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## American Irish Newsletter - April 1992

American Ireland Education Foundation - PEC

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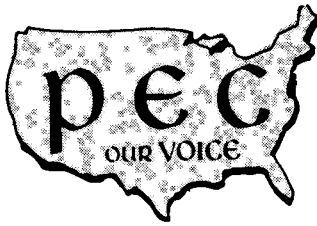
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# AMERICAN IRISH NEWSLETTER

AMERICAN Irish Political Education Committee

Volume 17, Number 4

April 1992

## Appeal For Support

In this issue of the Newsletter we include our **Annual Spring Appeal** for donations from our members and former members. We are sending it through the Newsletter because costs of a special mailing are prohibitive due to the recession.

We thank those members who have already responded through the appeal in the last Newsletter.

Please note that in the last issue of the newsletter we included a *Reproduce & Distribute* appeal "Angry About Joe Doherty". That appeal was not meant for our members. As explained on page 5 in that issue, members were asked to reproduce and distribute it.

Some members inadvertently used it to send donations for which we are grateful.

We urge all members to send a generous donation as this appeal will serve as our regular *Spring Appeal*.

## Newsbits

by Kathy Regan, New York State Director

The Government's refusal to allow tape-recording of police interviews with terrorist suspects brought a warning from Kevin McNamara, Labour's N.I. spokesman, over the possibility of further miscarriages of justice. Home Office Minister John Patten said all police interviews with people suspected of indictable offences must be taped. Mr. McNamara said it had now been made clear this would not apply to terrorist suspects. The new Home Office measures would not prevent a repeat of the Birmingham Six, Guildford Four or Maguire family cases. (Just News 2/92)....**Sinn Fein Party leader Gerry Adams** has contacted both the United Nations

## Attention Media and Congress: Caraher Shootings Update

Two Royal Marine Commandos were charged in February for murdering 20 year-old Fergal Caraher and attempting to murder 24 year-old Michael Caraher on December 30, 1990, in Cullyhanna, South Armagh. Richard Elkington (23) and Andrew Callaghan (20) both responded "Not Guilty", after a 5-minute hearing and were remanded until March 4. The charging followed Belfast barrister Reginald Weir's review of the RUC's file, on the request of the Director of Public Prosecutions.

At the time of the incident, the British armed forces alleged that the Carahers drove through a checkpoint and injured a soldier, but Michael Caraher, who was driving, was never charged for driving through a checkpoint or for injuring a soldier. In addition, eye witnesses and family members have consistently denied this allegation. Michael Caraher testified at the June 1991 Public Inquiry into the shooting that, at the checkpoint, Fergal asked, "Are we right?". Then, when the brothers drove out, soldiers opened fire.

The report of the Public Inquiry, published January 1992, called for the prosecution of the soldiers involved. Margaret Caraher, Fergal's widow, has said, "We feel that this decision [to prosecute] is largely due to the pressure by the Cullyhanna Justice Group and the Inquiry (citizen organized inquiry at which Sandy Carlson represented the PEC) held by them and the Irish National Congress;

the publishing of their report; and international pressure placed on the British government and the authorities. The Irish National Congress points out that a recent Congressional hearing into shoot-to-kill heard evidence from the Caraher family. "That could also have had something to do with it, as the British came out of it very badly," said an INC spokesperson.

However, Peter John Caraher, the brothers' father, said, "From happenings over the past two decades and because of the way we have been treated by the authorities since this shooting, we have very little confidence in British justice."

There is a widely-held belief that the British operate a shoot-to-kill policy throughout northern Ireland. According to Amnesty International's June 1991 report: "339 people have been shot dead by the security forces in Northern Ireland. . . many of these in disputed circumstances. Since 1969, 27 members of the security forces have been prosecuted, 19 found not guilty, one found guilty of manslaughter and given a suspended sentence. Private Ian Thain was convicted of murder, given a life sentence, released after two years and three months, and reinstated into the British Army."

Thus, whether or not justice will be done in this case remains to be seen.

(Ed. Note: We urge that the newsmedia and Members of Congress who receive this newsletter investigate this matter. Issues relative to northern Ireland are of importance to millions of Americans. For information call PEC at (914) 947-2726.)

by Sandy Carlson in Belfast PEC

and the European Community seeking help in achieving peace in northern Ireland (AIN-PEC 3/2/92)....**A London Court** has awarded 18,000

pounds to two Belfast students after a ruling that the pair was subjected to a night of terror in a police cell after  
*continued on page 2*

### From The Editor

We have been asked by many well-meaning Americans who are angry about the deportation of Joe Doherty, "Why was he deported?" We answered them with a simple question, "What did you do to prevent it?" to which most answered, "Nothing because I did not know what to do." If they belonged to the PEC, they would have known all along what to do.

