

Legal and historical geographies of the Greenham Common protest camps in the 1980s

Katrina Navickas

University of Hertfordshire, UK

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ABSTRACT

This article examines the women's protest camps at RAF Greenham Common cruise missile base, Berkshire, England, between 1981 and 1990. Using new evidence from government correspondence in the Home Office archives, it argues that the legal status of the common and its history were key determinants of how the protest camps were policed and repeatedly evicted. The processes of eviction were determined by the complex layers of landownership, common rights, and legislation relating to commons and roadside verges. Protesters developed spatial and legal tactics during the processes of eviction, while sharing broader imaginings of an ideal of commons as publicly accessible to all. This article places Greenham Common in the context of the Conservative government's reaction to other protest and social movements in the countryside that ultimately shaped the formation of public order legislation in 1986 and 1994.

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The women's peace camps at Greenham Common in Berkshire, England, were among the most well-known protest movements of the 1980s. As soon as the encampments formed in 1981 at the gates of the Royal Air Force (RAF)/United States Air Force (USAF) base in protest at the installation of cruise missiles, they came to represent the interaction between the feminist movement and the international campaign against nuclear weapons. The peace camps drew worldwide attention to a common of around 1000 acres in the English countryside. This article examines the physical, historical, and legal geographies of the peace camps. It argues that the legal status of the common was a key determinant of how the camps were policed and ultimately evicted. Using new evidence from government correspondence in the Home Office archives, it shows how the legal eviction processes were determined by the complex layers of landownership of the common, and a long history of legislation governing the occupation and uses of common land. Protesters responded with tactics of resistance based on developing knowledge of the site's geography and the applications of different laws relating to commons. The debates about their eviction between the government, the Ministry of Defence, local authorities, and the police raised greater issues over policing protest in the countryside that would go on to impact on policing other protest groups and ultimately the wide-ranging public order legislation of 1986 and 1994.

The story of the Greenham Common peace camp has attracted intense interest among activists and scholars alike.¹ The majority of accounts have naturally focused on the experiences of the women and their contribution to the global feminist movement, and to the international anti-nuclear campaign.² By contrast, there have been few historical geographical examinations of the history of the protest. Tim Cresswell's survey of Greenham Common examined how the media and opponents of the protest depicted the women as being 'out of place' in the landscape. His analysis, as we will see,

¹ C. Blackwood, *On the Perimeter*, Harmondsworth, 1985; B. Harford and S. Hopkins (Eds.), *Greenham Common: Women at the Wire*, London, 1984; G. Leach, *Orange Gate Journal: A Personal View of the Greenham Common Women's Peace Camp*, self-published, 2015, <http://www.orangegatejournal.co.uk/>, last accessed 9 July 2023; K. Kerrow and R. Mordan, *Out of the Darkness: Greenham Voices 1981–2000*, Cheltenham, 2021; 5GCW, Yellow Gate archives, Women's Library, LSE; Greenham Women Everywhere oral history project, Scary Little Girls Association and The Heroine Collective, <https://greenhamwomeneverywhere.co.uk/>, last accessed 9 July 2023. See E. Titcome, Women activists: rewriting Greenham's history, in: K. Barclay and S. Richardson (Eds.), *Performing the Self: Women's Lives in Historical Perspective*, Abingdon, 2015, 134–53.

² C. Eschle and A. Bartlett (Eds.), *Feminism and Protest Camps: Entanglements, Critiques and Re-Imaginings*, Bristol, 2023; S. Roseneil, *Common Women: The Queer Feminisms of Greenham*, London, 2000; S. Roseneil, *Disarming Patriarchy: Feminism and Political Action at Greenham*, Milton Keynes, 1995; J. Liddington, *The Long Road to Greenham: Feminism and Anti-Militarism in Britain Since 1820*, New York, 1991. T. Rochon, *Mobilizing for Peace: the Anti-Nuclear Movements in Western Europe*, Princeton, 1988; E. Conze, M. Klimke and J. Varon (Eds.), *Nuclear Threats, Nuclear Fear and the Cold War of the 1980s*, Cambridge, 2017.

E-mail address: k.navickas@herts.ac.uk.

reflected the concern of cultural geographers in the 1990s with identities, representations, and ways of seeing the landscape.³ Catriona Jardine Brown explored the memories of the commons through oral histories of veteran protesters, showing how the women's experiences were shaped through language construction. The women created an imagined commons through their narratives, while their experiences connected them closely to the specific landscape of the site.⁴ This article adds a legal and material framework to the cultural geographical focus on representation, showing how both laws regulating commons and the physical environment of the landscape shaped the protests and their eviction.

This article examines legal files in the Home Office records in The National Archives. This correspondence was previously unavailable to scholars, and therefore has not been considered in earlier studies of the protests.⁵ The papers form part of an extensive series of records of the policing of public disorder in the 1980s. Three boxes of files concern the camps at Greenham Common and the other contested air bases, among a range of correspondence about other major protest movements, including the civil disturbances of 1981, animal rights campaigners, and New Traveller convoys at Stonehenge. The Greenham Common correspondence includes deliberations between the Home Office, other government departments, and their legal advisers about the most effective way to evict the camps. The legal advisers provided an extensive list of legislation that regulated or restricted public access to commons. The correspondence encapsulated the complex spatiality of legislative and common law frameworks around registered commons. It demonstrates the centrality of the legal status and landownership of commons, roadside verges, and military sites in the policing and evictions of the protest camps.

This study of the evictions of the protest camps adds to a growing body of work on the relationship between policing, the law, protest, and landscape in Britain. Several studies have centred on the role of the National Council of Civil Liberties (NCCL) in Britain leading the legal defence of the right to protest, especially during the social and racial disturbances during the 1930s and again from the late 1970s and early 1980s. The NCCL foregrounded the rights of the anti-nuclear protest camps within the global movement for human rights.⁶ The Greenham Common camps are also generally discussed within broader histories of new alternative social and political movements that emerged globally from the 1970s onwards.⁷ Studies of public order law and the urban civil unrest in the 1980s underline the hardening of policing tactics and of the attitudes of the Home Office and cabinet ministers in the Conservative governments, leading to the public order legislation of 1986 and 1994.⁸ Lisa Furchtgott situates the evictions at Greenham

Common within the context of the increasingly heavy policing of industrial action in the decade leading to the 1984–1985 miners' strikes.⁹ I argue that the Conservative government policies towards the camps were further formed within the broader reaction against non-settled groups from New Travellers to environmental protesters encamped on roadsides in the countryside.

This article first examines the debates about eviction of the camps at Greenham Common, and how the legality of the decisions was based on the landownership and regulation of the common. It then shows how the activists at the camps developed spatial and legal knowledge of the commons as part of their tactics of defence against eviction. It then explores how the protesters and their opponents constructed competing imaginings of the commons. The article concludes by assessing the larger impact that the legal debates about policing groups on the move in the countryside had on the development of public order legislation in the 1980s and 1990s.

The peace camps

In December 1979, NATO announced that Ground Launched Cruise Missiles would be sited in Western Europe. On June 17, 1980, the UK Secretary of State for Defence, Francis Pym, revealed that the selected locations in England were RAF Greenham Common in Berkshire and RAF Molesworth in Cambridgeshire. At the end of August 1981, around forty anti-nuclear and peace protesters set out from Cardiff in a protest march to Greenham Common. On September 5, 1981, four women chained themselves to the fence and refused to move. An encampment was set up on land adjacent to the main gate of the base. From then on, a rolling population of protesters occupied the land. The protesters erected 'benders', constructions of branches covered with plastic sheeting. The benders became a key symbol of the protest (see Fig. 1). Camps spread gradually to the other six gates, naming themselves by colour (Orange Gate, Blue Gate, and so on) (Fig. 2). The Yellow Gate at the main entrance to the base was the main site of conflict with the authorities. The Campaign for Nuclear Disarmament (CND) initially did not condone the direct action taken by the encampments.¹⁰ Encampments spread to many of the other military sites around the United Kingdom. RAF Molesworth in Cambridgeshire, the other base chosen for cruise missiles, saw three women begin a peace camp on December 28, 1981. In 1982, similar temporary peace camps began at Glamorgan County War Headquarters in Bridgend; RAF Fairford, Gloucestershire; USAF Burtonwood, Cheshire; RAF Waddington, Lincolnshire; USAF Upper Heyford, Oxfordshire, among protests at other military installations.¹¹

This article focuses on Greenham Common in particular because of its significance as the longest-running site of continuous protest, and because of the attention given to its status as a common in the Home Office correspondence. By 1983, as Jill Liddington has noted, Greenham Common 'occupied the central theatrical arena' for protest in England.¹² The other key feature that distinguished the protest camp was its shift to becoming women only in February 1982, for both political and practical reasons. In part, the decision was prompted by the district council issuing the first notice of eviction. Those in favour of a women-only camp sought to create a feminist non-hierarchical model of society and they argued that the absence of men would discourage the police from violent tactics.

