

PRESENTATION OF THE NATIONAL ASSOCIATION FOR IRISH FREEDOM
BEFORE THE SUB-COMMITTEE ON FOREIGN AFFAIRS OF THE PLATFORM COMMITTEE
OF THE REPUBLICAN PARTY NATIONAL CONVENTION
AUGUST 16, 1972

Ladies and Gentlemen:

We are here today representing the National Association for Irish Freedom, a non-partisan, non-sectarian organization founded in 1971 in New York, dedicated to supporting the Civil Rights Association in Northern Ireland and struggling for the self-determination of the Irish people.

In our efforts to help bring democracy for the people of Northern Ireland we have seen the American Government stubbornly refusing to change its position of support for the British Government. Deputy Secretary of State for European Affairs, Martin Hillenbrand, testifying before the House Foreign Affairs Sub-committee Hearings on Northern Ireland on February 29, 1972, stated that the position of the Nixon Administration is that the matter is an internal British matter, that it is none of our business to protest violations of the United Nations Charter on human rights, that concentration camps set up by a government that has an elected parliament are all right, and finally had the gall to say that the people of the Six Counties suffer from an "excess of democracy"!

When this approach is coupled with the allowing of Britain to cut its NATO commitment in Germany in order to send troops to Ireland, and when we see the Government refusing to say a word against Britain's policies but willing to arrest Americans on the word of the British Government and to take them to a remote part of the country and hold them in jail for refusing to answer questions, then we feel that we can safely assume that this administration has no interest at all in the rights of the Irish people and is prepared to actively cooperate with the Tory Government of Britain to help deny these rights.

We wish to appeal to you today to understand that the problem in Northern Ireland is not an excess of democracy but rather an almost total absence of democracy. We appeal to you to show 40 million Irish Americans and millions of other democratically minded Americans that the Republican Party stands for the principles of Democracy and Self-Determination and not for Britain's tyranny.

The establishment of Northern Ireland over 50 years ago, was against the wishes of the majority of the Irish people and a large minority of its own population. Since 1921 until the proroguing of the Stormont Parliament, the Stormont Parliament, the Unionist Party, have maintained a monopoly of power. This power has been maintained by deliberate fostering of religious and sectarian differences among the people by the Unionist Party. Lord Craigavon, the first Prime Minister stated that Stormont is a "Protestant Parliament for a Protestant people". Lord Brookeborough, the third Prime Minister

during the 40's and 50's recommended the employment of good Protestant lads and lassies saying he would have no Catholics about his own place. Even the wife of Lord Terence O'Neill, the so-called "liberal" P.M. advertised for a maid - Protestant only!

During this 50 year period discrimination has constantly been practiced against the Catholic people and non-Unionists generally. Electoral boundaries and electoral methods have constantly been manipulated to give maximum control and an advantage to the Unionist Party. This is particularly the case in local government elections.

The Governor of Northern Ireland set up the Cameron Commission to study reasons for disturbances after civil rights agitation in 1968. This report stated: - "The weight and extent of the evidence which was presented to us concerned with social and economic grievance or abuses of political power was such that we are compelled to conclude that they had substantial foundation in fact and were in a very real sense an immediate and operative cause of the demonstrations and consequent disorders." In section I34 of the report it is admitted that present electoral arrangements are "weighted against non-Unionists in many areas, in sections I38-II40 the report finds many Unionist controlled councils have "used their power to make appointments in a way which benefited Protestants" the "Council housing policy has been distorted for political ends" by many Unionist controlled councils.

Political opponents of Unionism have been viciously harrassed by the use of various pieces of repressive legislation - notably the Special Powers Act and the Criminal Justice (Temporary Provisions) Act. These will be dealt with in detail later on.

The whole undemocratic structure was maintained by a para-military police force (temporarily disarmed in 1969) and a wholly sectarian reserve Force, the B. Specials (disbanded in 1969). The British Army took on the role as protectors of "law and order" in August 1969 and, particularly since July 1970 had been the main preservers of a rotten and discredited Unionist Administration.

The judiciary, appointed on a political basis has generally acted in the interests of the Establishment. Successive Attorney-Generals and the police who bring charges for minor offenses have used the courts to harass and convict anti-Unionists.