Americans, particularly the American Irish, concerned about justice in Ireland, paid a high price for their complacency: they were ignored and degraded by President Bush and Joe Doherty was deported **without a hearing**. A foreign British government took preference over their legitimate concerns.

The only way we can be effective is through unity (people working together and communicating), just as the PEC does through its **American Irish Newsletter**. Without such unity we can easily be ignored because we pose no real threat to politicians, most of whom take us for granted.

We must make northern Ireland a political issue. We must write to our presidential candidates and insist that they publicly support our issues. We should become active in the Democratic and Republican parties and promote our issues. As individuals we must work through the political system to make sure candidates for office who support our legitimate concerns are elected, and that those who oppose justice in Ireland are defeated.

One sure way to start that process is to get concerned people to join or support the PEC. Joiners and supporters alike will receive the newsletter so that they are kept up-to-date on what is going on. When somebody expresses their anger about Joe Doherty and/or British injustice in Ireland, say to them, "Do something about it -- Join the PEC."

**Use Your Clout!**  
**Write The Requested Action Letters**  
**Make the PEC More Effective**

**NEWSBITS** continued from page 1  
wrongful arrest. (Irish Post 2/8/92)...A former Northern Ireland Office Conservative Minister, Peter Bottomley, tabled a Commons motion urging the government to re-examine forensic evidence submitted to the Widgery Tribunal. He says, "We knew from the Widgery Tribunal that at least ten of the people who were killed were totally innocent. That tribunal came to the conclusion that three people were involved in shooting or bombing. I think that the forensic evidence on which that was based would not support that conclusion and, if evidence is re-examined, it is sometimes possible to right a wrong." (Irish Post, 2/8/92)...**Bishop Mark Hurley** recently stated that the sole cause of the problems in northern Ireland is partition, and that, until that issue is addressed, no solution will be found. He also stated that, although he felt some areas had seen improvement, the court system was worse than ever with no presumption of innocence since the right to silence was

## The American Irish PEC

founded 1975

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removed. (AIN-PEC 3/5/92)...Edward Gorman, in the Times, examined possible answers to the Northern Ireland question. He wrote, "In reality, a withdrawal would be phased over years, giving ample scope for all sides to find ways of avoiding warfare and to make acceptable new arrangements...It is worth noting that the only comprehensive study of the actual mechanisms for a British withdrawal (Rowthorn & Wayne, 1988) concluded that Protestants would not fight once it became clear to them that Britain was leaving and *would not reverse the decision*." (Irish Post, 2/8/92)...**The thing about withdrawal** is that it is inevitable. It will happen some time and for the reason that there is no other final solution. The question is why must the present impasse go on and on, with the continuing loss of life, and destruction? Why not face up to the inevitable now and set a process in motion?" (Irish Post 2/8/92).

Use the Telephone Hotline (914) 429-7849

## From The North

by Rev. Des Wilson, *Director of Springhill Community, Belfast*

A Report has been issued in Belfast entitled "*Undermining Peace -- A Report on Official Church Responses to Citizens in Crisis.*"

The Report took two years to complete and was drawn up by people including clergy, community workers and associations and educators.

The main thrust of the Report is that, while church leaders -- or church officials as the Report prefers to call them -- preach non-military and peaceful methods of achieving justice, they themselves are among the first to undermine such peaceful initiatives when church members and others create them. The undermining of the MacBride Principles Campaign by church people, especially Catholic church officials, is cited as one such case.

Another aspect of church policy is the refusal of church officials to talk with elected representatives of the people. This policy has been abandoned in most parts of the world but remains the policy of church leaders in Ireland, including Cardinal Cahal Daly. The Report points out that church officials talk with bodies as different as the CIA and the PLO, with governments of all kinds. So then if in any place there is a policy of refusing such discussion, this must be due to an eccentric decision of a local church person rather than to a universal Catholic church policy. Further, the Christian scriptures and Catholic church law require that all the people should be heard.