³ T. Cresswell, *In Place/Out of Place: Geography, Ideology and Transgression*, Minneapolis, 1996, 98; J.S. Duncan and D. Ley (Eds.), *Place/Culture/Representation*, Abingdon, 1993.

⁴ C. Jardine Brown, *In Living Memory: how does an oral history collection map the landscape of Greenham and Crookham Common?* Unpublished MA dissertation, School of Advanced Studies, University of London, 2009, 11.

⁵ Control of demonstrations (policy), 1984, HO 325/619–621, The National Archives, Kew (hereafter TNA).

⁶ K. D. Ewing and C. A. Gearty, *The Struggle for Civil Liberties: Political Freedom and the Rule of Law in Britain, 1914–1945*, Oxford, 2000; D. Campbell, *Civil Liberties in the Nuclear Age*, in *Civil Liberties 1984*, National Council for Civil Liberties, Oxford, 1984; C. Moores, *Civil Liberties and Human Rights in Twentieth Century Britain*, Cambridge, 2017.

⁷ G. McKay, *Senseless Acts of Beauty: Cultures of Resistance Since the Sixties*, London, 1996; P. English, *Disputing Stonehenge: Law and Access to a National Symbol*, *Entertainment Law* 1 (2002) 1–20.

⁸ I. Channing, *The Police and the Expansion of Public Order Law in Britain, 1829–2014*, Abingdon, 2015.

⁹ L. Furchtgott, *Tents amid the fragments: the law at Greenham Common*, *Journal of Social History* 48 (2015) 789–802.

¹⁰ C. Cockburn, *Antimilitarism: Political and Gender Dynamics of Peace Movements*, Basingstoke, 2012, 40.

¹¹ S. Hill, *The Peace Protestors: A History of Modern-Day War Resistance*, Barnsley, 2022, 13.

¹² Liddington, *The Road to Greenham Common*, 252.



Fig. 1. Photograph of Greenham Common Women’s Peace Camp in 1983/1984. The shelter is inscribed ‘Evict Cruise: let us be’. Source: copyright Janine Wiedel Photo Library, with permission of Janine Wiedel.

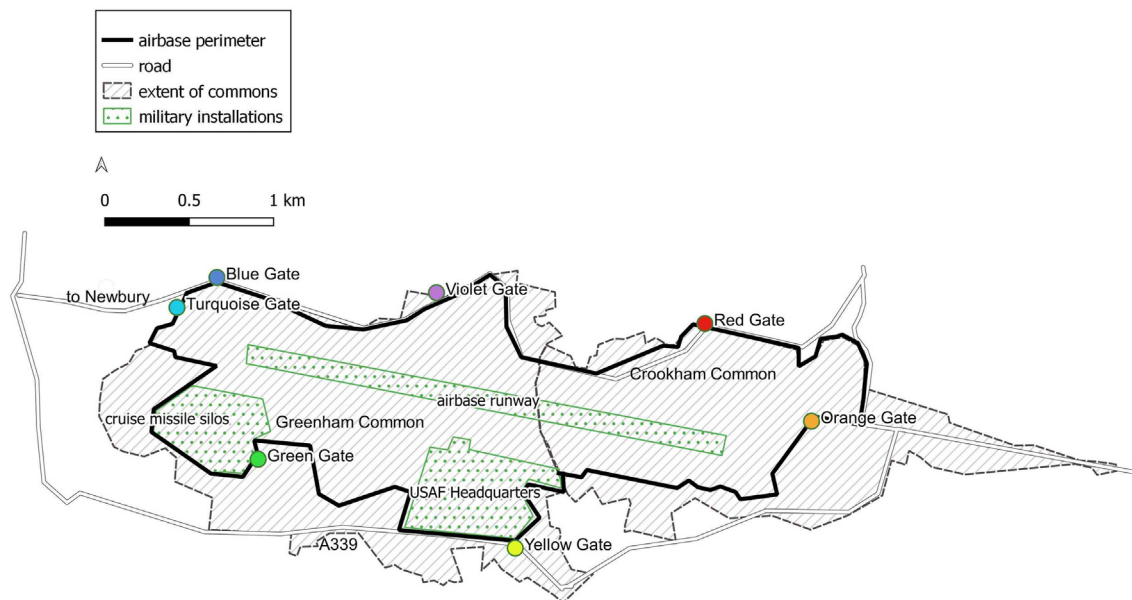


Fig. 2. Map of Greenham Common airbase and boundaries of Greenham and Crookham Commons. Source: based on maps in Control of demonstrations (1984), Home Office records, HO 325/619, The National Archives. Produced with QGIS and Ordnance Survey Open Data.

Other members preferred a women-led — but not exclusively women-only — camp. The decision nevertheless made Greenham Common a major focus of attention in the media and came to define the public image of peace activism.¹³ Protesters Barbara Harford and Sarah Hopkins in 1984 outlined how ‘living at Greenham ... makes few compromises with mainstream society; it is an alternative, an outdoor community of women’.¹⁴ There was, however, no typical woman protester. Occupants of each gate ranged from creative

artists, vegans, those identifying with New Age philosophies, and Quakers and CND supporters who kept their distance from the direct action.¹⁵ The varied identities of each gate camp differed and indeed sometimes conflicted. Black feminists expressed some sense of alienation from other protesters who were, as activist Catherine Leyow recalled, ‘that very white, educated, slightly older feminist, who I didn’t have a lot in common with’.¹⁶

¹³ Liddington, *The Road to Greenham Common*, 248; D. Fairhall, *Common Ground: the Story of Greenham*, London, 2006, 25; Hill, *The Peace Protestors*, 14.
¹⁴ Harford and Hopkins, *Greenham Common*, 5.

¹⁵ F. Shand, Greenham rifts, *Marxism Today* 31 November 1987.
¹⁶ Oral history of Catherine Leyow, Greenham Women Everywhere, <https://greenhamwomeneverywhere.co.uk/wp-content/uploads/2020/08/Catherine-Leyow.pdf>, last accessed 23 June 2023.

The camps and their supporters raised the widest publicity by organising set-piece demonstrations. The largest of these events occurred on December 12, 1982, when around 30,000 people conducted 'Embrace the Base', encircling the entire perimeter fence (Fig. 3). On 31 March and April 1, 1983, an estimated 50,000 people formed a human chain between Greenham Common, Aldermaston Atomic Weapons Establishment, and Burghfield weapons factory, a distance of fourteen miles (see Fig. 4).¹⁷ The Department of Transport's legal advisers noted that the women's tactics were largely peaceful and caused no disruption to the base, a conclusion that contrasted with the overwhelmingly negative coverage of the protests in the media.¹⁸ The tenor of the protests changed when the organised obstructions shifted to more serious attempts to cut the perimeter fence with bolt cutters. Clashes with police became more severe in late 1983 and early 1984. On October 29, 1983, some four hundred women cut down about 2000 yards of the nine mile fence, and 197 were arrested for criminal damage. Thames Valley Police estimated they had arrested over 1000 people between 1982 and 1983, with some 800 cases being brought to court. The Home Office papers note the extensive time and numbers required from multiple neighbouring county forces sent to police the camps, costing several million pounds a year.¹⁹