All this time, Northern Ireland has suffered from heavy unemployment, at present 10% of the insured population, emigration at the average rate of 10,000 per year, and a serious shortage of sound houses.

It is the contention of the NICRA and many other influential bodies that the present disorders and the total alienation of almost 40% of the population from central government is the direct result of the policy and practices of successive Unionist Governments, and that the British Government is able to derogate from sections of the Human Rights Convention, and thus allow the use of the Civil Authorities (Special Powers Act) Act 1922. This Act has been constantly in

operation and has constantly been used against anti-Unionists, preventing normal, peaceful politics in Northern Ireland.

Civil Authorities (Special Powers) Act-1922

In fact this Act removes all protection from the law and the individual has no rights at all. Section 2, subsection 4 proves this: "If any person does any act of such a nature as to be calculated to be prejudicial to the preservation of the peace or maintenance of order in Northern Ireland, and not specifically provided for in the regulations, he shall be deemed to be guilty of an offense against the regulations."

The Special Powers Act is an admitted contravention of the Human Rights Convention and has no justification for its continued existence. It was condemned by the National Council for Civil Liberties (Britain) as long ago as 1936, and international bodies, including the International Commission of Jurists, and the Northern Ireland Incorporated Law Society.

The Criminal Justice (Temporary Provisions) Act-1970

This Act imposed mandatory prison sentences for a number of previously minor offenses, as well as stiffer mandatory sentences for more serious offenses. Anyone found guilty of disorderly behaviour received a mandatory 6 months sentence. It meant numerous anti-Unionists serving 6 month sentences for such trivial offenses as shouting "Up the IRA", calling a British soldier "Joe Ninety" or putting a notice on a window "No Tea Here" (for the British army). Contrast the fact that several thousand UDA members have paraded through the streets of Belfast in para-military uniforms on numerous occasions incurring no arrests while women wearing their son's IRA fatigue jackets have been arrested and sentenced to up to six months in prison.

INTERMENT

The Special Powers Act is being used to detain and intern men without trial. These powers are contrary to international law, and have been used at frequent intervals during the existence of the state. The introduction of Internment without trial in August, 1971, increased the violence in our society, and finally alienated the entire anti-Unionist population from all recognition of the right of the Stormont Parliament to rule them. A massive civil disobedience campaign is continuing for the release of all internees and the repeal of the Special Powers Act. It involves the opposition withdrawal from all elected office in Northern Ireland and from public bodies, as well as illegal marches and non-payment of local government house taxes, etc. by thousands of ordinary people.

At the time of this writing there are still approximately 300 men interned or detained in Long Kesh Internment Camp but a truer picture of the situation can be obtained from a statement made on February 8, 1972, by the then Parliamentary Secretary to the Minister of Home

Affairs, Commander Albert Anderson, who said, "Since August of last year 2,357 persons had been arrested under the Civil Authorities-Special Powers Acts; 923 detention orders had been made, and 631 persons had been interned. At the present time, February 8, 1972, 591 persons were still interned and 195 still detained." This represents a figure of over 2% of the adult Catholic male population (100,000) have been arrested under the Special Powers Act and held incommunicado from their relatives, doctors, clergy for 48 hours. During this period of "disappearance" about 20% or more than 400 of these men have been treated with brutality and torture. (This subject is dealt with more intensely later). Their relatives and friends have been put through a 48-hour period of mental agony. In this way one can say that the whole Catholic population has suffered grievously. After the 48-hour period of arrest under the Special Powers Act, 923 were detained for one or two months and the vast majority were interned. Detention is merely an administrative stage towards internment. Both Detention and Internment constitute imprisonment without trial. All except one or two persons are members of the Catholic population. The procedure of imprisonment without trial is immoral, unjust, contrary to international law and of doubtful legality in Northern Ireland law even with the assistance of the Special Powers Act.

The Internees include members of the Republican Clubs, Sinn Fein (both illegal political organizations) the Peoples Democracy, the Communist Party of Ireland, the Irish Communist Organization and the Republican Labour Party (all legal). Over 100 members of NICRA are interned. It appears to have been used as a method of silencing political opponents of the Unionist system.

