Covenant for Peace, said there was no evidence that there was "concerted action."

But while freeing the eight, he leveled charges of his own at the audience packing his courtroom. Thorburn deplored their singing of hymns during recesses. He said it was necessary for four sheriff's deputies to stay in the courtroom to "assure law and order."

"Not all, but a number of the people here, are clearly in contempt of court by singing and disrupting the proceedings in chambers," he added.

Thorburn expressed dismay at the "arrogance, dishonesty, immorality and illegality" — especially coming from people "posing as people who believe in a higher morality."

OAKLAND COUNTY Chief Assistant Prosecutor Richard Thompson agreed with Thorburn's decision not to press contempt charges. "I think he was acting within the scope of the evidence the company lawyers had," said Thompson.

But he views the court action as a change in the position of the demonstrators from civil disobedients to political protesters.

"One of the main elements of civil disobedience is to accept the punishment," he said.

"But now they are taking actions we believe violate law and not admitting it. They no longer can be considered civil disobedients but political protesters."

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