Commons and enclosures

The history and landownership of Greenham Common as a common, with adjoining roadside verges, were integral to how the women's occupations were policed and evicted. The air base was situated over part of two adjoining commons, Greenham and Crookham. Part of Greenham Common had been enclosed in 1844. The rest remained open, an increasingly rare feature given that over one-third of the surface area of Berkshire was enclosed by act of Parliament between 1723 and 1885.²⁰ The last private landowner and lord of the manor died in 1937, and the Greenham estate was sold in 1939 to Newbury council. The council then opened the common to the public under section 193 of the Law of Property Act 1925, which enabled local authorities to set aside land for 'air and recreation' purposes. Crookham Common continued to be privately owned, though the owner had also executed a deed of public access in 1930.²¹

This legislation concerning public access to the commons had been the result of pressure by campaigning groups such as the Commons and Footpaths Preservation Society, who campaigned against enclosure of commons and the stoppage of rights of way from 1865 onwards.²² By the late nineteenth century, regulation schemes increasingly became the preferred means of managing commons over formal parliamentary enclosure. Boards of conservators and a raft of bylaws enacted under the 1899 Commons Act heavily restricted the uses of and access to commons.²³ As we will

see, such bylaws became a key tool in the eviction of the protest camps. Radical geographers argue that enclosure was not simply a specific historic and legal operation confined to parliamentary legislation. Rather, enclosure is an ongoing and recurring process of the exclusion of communal uses of the land.²⁴ This definition relies on a looser definition of the commons not as a strict legal category of property confined to specific users with customary rights, but as a public space accessible to all. The more general public understanding of the commons was one that the peace protesters initially shared, although they came to define commons more closely to the stricter definition as a legal tactic.

Military requisitioning of common land was, in effect, another form of enclosure. The Defence Act of 1842, section 9, allowed the War Office to compulsorily purchase land on behalf of the Crown. At the start of the Second World War, the Emergency Powers (Defence) Act 1939 enabled immediate military requisitioning of land. In May 1941, the Ministry of Defence (MoD) requisitioned 910 acres of Greenham and Crookham commons for an air base under the emergency powers. The Requisitioned Land and War Works Act 1945 allowed for compulsory purchase orders for land deemed suitable for military service requirements. In 1946, the armed services controlled nearly a million acres, but were calling for the acquisition of a further three million acres. Large swathes of the British countryside had restricted or no public access as a result of the MoD's demands for training grounds and installations during the Cold War.²⁵ Following the Berlin Crisis of 1948–49 and the formation of the North Atlantic Treaty Organization (NATO), the Air Ministry used the emergency powers still in force to requisition the airfield on Greenham Common again. The USAF were stationed at the air base from 1951 onwards. Their arrival, with nuclear bombers, roused opposition among local residents. The Chamber of Commerce called a town's meeting, chaired by Lord Teviot, who held common rights at Greenham. The meeting unanimously passed a resolution against 'the loss, now and for ever, of ancient common lands and liberties ... these are for us essential parts of that peaceful way of life for the protection of which the defence programme has been undertaken'. The Conservative MP for Newbury presented a petition to parliament protesting against the development and signed by over 10,000 people. The US air force continued construction at Greenham Common, including of the largest runway in Europe at that time.²⁶ In 1960, the Air Ministry purchased the freehold of the common land together with a further fifty acres of land from other landowners.²⁷ Newbury district council retained about a hundred acres of the common outside the base. The Ministry of Transport, as it was then, owned the verges alongside the A339 road, which passed the base, up to the junctions with the gate entrances. The Secretary of State for the Air noted 'the philosophical attitude of the Commoners, which was to assert the existence of rights while regarding them as "suspended" during such time as the airfield was in use'.²⁸ Under the 1965 Commons Registration Act, the sixty commoners registered both the commons and their customary rights. After years of negotiation with the MoD, they eventually agreed that their common rights could be considered 'in abeyance' while the airfield

¹⁷ Liddington, *The Road to Greenham Common*, 252; Poster, Campaign for Nuclear Disarmament, 'Burghfield - Aldermaston - Greenham: stand together Easter 1983', LBY K. 19/46, Imperial War Museum.

¹⁸ Control of demonstrations (policy), February 1984, HO 325/619, TNA.

¹⁹ Control of demonstrations (policy), HO 325/619, TNA; Greenham Common, Escort and Guard Force commitments, HO 325/620, TNA.

²⁰ *Reading Mercury*, 13 July 1844; *Report from the Select Committee on Commons' Inclosure*, Parliamentary Papers, 583 (1844) 319; B. Afton, *The Manmade Landscape: The Impact of Enclosure in the Wantage Area of Old Berkshire*, n.d., <http://www.berkshireenclosure.org.uk/downloads/TheManmadeLandscape/TheManmadeLandscape.pdf>, last accessed 27 June 2023.

²¹ Control of demonstrations (policy), 1984, HO 325/619, TNA.

²² P. Readman, *Storied Ground: Landscape and the Shaping of English National Identity*, Cambridge, 2018, 13.

²³ A. Howkins, The use and abuse of the English commons, 1845–1914, *History Workshop Journal* 78 (2014) 107–32; A.J.L. Winchester, *Common Land in Britain: A History From the Middle Ages to the Present Day*, Woodbridge, 2022, 164–65.

²⁴ S. Hodkinson, The new urban enclosures, *City* 16 (2012), 508–9; B. Christophers, *The New Enclosure: the Appropriation of Public Land in Neoliberal Britain*, London, 2018.

²⁵ D. Evans, *A History of Nature Conservation in Britain*, London, 1992, 72; M. Dudley, Traces of conflict: environment and eviction in British military training areas, 1943 to present, *Journal of War and Culture Studies* 6 (2013) 112–26.

²⁶ Fairhall, *Common Ground*, 16; *Daily News*, 4 April 1951.

²⁷ Control of demonstrations (policy), 1984, HO 325/619, TNA; *Reading Mercury*, 13 December 1958.

²⁸ Paper on common rights by E.W. Willis, 27 January 1984, HO 325/621, TNA.



Fig. 3. 'Embrace the Base' demonstration, December 12, 1982. Source: © John Harris/reportdigital.co.uk/Press Association/Alamy.



Fig. 4. Map of Berkshire, with site of Greenham and Crookham commons highlighted in rectangle. Produced with QGIS and Ordnance Survey Open Data.

was operational.²⁹ This agreement with the commoners would have later implications, as we will see, for how the legal debates over the evictions would proceed. NATO's intervention transformed the landscape from 1980, with the erection of six huge earth-covered missile shelters on the south-west of the site.

The peace camps from September 1981 onwards were first dealt with by informal negotiations attempted by the military authorities and police asking the women to move on, but the protesters refused to move.³⁰ On May 27, 1982, Newbury district council served an

eviction notice on the protest camp at the main gate of the air base. They claimed the camps had broken bylaws passed under the Commons Act 1899 regulating Greenham and Crookham commons. The bylaws were confirmed in 1939 when the council purchased the freehold, prohibiting the lighting of fires, and erecting tents or other constructions on the common without the council's permission. Thus began a prolonged series of evictions, where the various authorities forced the camps from off the common land to the roadside verge and back again. The fact that the common and roadside verge were owned and managed by different authorities determined the tactics and the prolonged series of evictions. The main Yellow Gate camp first moved onto the roadside verge alongside the junction between the A339 and the access road to the

²⁹ Fairhall, *Common Ground*, 21.

³⁰ *Reading Evening Post*, 15 September 1981.

base, owned by the Department of Transport (DoT). *The Guardian* journalist David Fairhall referred to the women's manoeuvres around the evictions as a 'giant game of hopscotch' between the parts of the common and roadside verges.³¹ Protester Jill 'Ray' Raymond recalled in an oral history of the camps:

We had to keep moving at the Blue Gate, because they fenced a load of it off and said they were going to do a nature conservation area, and they fenced it off with this little picket fence and planted trees, so we had to move out. So we went on the other side of the road, and it got that you couldn't really put benders in the wood because of the evictions.