If the object of internment was to end violence, it has been a signal failure. This has been tacitly admitted by the imposition of direct rule and new searches for political solutions. Anyone who reads, watches or listens to the news can reach that conclusion for themselves. Violence increased, proving either the wrong men were interned, or internment itself increased the numbers of people engaged in violence.

Violence Statistics

		DEATHS,	
4 months before Internment	4 soldiers	No RUC	4 Civilians
4 months after internment	30 soldiers	11 RUC & UDC	73 Civilians

As well as being morally wrong, internment has been a failure -- a failure leading to the dismissal of the Stormont Government.

JUDICIARY

For some time now there has been criticism of the judiciary in Northern Ireland. Certainly they have shown little reluctance in administering the laws of the land, no matter how obnoxious. Judicial appointments in Northern Ireland are political appointments.

In 1970,, out of 7 High Court Judges; 3 were former Unionist M. P.s and one was the son of a Unionist Cabinet Minister. The peculiar nature of many rulings in magistrates courts have increased demands that there should be an international Inquiry into the whole Judiciary. It was announced in 1969 that a Director of Public Prosecutions would be appointed,

independent of Executive Control. We have been long awaiting his appointment.

Some opponents of Internment demanded that those interned should be either charged with specific offenses or else released. The Unionist Government replied that 'fair' trials were an impossibility owing to the likely intimidation of prosecution witnesses. This hollow excuse became entirely discredited after October when the authorities, far from welcoming trials on specific charges, chose to over-ride the decisions of the judiciary and re-arrest men found innocent by the courts.

The first case concerned Mr. Gerard McKearney when on October 28, 1971 he was found not guilty of an explosives charge by direction of the judge. As he left the court, Mr. McKearney was re-arrested and detained under the Special Powers Act.

A further nine men between October and February were similarly found not guilty on arms and explosives charges, either by verdict of the jury or by direction of the judge and consequently re-arrested under the Special Powers Act.

THE ROLE OF THE BRITISH ARMY

The first large scale involvement of the British armed forces in Northern Ireland in the present struggle for civil rights and self-determination was back in August, 1969 after the pogroms in Derry. At that time the people of the Bogside welcomed the British troops as protectors of their rights to protest the undemocratic system in which they lived.

As time went on, those people of Northern Ireland that refused to be intimidated by the para-military and sectarian police force once again organized mass marches and rallies to bring their civil rights demands before the Governments of Northern Ireland and Britain, and before the conscience of the world.

With the inception of the Heath-Tory Government in 1970, the Army's role changed from being something of a peace keeper to an openly partisan force dedicated to maintaining the undemocratic and sectarian Stormont regime.

The troops that had been welcomed only a short time before were now being used "legally" by the Stormont regime to smash the non-violent civil rights movement. In our report we will deal with some of the specific areas in which the troops have, and continue to be used as a repressive force.

Any solution must have a clear timetable. The first necessity is to restore confidence to the minority in Northern Ireland and at the time do nothing to heighten the sectarian divisions. We recommend:

1. The immediate release of all Internees and Detainees.
2. The progressive withdrawal of troops, firstly from anti-Unionist

areas then back to barracks pending their ultimate withdrawal from Northern Ireland.

3. Legislation to abolish the Special Powers Act in its entirety.
4. The introduction of a Bill of rights for Northern Ireland. (This was introduced into the Westminster Parliament for the third time on June 9, 1972 and was defeated despite the fact that it had the support of both the British and Irish Trade Union movements, the NICRA and many others).
5. The convening at the earliest possible moment a conference of interested parties, without prior conditions on the part of the British Government with the purpose of agreeing upon the best and broadest forms of cooperation in carrying out the general policy envisioned in the Bill of Rights; namely, of equality between citizens and progress towards social reconciliation.
6. A program with the provision of the capital necessary to solve the serious problems of unemployment and housing.

We are confident that the granting of all Civil and Human Rights by the British Government will make possible a peaceful and democratic solution to the severe problems now facing the people of Northern Ireland.