This is the first Report of its kind to appear in Ireland. It places the Irish situation -- and the churches' response to it -- in an international context, comparing and contrasting church practice with church law, church custom and the churches' understanding of the Bible.

The Report suggests that one part of the solution to the problems facing Irish Catholic Christians is that the Vatican should accept Cardinal Daly's resignation when he offers it this year, his 75th birthday.

## Thornburgh Defeated by The American Irish

Since the defeat of former US Attorney General Richard Thornburgh in Pennsylvania's 1991 US Senate race, members have advised the PEC that he was defeated by the American Irish because of Joe Doherty.

Then we started hearing the same from local and then national labor leaders. Just recently we heard it from members of the Pennsylvania State Legislature.

What this means is that the American Irish turned their anger over Thornburgh's decision on Doherty into "constructive commitment". On Election Day they got even.

**Maybe on Election Day 1992, millions of American Irish and friends will again get even.**

Another part of the solution is that Christians should create their own lines of communication, independently of church officials, and in this way make sure that they know what Christians and others are thinking and doing in other parts of the world. Whether the Vatican accepts the Cardinal's resignation or not, this, the Report argues, should still be done.

In Ireland we are rapidly reaching a situation where it will no longer matter -- as far as moral practice is concerned -- who occupies the Archbishop's seat in Armagh. People are making their own decisions. Reactions to the divorce and abortion laws are rapidly producing a public opinion which will probably approve legislation for both within the next 5 to 10 years.

In County Tyrone recently relatives of republican soldiers successfully demanded that whether clergy approved or not they should have the Irish tricolour on the coffin of their dead as they went into the church. Some 200 people walked out when clergy at the funeral mass condemned the military republican movement. This, in Cardinal Daly's diocese, indicates a crisis between church leadership and the people. Such a crisis, although manifested in many controversies in recent years, has yet to be recognized by church officials as a

crisis.

Cardinal Daly is in the rearguard of an old and rapidly disintegrating church leadership.

Even in 1959 it was observed that in "Protestant" districts in the northeast only about 10% of the Protestant population had any real connection with the churches. Today the number is much less while in "Catholic" districts about 25% have any such connection with their church. The disproportion between the number of followers church leaders have and the amount of political influence they wield is being called into question in Ireland more and more urgently.

This Report has been sent to all the Irish bishops and to the Vatican authorities. The press, except the *Irish News* and the *Andersonstown News*, both in Belfast, boycotted the Report and the press conference at which it was launched. A Report which suggests that the Vatican should accept the resignation of a Cardinal is not treated as important news. Radio programs gave it a small space. However, this was not seen as a major disaster. Already the network of communications which people really need has been set up both in Ireland and internationally, with the help of friends who want to know what really happens in Irish church and state affairs. This Report will be circulated among those who have shown interest in the reality of Ireland.

The fact that the major media ignored the launching of the Report is not that big a concern. That is because there is a wide and well informed international information network that will disseminate this important information.

The Vatican will not of course accept Cardinal Daly's resignation, at least not yet and certainly not in response to people's requests.

But, to keep the trust of a suffering people, the Cardinal will have to use much more diplomacy than he has shown so far.

*(Ed. Note: Cardinal Cahal Daly opposes the MacBride Principles and shares in the responsibility for the US National Conference of Catholic Bishops long-standing refusal to speak out against British injustice in Ireland.)*

## WESTERN REGION CONFERENCE

Chairperson: Susan Catt, *Western States Executive Director*

June 6, 1992 (8:00 am to 4:00 pm)

### Location

*The Maple Tree Room*  
At  
Boulder Youth Services  
2160 Spruce Street  
Boulder, Colorado

The Western Region States of the American Irish PEC is pleased to announce its first Conference. All members are welcome to attend. At the Conference we will lay the groundwork for the future of our operations in the West. Your input and participation is vital. National President John Finucane will participate.

**Special Guest Sean Mackin** - A northern Ireland activist who recently won a five-year court battle against a US government deportation order.

**Conference Goals:** To increase public awareness in the Western States about British government injustice in northern Ireland and to develop strategies to achieve this objective.

### Agenda

8:00 am - Continental Breakfast & Registration

9:00 am -- Program Introduction

9:30 am -- Talks by John Finucane, Sean Mackin, and guest to be announced

10:30 am -- Coffee Break

10:40 am -- Open Discussion (questions and answers with guest speakers)

12:00 pm -- Lunch

1:00 pm -- Open Discussion -- to develop strategies for dealing with media misinformation, building coalitions, and developing necessary networks.