The protesters began to learn the legal and spatial tactics required to evade the evictions. The Blue Gate camp moved again when the Church of Latter Day Saints were awarded planning permission to build a church on the site, to the other side of the road that Ray noted was 'on a bit of green land that I don't think was part of the Common, because there was endless amounts of looking at maps and planning, and what was military and what was common'.³² The deliberately fluid composition of the camps' residents and the large numbers of women arrested and having to attend court prolonged all the stages of the evictions. Ray's testimony indicates how the legal and ownership issues increasingly shaped occupation tactics.

The DoT proposed a plan to widen the access road, thereby removing most of the verge.³³ Eviction of the Yellow Gate camp on the verge occurred on April 4, 1983 while many of the women were away at Reading Crown Court attending their hearing for the previous eviction. During organised attempts to blockade the gates of the base, police began arresting protesters in large groups on the verges. In July 1982, 115 were arrested for obstruction. The DoT then gave notice under section 143 of the Highways Act 1980 to remove the caravans and structures, which it did in September 1982. The land was then banked up with earth to prevent vehicles accessing it. The verge was thus effectively physically enclosed. The protesters in response moved back again onto the common land owned by Newbury district council.³⁴ In early 1983, Newbury district council and the MoD took another step involving management of the common. They revoked the deeds executed in 1939 that allowed public access 'for air and recreation'. On 26 July, the council then made a new scheme of management under the Commons Act 1899 to regulate the commons, including enforcing bylaws that made it an offence to drive vehicles, camp, or light fires on the Common.³⁵ They obtained a High Court injunction against 21 protestors, which required them to leave the common, not to re-enter and not to conspire with others to trespass. It then repossessed the land against 161 women. The women moved their structures yet again off the common land and back onto the roadside verge.³⁶

This situation of repeated evictions on and off the common and verge parts of the base came to a head in early 1984. The Home Secretary, Leon Brittan, arranged to meet the Prime Minister on 5 March to 'discuss the arguments for and against concerted civil action at Greenham Common'.³⁷ The Home Office asked its legal advisers to compile a list of existing legislation that could

potentially be applied to enable the local council and the DoT to evict the camps permanently. The list was a way of working through what could cause the least amount of controversy and disruption. The document in effect formed a potted history of how commons in England had been regulated and controlled over the past hundred and fifty years. The first consideration was prosecution for simple trespass. Trespass was a civil offence, while trespassers could be removed under common law, as landowners had the right to remove trespassers off their property. The legal advisers noted that although it would be permissible for the landowners to remove the women by force under common law, it would not generate good publicity and could result in breaches of the peace, with the risk that the women would sue for injury. Another issue was 'the shifting character of the population of the camps would make it difficult to proceed via a standard action for trespass. The women are often difficult to identify'.³⁸ So this avenue was disavowed. The next option was prosecution under the Highways acts of 1835 and 1980 for obstructing the right of passage of the public along the highway. The duty that the legislation placed on the highway authority to 'protect the right of the public to use and enjoy' the road had been enforced alongside the 1824 Vagrancy Act throughout the nineteenth and twentieth centuries, particularly against encampments of Gypsies and other Travellers on roadside verges. People erecting encampments could also be prosecuted under common law as a nuisance and obstruction to the right of passage, and under the local council byelaws, as occurred previously.³⁹

As well as the simple solution of the borough council prosecuting the protesters for breaking the commons' byelaws, the legal advice also considered prosecuting for obstruction of commoners' rights. A county register of individuals and properties holding customary rights had been compiled in line with the 1965 Commons Registration Act, and this was consulted. However, the law officers found that there were only sixty-four registered commoners at Greenham and Crookham. Most of these commoners had registered only minimal rights, for example to extract gravel to repair paths, take firewood to repair fences, or to graze a couple of animals.⁴⁰ There was not enough evidence that the camps had disrupted this activity. The Home Office and MoD thus contemplated the other option, which would be to apply to extinguish these common rights altogether to make it easier to enforce all public access. The legal advisers concluded that because of the numbers involved it would not be practical to extinguish the common rights by agreement. The local authority employed other obstructionist tactics in 1983, including designating a small area on the MoD owned land as a Site of Special Scientific Interest (SSSI) under the Wildlife and Countryside Act 1981. This site was so small however that it was not a wider solution to the issue of eviction.⁴¹

The agreed solution was for the verges to be brought under the control and ownership of the government. Under the Provisions and Improvement of Highways (Berkshire) Compulsory Purchase Act of 1959, the MoD requested the DoT to purchase the land to widen the junction of the main road with the access road to the base. Negotiations dragged over the amount of land to be swapped in exchange with the district council, until it was eventually resolved that the MoD itself would buy the land (Fig. 5) By

³¹ Fairhall, *Common Ground*, 35.

³² Cited in Kerrow and Mordan, *Out of the Darkness*, n.p.

³³ Greenham Common, meeting of representatives, 1983, HO 325/620, TNA.

³⁴ Control of demonstrations (policy), 1984, HO 325/621, TNA.

³⁵ Control of demonstrations (policy), factual contribution to brief for counsel, February 1984, HO 325/619, TNA.

³⁶ *The Guardian*, 19 March 1983.

³⁷ Aide Memoire, 'Protestors at Greenham Common', March 1984, Control of demonstrations (policy), 1984, HO 325/621, TNA.

³⁸ Factual Brief, 'Protestors at Greenham Common', Control of demonstrations (policy), 1984, HO 325/619, TNA.

³⁹ D. Mayall, *English Gypsies and State Policies*, Hatfield, 1995; P. Lawrence, The Vagrancy Act (1824) and the persistence of pre-emptive policing in England since 1750, *The British Journal of Criminology* 57 (2017) 513–53.

⁴⁰ Register of common rights, CL60 (Crookham) and CL55 (Greenham), Control of demonstrations (policy), HO 325/619, TNA.

⁴¹ Paper on common rights by E.W. Willis, 27 January 1984, HO 325/621, TNA.

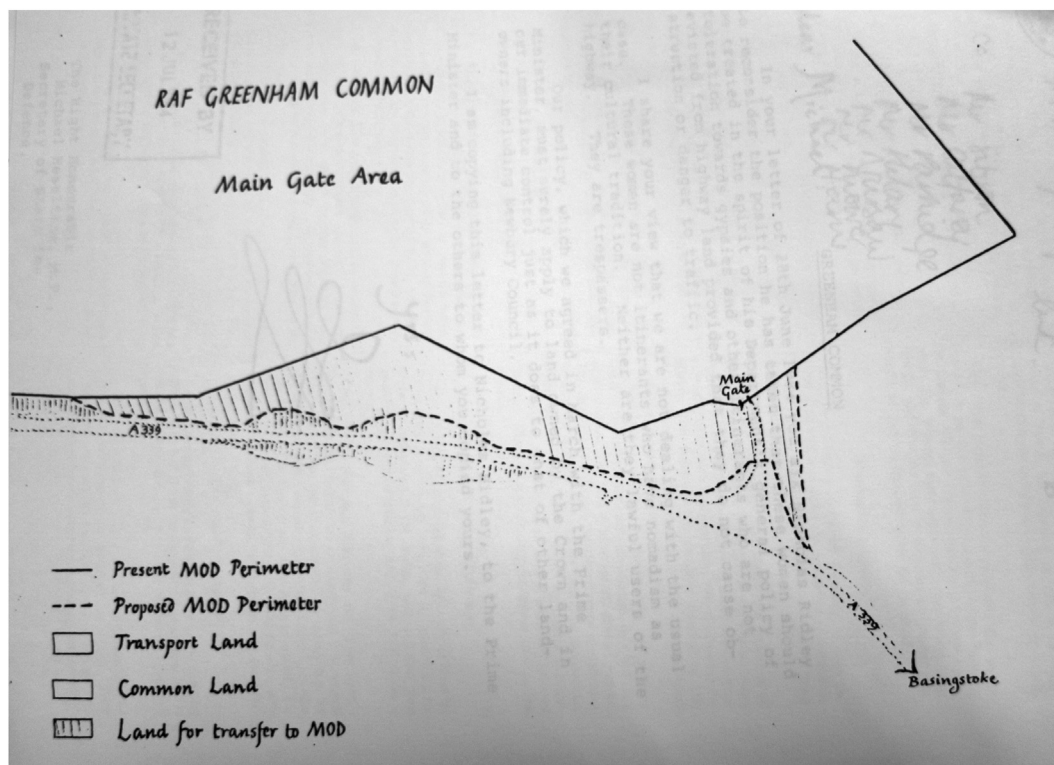


Fig. 5. Sketch of main gate land transfer, RAF Greenham Common, 1984. Source: Control of demonstrations (1984), Home Office records, HO 325/621, The National Archives. Reproduced with permission of The National Archives.