THE SPECIAL POWERS ACT

Below is a list of powers delegated to the Civil Authority and the police. They are empowered to:

1. Arrest without warrant
2. Imprison without charge or trial and deny recourse to Habeas Corpus or court of law
3. Enter and search homes without warrant, and with force, at any hour of day or night
4. Declare a curfew and prohibit meetings, assemblies (including fairs and markets) and processions
5. Permit punishment by flogging
6. Deny claim to trial by jury
7. Arrest persons it is desired to examine as witnesses, forcibly detain them and compel them to answer questions under penalties, even if answers may incriminate them. Such a person is guilty of an offence if he refuses to be sworn or answer a question; this applies even where no offence is known, provided a police officer has reason to believe that one is "about to be committed"
8. Do any act involving interference with the rights of private property
9. Prevent access of relatives or legal advisers to a person imprisoned without trial
10. Prohibit the holding of an inquest after a prisoner's death
11. Arrest any person "who by word of mouth" spreads false reports or makes false statements
12. Prohibit the circulation of any newspaper
13. Prohibit the possession of any film or gramophone record
14. Forbid the erection of any monument or other memorial
15. Enter the premises of any bank, examine accounts and order the transfer of money, property, vouchers or documents to the Civil Authority. If the bank fails to comply an offence is committed
16. Arrest a person who does anything "calculated to be prejudicial to the preservation of peace or maintenance of order in Northern Ireland and not specifically provided for in the regulations".

The Special Powers Act moreover includes a list of unlawful organizations. These are organizations believed to be associated with the Republican movement whose aim is the unity and independence of Ireland. They are added to from time to time. Thus when the Republican Clubs were established to propagate Republican ideas within the law, they were speedily entered on to the list, and it has been held in court that even if a Republican club devoted itself exclusively to bingo, it would still be unlawful.

It is clear that under the shadow of these powers normal political life is impossible. That for nearly half a century they have been administered by a sectarian police force sent their effects like poison through the whole social structure. The effect was felt on Protestants as well as Catholics, for they, like the Germans when they heard of concentration camps and massacres, must learn to dehumanize themselves, to make one part of their minds wooden and unresponsive. To do otherwise is to risk the extension of the system to their own backs.

STATEMENT OF EDWARD DUFFY, 14 Iveagh Parade, Belfast 12, age 17

I was arrested at 12 midnight on Thursday April 20, 1972 at 38 Broadway together with Gerard Donnelly and Gerard Bradley. I was in the house when arrested. I was not struck at all in the house when arrested. I was then taken out and put in a Saracen and brought to the Broadway Military Post.

When I was brought in they made me lie face down on the floor of the barrack room. On the floor I was kicked, walked on, rubbed with a mop and beaten with it.

During my time there I had four interrogations. My interrogators were two RUC Special Branch Men. The interrogators were assisted by four soldiers who were mostly for holding me down by the arms and legs. The Special Branch men did most of the kicking, punching and general beating up. The main things that were done to me were:

1. Arms stretched to the limit as I lay on the ground
2. Arms bent up my back and twisted viciously
3. Left arm bent back fully
4. Legs pulled apart while lying on the ground
5. Privates kicked repeatedly
6. Privates squeezed
7. General punching in the ribs and chest
8. Legs twisted
9. Thumbs stuck into the back of my neck and then lifted off the ground with this grip
10. Seized by a choking grip at my throat as I stood against a pole in the interrogation room
11. Head bumped off walls and floor
12. General kicking all over

The interrogations stopped probably about 11:00 AM on Friday. After that only the younger Special Branch man stayed on. The man that was leaving told the younger one, in my presence, that if I did not make written statements to the C.I.D. that he was to be called again.

I couldn't face any more of this and I made a statement.

On Friday evening I was taken with Bradley and Donnelly to the Police Office. I was charged on Saturday morning with causing explosions and appeared in court. I was seen by a doctor after the court and photographed.

Later I was taken to Armagh Prison with the others. On the same night we were taken back to Belfast to Musgrave Park Hospital where I am now. The most painful injury is to my left arm which I believe is fractured.

signed EDWARD DUFFY April 25, 1972

Statement of GERARD DONNELLY, 147 Springfield Road, Belfast 12 age 29

I was arrested at midnight on Thursday April 20, 1972 at 38 Broadway, Belfast along with Gerard Bradley and Edward Duffy. We were taken out, put in a Saracen and taken to the Broadway Military Post and kept there approximately nineteen hours.

