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Recommended Citation

American Ireland Education Foundation - PEC, "American Irish Newsletter - June 1991" (1991). *American Irish Newsletter*. 127.

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AMERICAN IRISH NEWSLETTER

AMERICAN Irish Political Education Committee

Volume 16, Number 6

June 1991

NEWS BITS by Kathy Regan

Anti-apartheid campaigner Archbishop Desmond Tutu warned in Dublin last night against excluding any group from the Brooke talks. The archbishop, preaching at Christchurch Cathedral near the end of a 10-day visit to Ireland, said in apparent reference to Sinn Fein, that people could "kiss goodbye to peace" if any group were left out. (The Cork Examiner 4/15/91)....**re the Royal Commission** to investigate the case of the Birmingham Six: "The galling thing for the judiciary is not that they jailed the wrong men, but that the cat was let out of the bag. The important thing for them now is not to ensure that there is no repeat of such travesties, but to ensure that their tarnished reputation is restored...If the case of the Birmingham Six is not a watertight argument against extradition, then what is?" (Andersonstown News 3/23/91)....**A Dublin based peace and justice group**, Northern Witness, composed of several religious congregations demonstrated outside the British Embassy in Dublin to mark the release of the Birmingham Six and to call for renewed pressure to be placed on the British authorities to consider other potential "prison victims" including the Armagh Four and the Casement Accused. (Andersonstown News 3/23/91)

A St. Patrick's Day parade from the [Belfast] City Hall to Casement Park was banned by the RUC because no parade could start from the City Hall although the Boys Brigade will do so later this month. Additionally, a Women's Day march was banned because it was fronted by a banner with the words "International Women's Day" in Irish. The RUC said the banner was "offensive and likely to lead to a breach of the peace". (Andersonstown News 3/16/91). Aren't the huge Orange parades which regularly go through the city center also offensive? The problem is that they are offensive to the "wrong people"....**Despite the fact** that over 92% of the RUC officers are from the Protestant community, the majority probably don't care whether or not nationalists march to Belfast City Hall...However, upholding the unwritten edict that nationalists don't demonstrate below the hallowed dome of City Hall is part of their role. (Andersonstown News, 3/16/91)....**On April 23, more than 50 members** of the various organizations working for peace and justice in Northern Ireland travelled to Washington, DC to lobby Congressional support for the Joe Doherty Amicus Brief drafted by Congressman Tom Manton and Senator Christopher Dodd. Participants visited the offices of every member of the US Senate and House. This successful lobbying effort was organized by Patricia James, PEC Washington, DC representative....**The Irish Hunger Strike** commemoration activities, the Cruise, Mass, Procession and Rally, which took place on May 4-5, were a major success. The World Yacht cruise drew a capacity crowd of almost 1700 people. (AIN-PEC 3/8/91)....**The Ulster Unionist Party** has issued a statement that its aim in the upcoming talks will be to dilute those aspects of the Anglo-Irish Agreement which gives Dublin a say in the international affairs of Northern Ireland. (Irish Post, 4/20/91)

POLITICAL VETTING IN THE REPUBLIC OF IRELAND

by Sandy Carlson in Ireland

The Cork, Ireland, *Between* organization claims it is the victim of British-instigated Irish-government political vetting.

Between has provided holidays for Northern Irish women and children--both loyalist and nationalist--for the past 20 years. Throughout this time, *Between* has made pronouncements on behalf of Irish civilians brutalized by British security forces. Its June 1989 publication highlighting such abuses, "*Cry from the Heart*", was the impetus of the Dublin's vetting campaign. The leaflet's 4 stories concern innocent civilians brutalized by the British army. *Between* believes the vetting campaign emanated from British sources because the abuses documented were British government abuses.

During his 1990 visit to the U.S., *Between's* secretary learned that the "Irish Government was very displeased" over the document. He also learned that when representatives of the International Fund for Ireland (IFI) went to Brussels for EC funding in early 1990, a senior British official produced the document as reason for rejecting *Between's* grant application.