putting all the parts of the common under MoD ownership, the perimeter fence could be extended to the road edge, and protesters could be evicted from any part of the common or verge for military defence reasons. Following the road improvement works, the camps returned to the DoT land on the verge. Upon advice from Thames Valley Police and the Home Office, the Minister of Transport waited until after the camp had held a ten-day commemoration of its third anniversary in September 1984, to avoid attracting further protesters attending from elsewhere in their defence.⁴² Following further resistance and arrests, small groups of women remained on and around the gates after the evictions.⁴³

The evictions were a battle of attrition over whether the women 'belonged' to the common and whether they had the right of access to the common land outside the air base. The women further claimed access to inside the base, on the grounds that it was common land and their belief that the military enclosure was illegal. Protester Sally Hay recalled how the women trying to cut the fence would defend their actions in front of the American soldiers by declaring, 'We need to come in there, it's common land. And we think you've got something really big and dangerous in there, and we need to get it off the common land because it is dangerous'.⁴⁴ A bailiff testified at the trial at Newbury magistrates' court on May 28, 1982 that the women 'made comments, "If this is common land, you have no right to move us"'.⁴⁵ The erection of bender structures on the verges and commons embodied the landscape of the

commons. The tents were one type of the wide variety of anarchist structures that Paul Dobraszczyk has identified as a physical enactment of autonomy and networks of mutual aid.⁴⁶ There were nevertheless tensions and political dissensions inevitable in any social movement that made full autonomy and mutual aid difficult to achieve.

The spatial tactics of the protesters on the ground were accompanied by increasingly sophisticated legal tactics. The women developed their knowledge of the legal bases of the common to turn the law to their positive advantage. Protesters Jean Hutchinson and Georgia Smith deliberately took on the legal challenge to the bylaws and evictions. In early 1986, the MoD drafted new bylaws to regulate the common under the Military Lands Act 1892. This legislation had originally been passed to enable the War Office to requisition land for local militias to practise drilling. The act stated that if bylaws had been made to keep civilians away from military firing or drilling, they should not 'take away or prejudicially affect any right of common'.⁴⁷ The MoD also continued their attempt to extinguish the commoners' rights. A Commoners' Committee was set up, supported by the Open Spaces Society (OSS), who had already been involved (in their earlier incarnation as the Commons and Footpaths Preservation Society) in the 1951 negotiations with the USAF about commoners' rights. Duncan Mackay, deputy secretary of the OSS, wrote to *The Guardian*, noting, 'This Society has been attempting since its foundation in 1865 to obtain a legal right to public access to all common land in order that the public should have some say in its future use. The example of Greenham Common shows just how fragile that public

⁴² Note by Department of Transport, 17 August 1984, Control of demonstrations (policy), HO 325/621, TNA; *Reading Evening Post*, 25 September 1984.

⁴³ *Reading Evening Post*, 31 October 1984.

⁴⁴ Kerrow and Mordan, *Out of the Darkness*, n.p.

⁴⁵ Harford and Hopkins, *Greenham Common*, 48.

⁴⁶ P. Dobraszczyk, *Architecture and Anarchism: Building without Authority*, London, 2022.

⁴⁷ Fairhall, *Common Ground*, 109–110.

right can be'.⁴⁸ The chair and majority of the Commoners' Committee sought a compromise with the MoD. But six of the sixty commoners refused to sign the order, and they were supported legally by the OSS.⁴⁹ A local newspaper interview with one of the commoners expressed their fear that giving up common rights would be the first step to the MoD selling off the land for development: 'we are trying to protect this land as common land for the future'. Of course, self-interest was involved in their refusal, but the long legal history of the commons and the 1845 General Inclosure Act was useful as a rhetorical strategy, the commoner explaining: 'We are challenging the Ministry's moral right to use an old Act from 1845 to enclose the Common'.⁵⁰ The pointed use of the adjective 'moral' reflected the popular belief of the commons as perpetually open to all.

The new commons regulations came into effect on April 1, 1986. On 18 April, Hutchinson and Smith entered the base through a gap in the wire. They were brought before West Berkshire magistrates' court in July 1986 for trespass. The women decided to employ the defence that the commoners still retained their common rights on Greenham and Crookham commons, albeit 'in abeyance' under the former agreement with the MoD. The women were assisted by sympathiser and local resident, Leslie Pope, a retired civil servant whose wife had been arrested at Greenham for trespass. Alongside the NCCL, Pope had already 'thwarted Newbury Council's attempt to ban meetings on common land around the air base by pointing out that the relevant statutory instrument merely authorised them to "regulate" assemblies not to prohibit them'. The presiding Judge Lait accepted Hutchinson and Smith's claim.⁵¹ At a final hearing in February 1988, Judge Lait's ruling was that the Defence Secretary had exceeded his authority under the 1892 legislation by making the bylaws because he had prejudicially affected commoners' rights. Their conviction was thus invalid because it had been enacted under these bylaws. This was a significant decision, noted in parliament.⁵² On 3 September, supported by the OSS, four commoners arrived at the main gate and demanded entry to exercise their rights of access, graze cattle and dig gravel. A member of the local OSS branch was later arrested for trespass.⁵³ The MoD persisted with the legal case against Hutchinson and Smith, and the appeal finally reached the House of Lords in November 1989. On July 12, 1990, the Lords reaffirmed Lait's ruling that under the Military Lands Act, the Secretary of State was not permitted to make bylaws that affected rights of common. The ruling stood even though the women were not commoners. Ironically the local residents who were commoners and had opposed the protest camps ultimately benefited from the ruling. The newspapers noted that an estimated 2000 people had been arrested and charged under the bylaws enacted in 1985; half had come to court while the rest were 'in a kind of legal limbo', as the ruling of the Law Lords meant that none of the remaining cases would be proceeded with.⁵⁴ The MoD's efforts to extinguish rights of common were enforced in 1990.⁵⁵

⁴⁸ Cited in F. McWilliams, *Contested countryside: commons and Cold War*, blog post for Museum of English Rural Life, 2020, <https://merl.reading.ac.uk/blog/2020/06/contested-countryside-commons-cold-war/>, last accessed 6 June 2023.

⁴⁹ Correspondence from Crookham and Greenham Commoners' Association, Open Spaces Society site files for Berkshire, Greenham Common, SR OSS CF/3/6–8, Museum of English Rural Life.

⁵⁰ *Reading Evening Post*, 3 August 1990.

⁵¹ *Reading Evening Post*, 4 August 1987, 30 December 1987.

⁵² *Hansard*, House of Commons, volume 132, 29 April 1988, cc. 190–1.

⁵³ *Reading Evening Post*, 2 December 1988.

⁵⁴ Fairhall, *Common Ground*, 113–14; *Reading Evening Post*, 14 July and 3 August 1990.

⁵⁵ *Hansard*, written answers to questions, 11 January 1990, c. 690, <https://publications.parliament.uk/pa/cm198990/cmhansrd/1990-01-11/Writtens-3.html>, last accessed 27 June 2023.