2:20 pm -- Coffee Break

2:30 pm -- Open Discussion -- political process as a power tool, MacBride Principles campaign, PEC goals and directives, and miscellaneous topics.

4:00 pm -- Conference Ends

At 6:00 pm members there will be a reception at a local Irish restaurant for dinner and refreshments.

**REGISTRATION FEE:** \$30.00 includes breakfast, luncheon and PEC Action Guide. Membership dues must be paid up at time of Conference.

**TO MAKE RESERVATIONS:** Send check payable to American Irish PEC to Susan Catt, PEC Western States Region, 2292 North Ironwood #110, Apache Junction, AZ 85220 -- Phone# (602) 982-0370.

**For Hotel/Motel reservations in area of Conference call:**

Boulder Mountain Lodge -- 1 (800) 458-0882 -- rooms start at \$50

Hotel Boulderado -- 1 (800) 433-4344 -- rooms start at \$99

University Inn -- 1 (800) 258-7917 -- rooms start at \$47

## The Irish in Puerto Rico

by Kevin P. Murphy  
*Massachusetts State Director*

Throughout the Commonwealth of Puerto Rico people often come across Irish names. In San Juan it is common to see business people named Sullivan, police officers named Murphy or O'Reilly. In the public schools teachers are named Purcell or Kelly. Recently Miss Puerto Rico was named Carty. The Irish roots in America's Spanish speaking island of Puerto Rico go deep.

Spanish Missionaries in the late 16th century had to endure a plague of snakes and rodents that reaped havoc upon the island. Puerto Rican legend has it that the Spanish missionaries led the people on a prayer tradition to St. Patrick and thus the problem ended. During this time Irish-Spaniard Manuel Gilligan became a major trader in the Spanish island.

In the mid 18th century a larger Irish influence began to settle on the island. Irish-born General Alejandro O'Reilly was sent by the Madrid government to inspect conditions in Puerto Rico and report back to the Spanish Crown. During this time O'Reilly recorded a significant volume of history and facts about the island. To this day O'Reilly's work is considered to be the best account of early life on Puerto Rico.

O'Reilly's recommendations to the Spanish Crown heavily influenced the settlement plans of Spaniards on the island. In the 1700's the O'Neill family settled in San Juan and became one of the most wealthiest business people in Puerto Rico. Tomas O'Daly was appointed by the Madrid Court to design military fortifications for the island's defense. His forts still stand today.

The great fortress at San Cristobal stands as a monument to the Irish in Puerto Rico as it was designed by O'Daly. In the neighborhood of San Patricio in San Juan stands the Hacienda San Patricio which was the home of Tomas O'Daly. Ramon Power, a Spanish Naval officer became the island's first representative in the Spanish Parliament in Madrid. His successor was Demetrio O'Daly. Luis O'Neill became, in the nineteenth century, Puerto Rico's leading journalist.

During the Spanish-American War the Irish played a role on both sides of the conflict. Many Irish Brigades served with the US Army at the battle of San Juan Hill. Today Puerto Rico is America's shining star in the Caribbean. In that Spanish speaking part of the US the Irish influence is still alive and well.

San Juan hosts a St. Patrick's Day Parade every year.



**AMERICAN Irish Political Education Committee**

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Fairgrounds Plaza, 18 Route 9W, West Haverstraw, NY 10993 (914) 947-2726

***Annual Spring Donation Appeal***

Dear member/former member,

“It will happen in the middle of the night. A guard will awaken me and tell me to get dressed. There will be a car waiting outside the prison with British agents in it to take me to the airport. And that will be it. Before anyone can do anything about it, it will be over.”

These are the hauntingly prophetic words of Joe Doherty explaining how he would be deported from the United States to northern Ireland.

At the time of his comments, some ten months ago, the prediction by Joe seemed too fantastic to be credible. After all, people are not deported from a democratic state without a hearing. No, that could never happen, especially in our country, the United States of America.

But it did happen. It happened just as Joe Doherty predicted it would happen. No hearing . . .no chance to explain. . .no justice!

In 1980, Joe Doherty and three other members of the Irish Republican Army were ambushed by British troops. The attack took place in Mr. Doherty's homeland, Ireland.

These British soldiers from a foreign land set upon Mr. Doherty and his friends with guns blazing, no questions asked. In the exchange, a British soldier was killed. Doherty and his friends were captured.