A series of events which began in 1990 support *Between's* belief that the Dublin government complies with British-government vetting. One such event was the Britain-based Lawlor Foundation's advising *Between* that it had been approached by outside sources which alleged *Between* was engaged in "political" activities and was therefore ineligible for funds.

The IFI, which had been "sympathetically considering" *Between's* application for 3 1/2 years, rejected the application in May 1990 for no clearly stated reason.

In August 1990, the Irish Department of Foreign Affairs cut by half *Between's* 20,000 pound grant, after it had assured the secretary that the full amount would be forthcoming.

Then, on 21 December 1990, the EC Commission withdrew its funding on the grounds that, after examining the document, "some doubts have been raised within the Commission regarding the impartiality of your organisation." This, in spite of the fact that three times in 1990 Irish Minister for Foreign Affairs Gerard Collins assured *Between*, in the context of this document, that "representations you have made about the behavior of the security forces in Northern Ireland have no bearing whatsoever on the grant allocation to *Between*."

Between foresaw the obstruction they would face in official response to its protests against British security forces' abuses against innocent Irish civilians. However, not until the organization received the EC Commission's letter stating that the document was the cause of funding withdrawal did it begin to address the issue of the Irish government's political vetting. Since early February, *Between* has invested all its time in publicizing their case.

All members are asked to support *Between* in its work to provide vacations for hard-pressed nationalist and loyalist women and children by writing a letter in support of *Between*. **Turn to Action Request #1 on page 6.**

FROM THE EDITOR

The solution to the civil and human rights struggle in Northern Ireland is simple enough, but it will require honesty and courage on the part of the British government.

The British government must accept the fact that Northern Ireland is not a democracy. It is an illegally held colony partitioned in 1920 from the rest of Ireland against the wishes of 80% (eighty percent) of all Ireland's citizens. This is the root cause of all the "troubles". Britain must take immediate steps to insure that Northern Ireland quickly becomes a democracy.

The current talks in Northern Ireland offer the British government the best opportunity they will ever have for an honorable solution. If the Loyalists power-brokers say "no" to total equality for their Nationalist fellow countrymen, which we believe will happen (we hope we are wrong), Britain will have every right to wash its hands of the whole situation and declare its intent to withdraw. People of good-will world-wide will support Britain in such a move. Furthermore, such an honorable decision would not be seen as a victory for the IRA.

If this is the case Britain must make it unmistakably clear to all concerned that it will withdraw. Both the Loyalist and Nationalist communities, the Irish government and the churches of Ireland will then have to deal with a reality - a United Ireland. They will be forced to work together for the betterment of all the people of Ireland.

Who would gain from a United Ireland? Everyone. Why? Because Ireland's people, of all religious backgrounds, for the first time, will be allowed to live and work together in peace. Together they can build a strong and prosperous nation.

Who would lose from a United Ireland? A small group of greedy power-brokers who have kept Ireland's people divided.

With its reputation as a "defender of freedom and democracy" Britain has the right and the responsibility to dictate policy to the Loyalist community as they have so often dictated policy to the Nationalist community. Those who oppose equal rights must be portrayed for what they really are -- people who oppose justice. Being on the wrong side of the law and without a just cause they will quickly lose the support of the people. If the only way to get equal rights in Northern Ireland is through a United Ireland, then a United Ireland is the solution.

ACTION REQUEST #2 Offensive Situations

by Kevin P. Murphy, Massachusetts

Member John Whelan advises us that Long Island's (New York) *Newsday* on March 15th urged all American Irish to shun Irish nationalism. American supporters of peace and justice in Ireland residing in Long Island have long complained about *Newsday's* pro-British, anti-Irish bias. Some people call it "England's Voice In Long Island". Now they can do something about it! Don't buy it. Instead, buy the new newspaper being founded in Long Island. Member Theresa Slevin of Queens, NY informed us of a March 14 editorial cartoon in *The Bayside Times* of Queens which depicted a drunken leprechaun stating "I lost me parade". Concerned community members wrote letters to the editor. A similar situation occurred in Long Island, New York. Member Bill Thomas, a member of the NYC Fire Department Emerald Society, organized a letter-writing campaign to Coors Brewing Company in protest of their St. Patrick's Day advertising.