The commons and ideas of the English landscape

Greenham Common was a complex overlay of legal powers of local, national, and international authorities. It was also a site of imagined and contested landscapes of English identity. The women's peace camps were depicted by their opponents as disrupting the 'rural idyll' of the English landscape, which often featured the common and the village green as the epitome of rural society. This ideal, as David Matless has explained, had been promoted by campaigners for open space from the 1920s onwards.⁵⁶ The rural idyll of the Home Counties continued into the 1980s, with a revival of adulation of the English country house living ideal as one of the cultural markers of Conservative ideology. Ordering of the landscape was a key principle of this vision of England; any item or person disrupting the order of was in effect a carefully managed countryside, was seen as transgressive and needed to be excluded. The opposition to the peace camps from local residents and in the press highlighted such ways of seeing the landscape. Tim Cresswell pointed out the juxtaposition of the wealthy stockbroker belt of Berkshire, with its rolling downs, with the harsh orderliness of the military base of concrete and wire fences. Who or what was seen 'out of place' in the landscape depended on the way of seeing. The provocatively named RAGE, Ratepayers Against Greenham Encampments, were the most vocal local residents' group. They portrayed the women's camps as overturning gendered norms of domestic life among the wealthy middle classes.⁵⁷ The satirical press played up the juxtapositions. *Private Eye*, for example, ran a piece, 'This Romantic England', which sardonically parodied antiquarian writing in documenting the eviction attempts by the council:

The English countryside knows no more colourful sight than the groups of anorak-bedecked peace women who traditionally cluster around the Greenham Common airbase in Berkshire. With their matted hair and muddy Wellingtons, these exotic creatures fill the air with their shrill cries of "No cruise, no cruise", and "we hate men".

Michael McNair-Wilson was the long-serving Conservative MP for Newbury (1974–1992). He threw his political energy into seeking to secure the eviction of the peace camp in his constituency. Quoting the above extract from *Private Eye* in parliamentary debate over the Public Order bill in 1986, he noted, 'although satirical, this is a remarkably accurate summing up of what we have had to endure during the past five years'.⁵⁸ The press, and indeed also critics within CND, deliberately portrayed the women as giving up their domestic and familial responsibilities, and thus overturning their expected gender role - and place in the landscape - by foregoing the home for a makeshift tented structure.⁵⁹ In a House of Commons debate on July 25, 1983, MPs presented widely oppositional depictions of Greenham Common. On the one hand, McNair-Wilson bemoaned the deleterious impact of the peace camp on the landscape: 'The whole site is ugly, an environmental eyesore and blatantly against the regulations'. The activist Labour MP for Aberdeen, Robert Hughes, chair of the British Anti-Apartheid Movement and avidly anti-nuclear, presented the other side of the argument. He defended the camps, arguing, 'The women of Greenham Common have a wider and even greater symbolism that goes far beyond the specific aim of being opposed to cruise missiles.

⁵⁶ D. Matless, *Landscape and Englishness*, second edition, London, 2016; J. Burchardt, *Paradise Lost: Rural Idyll and Social Change in England Since 1800*, London, 2002.

⁵⁷ Cresswell, *In Place/Out of Place*, 98.

⁵⁸ *Hansard*, House of Lords, volume 103, 4 November 1986, c. 856.

⁵⁹ Furchtgott, *Tents amid the fragments*, 791.

Their activities symbolise the richness and diversity of our democratic way of life'. He depicted the commons as a national landscape, as a counter-argument to McNair-Wilson's localist view of the commons as being restricted to ratepayers and rights-holding commoners:

The fact that the land is owned by the Department of Transport is not of any great significance in itself. The Department of Transport, which is not an individual entity, holds land in trust for the nation, not for its own purposes. The Department should remember that part of our heritage is that protest should survive, or even thrive.⁶⁰

Hughes likely believed this. The rhetoric wasn't completely true. Rather, it fed into the myth that the commons were a national resource, to which every citizens ought to have access. Notably, the anti-apartheid movement would go on to mirror the protest camps' tactic in staging a continuous protest outside the South African embassy in London between April 1986 and February 1990.⁶¹

The legal debates over the eviction of the camps, the claims of customary rights by commoners, and the physical actions of bailiffs and police in evicting the women, illustrated the conflicting territorialities of each group. Interviewing 'the other people of Greenham', the *Reading Evening Post* in March 1983 reported on how local residents planned to stage a protest against the camps by erecting lengths of chicken wire and wooden posts as barricades.⁶² Christopher Moores's study of opposition to the camps rightly cautions that RAGE were a minority group, unrepresentative of the broader Newbury population. Nevertheless, the voices of these individuals were amplified by the authorities and the press in mirroring their attitudes, and were indicative of the shift towards the 'new right' and Thatcherite property-owning conservatism in the 1980s.⁶³ It was a symbolic common used for leisure, but it was also a site of closely guarded rights belonging to local people, regardless of whether the air base was restricting all local access. The chairman of Newbury district council's recreation and leisure committee explained: 'It's common land and they are trespassing. We've turfed gypsies off here before. You can't treat one differently to the other'.⁶⁴ An othering was applied to all those seen as not belonging to the common.

The camp women opposed this restrictive definition of the commons legally, symbolically, and physically in their protests. As part of Embrace the Base on December 12, 1982, the women hung up domestic items, children's toys, and 'hundreds of tampons dipped in red' among other symbols on the wire.⁶⁵ Tim Cresswell notes that the effect of the fence being decorated with personal objects 'was to transform the fence from a negative obstruction to a positive form of expression'.⁶⁶ I go beyond the focus on symbolism and representation here. The resistance tactics, especially the large show-piece events, were not simply representative actions. They were physical and material claiming of territory. In his study of riots against enclosure of commons, Nicholas Blomley emphasised how hedges were material objects. While they played a role in visually symbolising property boundaries, we should not ignore that such

barriers were primarily physical enforcements of them.⁶⁷ Drawing on Blomley, Carl Griffin and Briony McDonagh argued for the material praxis of anti-enclosure protesters physically reclaiming the landscape by ploughing and digging enclosed commons in early modern England.⁶⁸ The Greenham women were enacting a similar process of claiming the common by cutting the fence and trespassing on the air base.

Non-human barriers and materiality shaped action as much as ideas of symbolism and representation. Journalist David Fairhall's account of his reporting of the Greenham Common camps underlines 'the centrality of the fence to the whole protest'.⁶⁹ The peace camps would obviously not have existed without it. The very origin of the protest involved women chaining themselves to the perimeter fence by the main gate in conscious imitation of the Suffragettes.⁷⁰ The physical nature of this fence determined the tactics of the protest. The first RAF airfield built on the common was not fenced off. The perimeter fence was only erected when the US air force arrived in the 1950s, but it was small and permeable to local residents, who used the outer parts of the common for walking dogs and recreation. Following the start of construction of the cruise missile base, a new perimeter fence was erected, consisting of plastic-coated chainlink between ten feet high concrete posts topped with barbed wire. It also marked the full enclosure of the common, under the defence regulations. The tactics of the protesters, therefore, centred on interacting physically as well as symbolically with the chainlink. Cutting the wire with bolt-cutters became a regular tactic by the protesters. Barbara Harford and Sarah Hopkins described the protest later as a form of unenclosing the common, 'What we did to that artificial boundary around the once common land, the place that was once covered with golden gorze, trees and wildlife, that land that once belonged to the people, the animals, the trees and plants'. They recalled how MoD staff, soldiers, and local people pulling down the items from the fence after the Embrace the Base demonstration felt like a physical attack on them: 'they had small sharp blades that they slashed at the wool and the ribbon' until the fence was 'almost bare again, cold, bare, alien'.⁷¹ Fairhall commented that he found it odd that Secretary of State for Defence, Michael Heseltine, did not order a more formidable fence to be erected around RAF Greenham Common, especially considering that one was constructed around the other cruise missile base at RAF Molesworth. Heseltine responded that in part the cost was a prohibitive factor, but the other explanation he offered to Fairhall in an interview was 'that Greenham airfield was common land'. Whether this was a plausible reason or not, the idea of the common as a site of public access was a key element of debate.⁷²

Public order legislation

This final section situates the evictions of the Greenham Common camps within the broader context of government policy towards public order policing and legislation against new social movements in the English countryside. From the 1970s onwards, new political groups and youth subcultures emerged as an alternative to established norms of both government and political

⁶⁰ Hansard, House of Commons, volume 46, 25 July 1983, c. 971. The debate is discussed in Liddington, *The Road to Greenham Common*, 267.

⁶¹ G. Brown and H. Yaffe, *Youth Activism and Solidarity: the Non Stop Picket Against Apartheid*, London, 2017.

⁶² *Reading Evening Post*, 5 March 1983.

⁶³ C. Moores, Opposition to the Greenham women's peace camps in 1980s Britain: RAGE against the obscene, *History Workshop Journal* 78 (2014), 209–10.