He escaped from captivity and came to America seeking sanctuary, seeking a peaceful life.

Joe Doherty spent almost nine years in jail without charge. And after all these years in jail it appeared to most people that finally Joe would get his day in court.

But a secret deal between the Reagan and Bush administrations once again kept Doherty from his day in court.

Operating on the authority of this secret deal, British agents waited outside the jail. While the President slept, Doherty, in chains, was taken from his cell and carted off in the dark of night. Justice denied, once again.

In a land where rapists and killers are given a day in court, Joseph Patrick Doherty, a political prisoner, was deported without a hearing. And to this day, the President has not commented. Why should he? When the American Irish have no voice in the media they cannot influence Bush's agenda or actions. The American Irish, in fact, cannot influence any politician's agenda. How can they? They're not organized. They're not united,

-- OVER --

As a result, our principles and beliefs in justice and fairness are traded off in secret deals between heads of state. Joseph Doherty is slipped out of the country by foreign agents in the dead of night. The Bush administration made it clear, "The American Irish do not count." It's shameful! **It's time to do something about it.**

Now you have a chance to do something so that this can never happen again. **Never again!**

Later this year, the American Irish PEC will open a *Public Affairs/Media Representation Office* in Washington, D.C. to help educate politicians and the media about the British atrocities against the religious minority in northern Ireland.

**WE NEED YOUR SUPPORT TO MAKE IT HAPPEN.** . .So far we have raised \$30,000 to establish the office. If we can raise another \$50,000 by July, the office will open by August.

Give what you can so that we can expose and help bring to an end the mounting atrocities in northern Ireland. Give what you can so that our beliefs in justice are never again traded away in secret deals between heads of state.

**We are also appealing to former members and supporters.** We ask you to renew your membership in the PEC -- to renew your commitment to unity. If you send a minimum donation of \$20, you will immediately begin receiving a one-year subscription of the PEC's monthly *American Irish Newsletter*. Check appropriate box in the coupon below.

**Send your donation today!**

In unity,  
John J. Finucane  
**National President**

Matthew Zebatto  
**Annual Campaign Director**

**P.S.** This is our regular Spring Appeal. We are sending it to you through the Newsletter because the costs of a special mailing are prohibitive due to the recession. We ask that you be extra generous.

YES, I want to help the PEC establish its *Public Affairs/Media Representation Office* in Washington, DC.

Name \_\_\_\_\_ Phone# \_\_\_\_\_

Address \_\_\_\_\_

Town \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Contribution: [ ] \$25 [ ] \$15 [ ] \$50 [ ] \$100 [ ] Other \_\_\_\_\_

**Former Members Only:** [ ] Send me the newsletter as my donation is \$20 or more

**Send checks payable to AIPEC, Fairgrounds Plaza, 18 Route 9W, West Haverstraw, NY 10993. For information call (914) 947-2726.**

## NORTHERN IRELAND: AUGUST 1969

by Stephanie Finucane

Tension and frustration heated the summer of 1969 in northern Ireland. Civil rights activists were no closer to achieving equal rights than before and the Unionist government manipulated civil rights agitation into becoming a vehicle for violence and conflict between the nationalist and loyalist communities. But it wasn't even a fair fight: the loyalists had the RUC, B-Specials and the Unionist and British governments on their side from day one.

To exemplify Unionist willingness to foster conflict is the fact that Orange day parades in July and August were not banned, even though it was common knowledge that such events would be the catalysts for outbursts of violence. For example, the Orange Day march on July 12th sparked off fighting in Derry that lasted for three days. On the 14th, one of the first shooting incidents to riddle the history of Northern Ireland occurred. In Belfast on August 2nd, four days of rioting began with the stoning of a procession of junior Orangemen as they marched by a predominantly Catholic block of apartments. The stoning was immediately followed by the assembling of a crowd of loyalists who broke apartment windows. The RUC prevented them from storming the building, but the loyalists then prevented RUC reinforcements from moving near the apartments by barricading the nearby Shankill Road vicinity.

Therefore, grave anger and fear erupted with the approach of the annual August 12 Apprentice Boys Day Parade, an Orange commemoration of the day 13 apprentice boys closed the gates of Derry on King James II and his army at the beginning to the siege of 1689. Each year the march attracted 10-12,000 Orangemen who march through Derry and around the walls overlooking the Bogside, which is the section outside the walls where King James' army had camped. But now the march took on a new meaning, renewing hostility that in any other year was subdued and latent: in 1969 it would reaffirm "Unionist ascendancy which had been threatened or 'betrayed' by O'Neill's policies" which appeared to aim at appeasing civil rights activists, though no substantial reforms ever materialized (*Buckland, P. A History of Northern Ireland*).