During my time there I was interrogated four or five times. At the interrogations there were about four soldiers and two members of the RUC Special Branch. The soldiers mostly held me while the Special Branch officers subjected me to a variety of tortures and degrading treatment. I was beaten and kicked all over. Some of the things done to me during interrogation were:

1. My arms were twisted back behind me to the fullest possible extent
2. My fingers were twisted and bent as far back as possible
3. My wrists were bent back and forward to the limit

As I lay on the floor they took an arm and a leg each and pulled them as far apart as possible. Then they

4. Stood on my arms and hands
5. twisted my feet like corkscrews which hurt my ankles and my knees
6. Jumped on my chest with their feet
7. Kicked me on the legs
8. One sat on my chest and began to work on my privates

They paid particular attention to me in that area. They tore open my trousers and

- a) Kicked me repeatedly
- b) Gave me karate chops
- c) Beat me with what seemed like a piece of hose pipe
- d) Prodded me with something I couldn't see properly
- e) Penetrated my penis with something
- f) Attached an electric lead to my penis and gave me shocks
- g) Squeezed my testicles
- h) Produced a razor blade and threatened to cut off my privates

In addition I was abused about the head in the following ways

9. A gadget was put on my head which pulled out lumps of my hair
They showed these to me and had a great laugh
10. I was boxed on the ears and slapped on the face
11. They pressed their thumbs on my mastoid bones-a very sensitive area with me
12. They caught me by the throat as if to strangle me

The pain was terrific and I was yelling. One of them put his hand on my mouth and I bit his finger. After that they

13. Put a tape over my mouth from ear to ear
14. They brought a lighted cigarette close to my eyes and said that they would burn them out if I didn't stop yelling

After these sessions of interrogation I sometimes had to lie on the floor. They wiped their feet on me and spat on me. When they were mopping the floor they rubbed my face with the mop.

I got to the toilet once, after I had asked about six times. I vomited once. Once I was offered food but I couldn't eat it. During my time at Broadway I wasn't offered a bed and got no sleep at all.

After the last interrogation in the late afternoon of Friday I could take no

more and I made a statement. This was done merely by agreeing to accusations they suggested to me.

I was then taken to the Police office in Townhall Street about 7-8:00PM on Friday. I couldn't lie down and sat on the side of the bed in the cell all night.

On Saturday morning, April 22 1972 I was charged with causing explosions. I was remanded to Armagh prison. Before I left Belfast I was examined by Dr. McAuley and had my injuries photographed. On arrival in Armagh I was examined by a doctor. I was sent back on Saturday night to Belfast to the Military Wing of the Musgrave Park Hospital.

* * * * *

This statement goes on to describe the after effects of the torture, which included pain and difficulty in breathing and urinating, fainting fits and great difficulty sleeping, even with medication, as well as numbness in the fingers. The Statement is signed by Gerard Donnelly, April 28, 1972

These two statements were compiled along with hundreds of others by the Association for Legal Justice, 25 Divis Street, Belfast 12 They point out that after several British Government reports that pointed out the mis-treatment of prisoners, although in subdued terms, these policies have not been changed since direct rule from Westminster began in March of this year. In fact, as William Whitelaw slowly releases the internees in driblets, he says that the policy will now be one of getting convictions, and this has been a green light for the Special Branch torture squads. When someone tells you about the great strides towards reform that Britain is supposedly taking, think about Mr. Duffy and Mr. Donnelly. (There was a very similar statement by Mr. Bradley that we have omitted to make this brief. There are hundreds more of such statements, even the British Government has been forced to admit to some of these practices.)

The Role of the American Government

NATO Troops

These few facts we have been able to present in this short time should make it perfectly clear that the problem in Northern Ireland is not an "excess of Democracy!" The U.S. government knows quite well what the reality of the situation in Northern Ireland is like! But what actions has our government taken? Rather than putting pressure on the British Government to guarantee democracy for the Six Counties, the U.S. government of Richard Nixon has actively collaborated with Great Britain both overseas and at home.