⁶⁴ *Reading Evening Post*, 5 March 1983.

⁶⁵ *Spare Rib* 127 (February 1983) 16.

⁶⁶ Cresswell, *In Place/Out of Place*, 102.

⁶⁷ N. Blomley, Making private property: enclosure, common right and the work of hedges, *Rural History* 18 (2007) 1–21; N. Blomley, The territory of property, *Progress in Human Geography* 40 (2016) 595.

⁶⁸ B. McDonagh and C.J. Griffin, Occupy! Historical geographies of property, protest and the commons, 1500–1850, *Journal of Historical Geography* 53 (2016) 9.

⁶⁹ Fairhall, *Common Ground*, 104.

⁷⁰ Fairhall, *Common Ground*, 30.

⁷¹ Harford and Hopkins, *Greenham Common*, 94.

⁷² Fairhall, *Common Ground*, 106.

organisation. Distinguishing themselves from traditional political parties, the trade unions, and even established campaigns like CND, the new social movements focused on environmental, feminist, and anti-globalisation agendas. Alongside these movements were youth subcultures, dubbed 'hippy convoys' by the press, who travelled around the countryside, camping on commons and fields for 'free festivals'. Thames Police and the Crown Estate forcibly evicted the third free festival at Windsor Great Park, Berkshire, in 1974. According to Maria Nita and Sharif Gemie's study, the Thames police chief constable's actions marked a break with previous public order policy, and 'look[ed] forward to the more aggressive, confrontational police tactics' during the miners' strike in 1984 and the attacks on New Travellers in 1985.⁷³ The Greenham Common encampment served as an inspiration for new groups in this heterogeneous movement, not least the Peace Convoy, a community of New Travellers, which took its name from its visit to the Greenham camp in 1982. The convoy would, as we will discuss below, come into conflict with the authorities at Stonehenge in 1985.⁷⁴

The Conservative government targeted nomadic and non-settled groups within its public order policy from 1979 onwards. These groups included all types of traveller communities, as well as environmental and animal rights campaigners, including anti-road protesters and hunt saboteurs. A Green Paper on revising the Public Order Act 1936 was issued by the Home Office in April 1980.⁷⁵ It included discussion of whether 'aggravated trespass' by such groups should be criminalised. The ensuing debates involved what legal scholar Antonia Layard has identified as the 'trespass/licence binary' in English law. Property owners take precedence in the law, in legislation, and often in policing. Regardless of whether the land is publicly or privately owned, everyone is assumed to be a trespasser unless the landowner has explicitly given licence to a visitor to access or use it.⁷⁶ To this trespass/licence binary, scholars of Gypsies, Roma, Travellers, and other travelling communities have termed the sedentarist/nomadic binary in law and policing. They argue that authorities' misunderstanding of the nature of travelling life introduced a bias against people who do not conform to a propertied, sedentary norm.⁷⁷ During the Greenham Common protests, these attitudes towards mobile groups who were incomers to the countryside and not gainfully employed as they saw it, were reflected in the stipendiary magistrates' refusal to accept the women's claims to the Peace Camp as a permanent address, and the local residents' debates over whether the women should pay rates and therefore be entitled to vote in local elections.⁷⁸ Gypsy groups were treated separately in law and practice, however, following a non-harassment policy issued by the Department of Environment in 1977. Several county councils quickly disregarded the policy, however, and continued to move Gypsies and other Travellers on from commons and roadside verges.⁷⁹

⁷³ M. Nita and S. Gemie, *Counterculture, local authorities and British Christianity and the Windsor and Watchfield free festivals (1972–75)*, *20th Century British History* 30 (2020) 70.

⁷⁴ McKay, *Senseless Acts of Beauty*, 57.

⁷⁵ Green Paper on Public Order Act 1936, 1980, HO 325/353, TNA.

⁷⁶ A. Layard, *Public space: property, lines, interruptions*, *Journal of Law, Property and Society* 2 (2016) 2, citing L. Staehili and D. Mitchell, *The People's Property: Power, Politics and the Public*, London, 2007, 141.

⁷⁷ Z. James and R. Southern, *Accommodating nomadism and mobility: challenging the sedentarist binary approach to provision for Gypsies, Travellers and Roma*, *International Journal of Sociology and Social Policy* 39 (2019) 325; Z. James, *Policing space: managing New Age Travellers in England*, *British Journal of Criminology* 46 (2005) 483.

⁷⁸ Fairhall, *Common Ground*, 96.

⁷⁹ D. Sibley, *Racism and settlement policy*, in P. Jackson (Ed.), *Race and Racism: Essays in Social Geography*, London, 1987, 69.

The long history of contested access to Stonehenge offers a parallel, and indeed interlinked, narrative of issues of public access, encampments and public order legislation. Unlike Greenham Common, the site on which the Stonehenge monument stands in Wiltshire is not a common. The land was privately owned, and public access was first contested when the landowner sought to charge for entry in 1901, with the case reaching the High Court in 1905. Following his death in 1915, the stones were donated 'to the nation', and the site was managed first by the Ministry of Works and later by English Heritage. The land around the stones is owned by the National Trust, the MoD, and private landowners. The rise of the 'free festival' social movement led to gatherings at Stonehenge each summer from 1974 onwards. In June 1985, English Heritage and the National Trust announced a ban on the free festival, serving an injunction against the organisers. New Travellers and Druids claimed the right to access the stones, a demand that centred on its status as a national site, but also because it was situated along a highway that gave them right of passage. The local council ordered a block the roads and English Heritage erected a perimeter fence to prevent access. The legal and physical exclusion created similar issues over policing that had already been experienced at Greenham Common. The Peace Convoy were forced onto a field seven miles away and brutally physically attacked by the police on June 1, 1985. The incident, dubbed the Battle of the Beanfield, cemented the Home Secretary's determination to include a new crime of 'aggravated trespass' in the Public Order Bill 1986.⁸⁰

The debates over the evictions of Greenham Common thus occurred in the wider crackdown on mobile convoys in the English countryside. In June 1984, defence secretary Michael Heseltine asked the Secretary of State for Transport, Nicholas Ridley, 'to reconsider the position he has taken that these women should be treated in the spirit of his Department's general policy of toleration towards gypsies and other itinerants who are not evicted from highway land provided that they do not cause obstruction or danger to traffic'. Lord Hailsham, Lord Chancellor, backed Heseltine, noting:

We are not dealing with the usual case. These women are not itinerants who have nomadism as their cultural tradition. Neither are they lawful users of the highway. They are trespassers.⁸¹

Newbury's MP Michael McNair-Wilson was annoyed with the government's apparently sudden shift of focus to the New Travellers and hunt saboteurs. During a House of Lords debate about the trespass clauses of the Public Order bill, he exasperatedly reminded the members that he had been pressing the Home Office for years for further powers against encampments, in his case at Greenham Common. He claimed that he had been snubbed previously with the excuse that 'the practical difficulties of drafting an offence would be considerable'. He complained to the House that:

the Government and the Home Office have been spurred into action not by the trespass on Greenham Common but by the curious creation called the peace convoy of hippies which existed in and around Stonehenge and throughout the West Country and which finally came to rest in the New Forest. For some reason that convoy caught the nation's and the Government's eye more effectively than the peace women. As a result of that hippie convoy we have this new clause.⁸²

⁸⁰ English, *Disputing Stonehenge*, 2; A. Worthington (Ed.), *The Battle of the Beanfield*, Teignmouth, 2005.

⁸¹ Hailsham to Heseltine, 6 July 1984, HO 325/621, TNA.

⁸² *Hansard*, House of Lords, volume 103, 4 November 1986, c. 856.

McNair-Wilson's allegation wasn't completely accurate, as the three boxes of Home Office correspondence on the Greenham Common peace camps demonstrates. But it nevertheless highlighted the sedentarist/nomadic binary once more.