Although "prayers for peace were offered all over the city," and several authorities were asked to veto the march, the parade was not banned (*McClellan, R. The Road to Bloody Sunday*). The only thing left to do was await the inevitable blow-up the day would bring.

Therefore, on the afternoon of the 12th, as the Orange-men procession, generously guarded by the RUC, approached the fringe of the Bogside at the bottom of William Street, it is no surprise that they were met by defensive nationalists who, organized by the Bogside Defense Association (BDA), had set up barricades around their community. (William Street was the home of Sammy Devenny, who was beaten by RUC police in April 1969, and died that July due to complications brought on by the beating). Dr McClellan, a Derry native who attended various riot victims that August,

## Reproduce & Distribute

describes the battle: around 7 p.m. the RUC made a "major charge right into Rossville Street (at the corner of William Street) and pushed the rioters back toward the Bogside corner. To our amazement, the police were accompanied by a large number of loyalist militants who started breaking windows in the houses along Rossville Street" (*McClellan*). Fifty hours of rioting ensued.

On August 14th B-Specials were brought in to reinforce the RUC and nationalists called on the Irish government to send troops to protect them from the obviously sectarian policing by the RUC and B Specials. Around 5 pm that evening 300 British soldiers arrived to beef up the RUC-Loyalist front. The troops then moved into the center of Derry and held negotiations with the BDA which resulted in the British agreeing to pull the RUC and B Specials back behind their troops and to not enter the Bogside. Free Derry was a no go area again.

Unfortunately, this "nationalist victory" was fuel for conflict in the nearby city of Belfast. For example, while barricades went up on the Catholic Falls Road, loyalists gathered on the connecting Shankill road, joined by B-Specials "armed with rifles, revolvers and sub-machine guns" (*Farrell, M. Northern Ireland: The Orange State*). Together they ravaged the lower Falls and Ardoyne areas, burning out most of the houses, shooting and throwing stones. They met up with some IRA men with only a few weapons, since the emphasis of the civil rights movement included demilitarizing the IRA. At the same time, RUC in their Shorland armored cars "fitted with Browning heavy machine guns" (*Farrell*) patrolled the Catholic Divis Flats and "fired their machine guns indiscriminately" (*Harkness, D. Northern Ireland Since 1920*). As a result, both a nine-year-old boy and a British soldier home on leave were killed, "adding to a death toll for the night of six" (*Harkness*). Between August 14 and August 15, internment had been reintroduced overnight - arresting 24 men, 150 Catholic homes had been burnt out in Belfast, and, by the morning of August 15, 500 British troops were lined up along a one mile stretch of the Falls Road and Divis Street in Belfast. By August 17th, a total of 3,000 British troops were in Northern Ireland ready for battle. RUC statistics record that between August 12 and 16, in all of Northern Ireland, eight people were killed, and 414 civilians, 266 policemen, and one British soldier were wounded (*O'Ballance, E. Terror in Ireland: The Heritage of Hate*).

But the killing would not end there. Although at first the role of British troops was perceived to be that of peacekeeping, their selective intervention in certain riots quickly showed whose side they were on. They simply replaced an RUC and B-Special front that had received too much bad publicity.

**SUPPORT Or JOIN -- The American Irish Political Education Committee (PEC). Send donations to: AIPEC., Fairgrounds Plaza, 18 Route 9W, West Haverstraw, NY 10993. For information call 800 777-6807.**

*Published March 1992 by American Irish PEC*



## ***Inquests and Disputed Killings (In Northern Ireland)***

(An excerpt taken from *Just News*, 2/92 published by the *Committee on the Administration of Justice* in Belfast) Inquests, virtually the only official fact-finding forums in relation to disputed deaths in northern Ireland, are failing to do their job, according to a new pamphlet from the Committee on the Administration of Justice.

As "Inquests & Disputed Killings in N.I." was being launched early this month, a CAJ spokesperson said: "There has been concern for some time throughout the UK about whether inquests are a useful way of bringing to light the facts surrounding sudden, unexpected or suspicious deaths. Recent disasters such as that at the Hillsborough football ground have shown the way in which inquests can fail to uncover relevant facts. When the facts which families are looking for are held by closed institutions such as prisons, mental institutions, the police or the army, the problems with inquests become even more acute.