Britain has been withdrawing troops from her NATO force in West Germany and sending them to Ulster. In June the London Economist pointed out that Britain's commitment was barely being met. Since then, the Royal Green Jackets Regiment, The First Queens's Own Highlanders Regiment and the 22nd Battalion of the Queen's Regiment have been redeployed to the streets at Derry and Belfast. The Irish Times of July 30th pointed out that this could not have been done without permission of U.S. General Andrew Goodpastor, and he could hardly do this without consulting the White House. This is essentially using NATO ground forces against the people of Northern Ireland with U.S. Government Sanction.

DALLAS FIVE

Another example of American intervention on behalf of Great Britain is the case of the Dallas Five. The British Foreign Office has admitted to requesting the United States to initiate the inquiry.

These are five Irish born New York residents who were summoned to appear before a Federal Grand Jury in Fort Worth, Texas to answer questions regarding the alleged smuggling of arms to Nationalists in Northern Ireland. They were arrested, flown to Dallas, Texas, imprisoned, placed in double jeopardy before a Grand Jury and denied bail. This bail was denied by Federal Judge Leo Brewster who handled the case.

These men were jailed for contempt after they spurned offers of immunity, pleaded the Fifth Amendment and refused to answer Grand Jury questions about gun purchases in New York. The gun dealer has denied knowing them. The prisoners claim that they were not permitted to consult with counsel while being questioned by the Grand Jury. An offer of immunity is not sufficient protection against self-incrimination because of the possibility of extradition and prosecution by Great Britain.

The prisoners are now appealing the contempt charge to the Supreme Court - 5th Circuit. In the interim pending this appeal - bail has been refused to these men by Supreme Court Justice Powell; this - to men who have not actually been charged with a crime or illegal activity.

Why Texas ? - we ask why these men have been jailed over 1,000 miles from their home? None of them have ever been in Texas before. Why have they not been permitted bail? Are they in Texas because there are very few Irish in Texas and therefore the chance of demonstrations and coverage by the media is very small?

The Dallas Five:

Kenneth Tierney - 45 years old - born in Galway - a physiotherapist from Yonkers, N

Mathias Reilly - 31 years old - born in Fermanagh - bus driver from Blauvelt, N.Y.

Paschal Morahan - 25 years old - born in Roscommon - Bronx, N.Y.

Thomas Laffey - born in Galway - Williston Park, L.I., N.Y.

Daniel Crawford - 45 years old - born in Belfast - New York City.

CONCLUSION

In summation, our demands are these:

1. The release of the Dallas Five
2. The withdrawal of NATO troops from Ireland
3. We strongly urge that these following proposals of the Northern Ireland Civil Rights Association be accepted by the Republican Party as part of its National Platform. These proposals are essential to a just peace in Northern Ireland. The meeting of these demands will create a climate wherein peaceful political are possible.

The Demands of NICRA:

- 1) The immediate release of all internees.
- 2) The withdrawal of troops from all areas pending their total withdrawal, and an immediate end to the policy of military occupation and repression of anti-

Unionist areas.

- 3) Legislation by the Westminster Government to abolish the Special Powers Act in its entirety.
- 4) The Total abolition of the Stormont administration and immediate legislation at Westminster to guarantee the following:
 - a- Free elections under Proportional Representation.
 - b- The rights of all political groups including those opposed to the present State.
 - c) An end to all discrimination.
 - d) A recognition that it is as legitimate to work for an independent and United Ireland as it is to work for the maintenance of the Union of Northern Ireland with Great Britain and the removal of all legislative obstacles in the Government of Ireland Acts that stand in the way of this objective.

The demands as listed are those which we , the National Association for Irish Freedom, desire the State Department of the United States to take as its policy and we urge the Republican Party to use all means at its disposal to bring this about.

We are seeking justice for all of the people of Northern Ireland. There are 40 million Irish and Irish-Americans in this country. They, and countless other supporters of Irish Freedom will be looking to the Republican Party to see if they are willing to correct the injustices that have been committed by our present Administration upon the Irish people, both here in America and in Northern Ireland.

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