A new clause was added to the Public Order bill that gave the police more power to direct trespassers to leave land. The House of Lords moved an amendment that defined the powers more specifically as 'if the senior police officer reasonably believes that two or more persons have entered land as trespassers and are present there with the common purpose of residing there for any period'. Under-Secretary of State for Home Affairs, Douglas Hogg, claimed that the new clause did not criminalise 'simple trespass', but allowed the police more direction to deal with 'the mass invasion of land by groups such as the hippie convoy'. Hogg asserted the paradox that people had the right to move freely and therefore everyone should keep moving: 'footpaths are for walking along. My advice ... is that a public footpath is a highway and that camping upon it is an obstruction, which is an offence'. He claimed that ramblers, birdwatchers and other 'similar users of the countryside' were excluded from the clause because they did not show 'the common purpose of residing'.⁸³ The Ramblers' Association and other amenity groups feared that their demand for right to roam would be severely affected by the charge of aggravated trespass. In 1986 and again in 1994, the Ramblers were reassured they would not be affected. The government recognised them as belonging within the English landscape, albeit only along registered footpaths and rights of way.⁸⁴

The heavy policing of New Travellers, and environmental and animal rights protesters among other groups continued following the passage of the Public Order Act. Spurred on by the newspaper press and broadcast media whipping up public hostility to these groups and the rise of outdoor rave culture in the late 1980s, the government sought to enact a new definition of aggravated trespass. Between 22 and May 29, 1992, a gathering of up to 40,000 people on Castlemorton Common in the Malvern Hills, Worcestershire, drew attention again to issues of trespass and policing traveller convoys. The New Travellers had not initially meant to gather on Castlemorton, but Avon and Somerset police had prevented convoys from gathering for a free festival on their usual site at Inglestone Common in south Gloucestershire, and moved them over the county border. The media and government depictions of the free festival at Castlemorton Common as an 'invasion' of the countryside fuelled further outrage.⁸⁵ The concerns were amplified by the Country Landowners' Association among other influential groups putting pressure on the government to deal with hunt saboteurs, environmental and anti-roads protesters, which then set in chain the introduction of the Criminal Justice and Public Order bill.⁸⁶ The Criminal Justice and Public Order Act received royal assent in 1994. Legal scholars have argued that the legislation broke new ground, making it irrelevant 'whether the anticipated assembly is on public or private land'.⁸⁷ Sections increased police powers to remove trespassers on land and to stop people whom they suspected were travelling on their way to trespass. Section 77 empowered local authorities to remove unauthorised campers

from land.⁸⁸ Gavin Parker and David Sibley have framed the trespass sections of the bill as 'part of the state's attempt to preserve a particular conception of the rural, and to demarcate boundaries of "good" citizenship in such spaces'.⁸⁹ The vision of a particular type of English countryside and the primacy of settled property ownership was reasserted in the legislation.

Conclusion

Following the Intermediate-Range Nuclear Forces treaty of 1987, the cruise missiles were removed from RAF Greenham Common and Molesworth by 1991. The USAF left Greenham in 1992, after which the base was closed. Smaller protest camps nevertheless remained until 2000, when West Berkshire county council took ownership of the land. The council designated the commons as a wildlife conservation area. The airbase, including the perimeter fence, was listed on the National Heritage List for England as a Scheduled Monument, in 2003, in recognition of its significance during the Cold War.⁹⁰

The contests over the usage and access to Greenham Common involved a multitude of overlapping understandings of the commons. Commons are a legal space, a site of property acquisition, transfer and requisition, a site of rights and access, and exclusion of the public. Enclosure is an ongoing process. It could involve the removal of customary rights to produce from and access to the commons, traditionally confirmed by parliamentary act, but it could also include the restriction of users from the land through military requisitioning, commons regulation, highways regulation, and nature conservation. Commons can be both highly localised and globally connected. The peace camps of the 1980s linked the specifically local defence of the common against the international imposition of nuclear weapons. They were demonstrations of what David Featherstone and other radical geographers have understood as 'militant particularism', a term drawn from Raymond Williams about the how the defence of local space could be part of global social movements with universalist aims.⁹¹ In constructing their camps, the peace protesters were in one sense nevertheless enacting another type of enclosure, segregating their own form of property from wider public use.

The policing of the protests, and the subsequent public order legislation, were forged in the context of the Conservative governments' broader reaction against non-settled groups moving around the English countryside, being 'out of place' as a potential threat to public order. The opponents of the camps, including local residents, envisaged a rural idyll of 'their common' that the protesters had disrupted by their encampments. It should be noted how the Home Office and MoD, though highly hostile to the aims of the protesters, made efforts to work through legal frameworks

⁸⁸ G. Parker, Rights, the environment and part v of the Criminal Justice and Public Order Act 1994, *Area* 31 (1999) 77; R. Card and R. Ward, Access to the countryside: the impact of the Criminal Justice and Public Order Act 1994, *Journal of Planning and Environmental Law* 6 (1996) 3.

⁸⁹ Parker, Rights, 76, citing D. Sibley, Endangering the sacred, in: P. Cloke and J. Little (Eds), *Contested Countryside Cultures: Rurality and Socio-cultural Marginalisation*, London, 1997, 218–31.

⁹⁰ List entry, Historic England, Cruise missile shelter complex, Greenham Common airbase, 2003, <https://historicengland.org.uk/listing/the-list/list-entry/1021040?section=official-list-entry>, last accessed 27 June 2023; V. Fiorato, Greenham Common: the conservation and management of a Cold War archetype, in: J. Scofield and W. Cockroft (Eds), *A Fearsome Heritage: Diverse Legacies of the Cold War*, New York, 2016.

⁹¹ D. Featherstone, Towards the relational construction of militant particularisms: or why the geographies of past struggles matter for resistance to neoliberal globalisation, *Antipode* 37 (2005) 252, citing R. Williams, *Resources of Hope*, London, 1989, 115.

⁸³ *Hansard*, House of Lords, volume 103, 4 November 1986, c. 831.

⁸⁴ *Hansard*, House of Lords, volume 480, 6 October 1986, c. 84; Ramblers' Association files, 'Criminal Justice Act: aggravated trespass', 1994, 4287/3/57, London Metropolitan Archives.

⁸⁵ Z. James, 'Eliminating communities? Exploring the implications of policing methods used to manage New Travellers', *International Journal of the Sociology of Law* 33 (2005) 161; McKay, *Senseless Acts of Beauty*, 121.

⁸⁶ Royal Commission on Criminal Justice, papers, 1991, HO 566/9, TNA.

⁸⁷ English, *Disputing Stonehenge*, 13.

applicable to common land until the passage of the Public Order Act 1986 gave the police new powers. Knowledge of the legal and ownership status of the common was integral to both the policing and eviction of the camps, and the women's tactics in occupying various parts of the site. Police on the ground, by contrast, were motivated by more physical aims of removing protesters, as brutally demonstrated at the confrontations during the mass evictions at Greenham Common and against New Travellers' convoys at Stonehenge and other sites, as well as against striking miners.

Berkshire continued to experience highly publicised conflicts over access to the countryside. In 1995–96, the construction of the major bypass around Newbury was resisted by over one thousand anti-road protesters who camped in and around the trees on the site. Though ultimately unsuccessful, the protesters brought

environmental issues to the fore, thereby widening the idea of the commons to include non-human actors as part of the landscape to be protected in a way that was not explicitly delineated at Greenham Common.⁹² The tactics of the women's camps are felt in twenty-first century anti-globalisation and environmental movements, notably Occupy in 2011, who asserted their 'right to the city' against the 'privatisation of public space' by multinational capital. A key element of policing and proceedings against the Occupy camps, like at Greenham, revolved around eviction and establishing the legal and ownership status of the land.⁹³ The public order legislation passed in the UK in 2022–23 sought to criminalise further tactics employed by environmental campaigners such as 'locking on' to property and gluing one's body to the road.⁹⁴ The Greenham Common protest camps have left a long legacy in the spatiality of protest tactics, and how they are policed and legislated against.

⁹² Parker, *Citizenships*, 166–169.

⁹³ D. Mitchell, *The Right to the City: Social Justice and the Fight for Public Space*, New York, 2003, new edn, 2014.

⁹⁴ Police, Crime, Sentencing and Courts Act 2022, <https://www.legislation.gov.uk/ukpga/2022/32/contents/enacted>, last accessed 28 June 2023.