"In northern Ireland, because of the numbers of people shot dead in disputed circumstances by members of the security forces the inquests system has been placed under a heavy strain. According to our figures, well over 50% of inquests into the 75 such deaths since 1982 have not yet taken place."

Colm Campbell, CAJ chairperson said: "According to international agreed standards, the use of force by the state should be exercised with extreme restraint and with the aim of preserving life. Whenever a policeman or a soldier kills someone, the incident should be effectively reviewed. The inquest system is incapable of this role. At every turn, the role of inquests has been undermined.

"What is required now is a radical overhaul, based on the *UN Principles On the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Execution*. This would give inquests effective powers to uncover all facts relating to disputed killings. As things stand at present, the inquest system falls down on virtually every one of these internationally agreed standards."

At the heart of the defects in the present system, the CAJ says, is the failure to recognize that disputed deaths involve conflicting accounts and evidence. Procedures which are closer to the adversarial than the inquisitorial model are needed, the CAJ says.

Problems identified include:

- o Coroners cannot compel those responsible for the disputed killings to appear at inquests, making it impossible to examine properly the death in question.
- o Sometimes inquests are not held at all, or are delayed

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for years.

- o There is no legal aid to pay for representation and independent expert witnesses.
- o Families of the deceased do not get equal access to evidence.
- o There are severe restrictions on the conclusions inquests in Northern Ireland can come to, and a bar on their making recommendations to preserve life.

CAJ's recommendations for a proper system of inquests can be summarized as follows:

- o An inquest should always be held into a disputed death;
- o Coroners should always sit with a jury in disputed cases;
- o Inquests should be held promptly and adjournments kept to a minimum;
- o Legal aid should be made available for inquests;
- o The notion of parties to an inquest should be introduced and parties should have the right to examine witnesses and challenge jurors;
- o Material witnesses should be entitled to testify;
- o Coroners should have the power to compel material witnesses to attend and testify, subject to their being protected from self-incrimination.
- o Hearsay evidence should not be admissible;
- o Coroners should have the power to decide whether to accept a Public Interest Immunity Certificate;
- o Juries should be entitled to bring in an appropriate verdict and to apportion responsibility for disputed deaths in general terms;
- o Coroners and juries should be allowed to make appropriate recommendations for the avoidance of future deaths;
- o Coroners and juries should be entitled to add riders to their verdicts.

The CAJ pamphlet traces the gradual decline in the inquest system. Until 1926, inquests had the capacity to apportion blame for deaths, and could, in that sense, adjudicate upon disputed killings. But the greatest erosion of inquests has happened since 1981.

In northern Ireland today, inquests are governed by the Coroners Act (northern Ireland) 1959 and the Coroners (Practice and Procedure) Rules (northern Ireland) 1963. These rules were extensively amended by the Coroners (Practice and Procedure) (Amendment) Rules 1980, which came into operation early in 1981.

**JOIN OR SUPPORT The American Irish Political Education Committee.** Send donations to American Irish PEC, 18 Route 9W, West Haverstraw, NY 10993. For membership information call 1 (800) 777-6807.

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## Reinforcing Discrimination

by Sandy Carlson  
Reporting from Belfast

Richard Needham, Northern Ireland Economy Minister, recently announced that he has blueprinted a new job creation program allowing local councils to use a small percent from every tax dollar to create jobs.

In a confidential letter to all 26 local councils, Needham says that he wants the councils to become more involved in job creation programs, such as enterprise companies and other locally initiated projects.

Needham says he believes that if local council interest is "properly harnessed, it could make a significant contribution to the north's overall economy drive."

This pronouncement comes at a time when local councils, mostly unionist controlled, are declining in significance and influence. Needham seems to have forgotten that sectarian discrimination by unionist-controlled councils (i.e., in housing allocation) brought onto the streets in the early days of the civil rights movement those marginalized working class men and women from nationalist areas who were victims of council discretion.

In light of the current behavior of Belfast City Council, where unionist councilors refuse to cooperate with Sinn Fein, it is simply unbelievable that Needham sincerely believes that northern Ireland society has been so radically transformed since then that discrimination against nationalists will not happen again. Indeed, when more Protestants than Catholics were laid off at Shorts, where the vast majority of the employees are Protestant, Belfast's unionist councilors said it was a republican conspiracy.

Needham's initiative seems to be a placating gesture to the unionists who see themselves being marginalized and who mistake for reality the specter of power-sharing devolution which visits northern Ireland every time the British are inspired to reactivate moribund cross-party talks. The unionists are thus pawns in Britain's stability-at-all-costs chess game.

## Why Was Joe Doherty Deported To Britain?

by Lawrence C. Downes

The British government was outrageously hypocritical in demanding the US return Joseph Doherty to northern Ireland while Roberto Fiore has lived freely and openly in London for over ten years. Fiore is the leader of a Neo-Nazi fascist organization and is wanted in Italy for the 1980 Bologna railway station bombing which killed 85 civilians. The British refused Italy's extradition request for Fiore on legal grounds.

Subsequently, the Italian government asked Britain to deport Fiore, who has also been convicted in absentia of other crimes and sentenced to 5 1/2 years by the Italian Courts. Britain refused, claiming Fiore has not engaged in criminal activity in Britain and does not pose a threat to people in Britain; the *Irish News* recently reported that Fiore's group is now attempting to make inroads with the pro-British community in northern

Ireland.

In the end, Doherty will live with his deeds, content that to fight the soldiers who kicked down the door of his mother's house when he was 16 and told his half-naked mother, "Irish bitch, get out of bed", who imprisoned him at 17 with hundreds of other Catholic men and boys, although there were no charges, trials or defense counsel, who stood by laughing as the pro-British community burned the homes of hundreds of Catholics to the ground, and who opened fire on Catholics peacefully demonstrating, killing thirteen, does not make him the "terrorist" Britain portrays him to be. Fiore will spread his fascist hatred and bigotry, including in northern Ireland. And the British government will continue to deceive the world and posture as the spiritual leader of the anti-terrorist movement.

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#### NEW

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On January 30, 1972 the Parachute Regiment shot dead fourteen unarmed civilians in Derry. The Paras had been deployed against a peaceful anti-internment demonstration.

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### Action Requests

**Action Request #1** is to Presidential hopefuls Gov. Bill Clinton and Pat Buchanan. We must make an issue of northern Ireland in the November general election. We cannot allow the next President to ignore our concerns as is the case in President Bush's deporting Joe Doherty.

**Write to:** Clinton For President, PO Box 615, Little Rock, AK 72203 and Buchanan For President, 8130 Boone Blvd., Suite 110, Vienna, VA 22182 -- phone# (703) 790-9292.

**Action Request #2** is to ABC News network *World News Tonight* requesting coverage of the trial of the British soldiers responsible for the Caraher shootings. In the October 1991 newsletter we asked members to write to CBS about RUC harassment of nationalist youth. CBS in London has since been in contact with the PEC and Rev. Des Wilson about doing a story on that topic. **Write to:** News Editor, World News Tonight, 47 W 66 Street, New York, NY 10023.

Write your letters in your own words using our sample letters as a guide. If you prefer, you can simply rewrite our letters. Keep your letters brief and to the point. Have friends, relatives, business associates, organizations, etc. write. If you have the facilities, make up form letters to be signed and mailed.

#### Sample Letters

##### Action Request #1

Dear (Candidate's Name)

President Bush has lost the support of millions of Americans because of his decision to deport Joe Doherty. This year Northern Ireland will play a role in how I vote.

What will you do as President regarding British colonialism and injustice in Ireland, and the American MacBride Principles campaign? Will you make public these positions and will you meet with representatives of the American Irish Political Education Committee (914) 947-2726?

Sincerely yours,

##### Action Request #2

Dear News Editor:

Please investigate the trial in Northern Ireland of two British soldiers for the murder of Fergal Caraher and the attempted murder of Michael Caraher. According to Amnesty International "339 people have been shot dead by

the security forces in Northern Ireland..." Only one soldier was found guilty of murder and given a life sentence. He was released after 2 years and reinstated in the Army. For information contact Kevin McMahon, Cullyhanna Justice Group in Northern Ireland -- phone number 011 44 693 868202 -- or American Irish Political Education Committee (914) 947-2726.

Sincerely yours,

### Join Or Support The American Irish Political Education Committee (PEC)

I want to join in/support the struggle to end British government civil and human rights violations in northern Ireland. I am sending you this completed form together with my membership fee/donation.

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