Illinois member Mrs. John Armstrong informed us of an article in the *Evergreen Park Courier* by staff writer Bill Corcoran suggesting that British PM John Major should

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founded 1975

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American Irish Newsletter

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LABOR LIAISON: Kevin Garvey, IUOE Local 891, 560 West 169 Street New York, NEW YORK 10032-(212)281-7172.

NATIONAL ORGANIZER: Pete Foley, 3177 Villa Avenue #3H, Bronx, NEW YORK 10468-(212)933-7196.

STUDENT ORGANIZER: Sandy Carlson, AIPEC, Malloy Building, Stony Point, NY 10980 - (914) 947-2726.

Supported in part by the Emerald Society, NYC Fire Department.

launch a massive air attack on Ireland. The article also indirectly suggested that the Irish have not done anything for America or for America's military.

ALL MEMBERS ARE URGED TO CONTACT: Mr. Gerald Gibbons, Editor, Evergreen Park Courier, 3840 W 147 Street, Midlothian, IL 60445 or call (708) 388-2425. In your letter protest Mr. Corcoran's suggestions that the British bomb Ireland and that the Irish have contributed nothing to America. Suggest further that Corcoran's column be discontinued.

A final note: Massachusetts member John Greeley informed us that a guest on the March 12 Larry King radio show, Jim Bohanon, alluded that the word Irish should be associated with terrorism.

SEND ALL OFFENSIVE SITUATIONS TO: Kevin P. Murphy, PO Box 8895, JF Kennedy Station, Boston, MA 02114.

ISN'T IT TIME TO FORM A PEC SUPPORT

GROUP IN YOUR COMMUNITY? For information write the PEC or call (914) 947-2726.

FROM THE NORTHby Rev. Des Wilson, *Director of Conway Mill, Belfast*

The British government said on two recent occasions that it has no strategic or economic interest in staying in Ireland. But I heard this from British officials (Ministry of Defence and other departments) in 1972. At a conference in Oxford at a time when we thought it useful to discuss with British officials they assured us they had no interest, military or strategic in staying in Ireland.

The day they said that to us in Oxford was Bloody Sunday, when in order to stay in Ireland their troops (under the Ministry of Defence) shot down unarmed civilians in Derry, killing 14 of them.

We learned two lessons -- that you should never believe a British official and that the power within the British system is shared between different pillars of their society, the monarchy and nobility, the military, the state church, the big corporations and last of all parliament, and all of them jostle each other for position. It is an undemocratic system. While the ministry of defence may say one thing, that does not mean the soldiers are saying the same thing, and in the end the soldiers' policy may well win.

We had it all before. In 1912-14 "Curragh Mutiny" in which British soldiers refused to carry out the wishes of the British government; 1974 when soldiers refused to uphold the power sharing Executive in the north of Ireland; Bloody Sunday when they showed who made the decisions to kill Irish citizens. British soldiers can and do make themselves unavailable to their own government and the government has to give in. But not only in Ireland. In Palestine when the British set up a military government there the military had a different policy from the foreign office in London. They acted independently. In this case however the foreign office in London won, and replaced the military with a civil government.

The lesson that you do not believe British officials proved valuable many times. The lesson that the British government has to please the bishops, the rich landowners and the soldiers is being proved true over and over. And it may be proved again when the British government tries to cobble together an arrangement for the future government of the north of Ireland. The government does not yet know if the soldiers will agree. And if they don't....?

Already a soldier named Wilsey has said that in the aftermath of the Gulf War (he thinks the British won it) it was not likely that the British army would allow itself to be "beaten by a crowd of thugs and gangsters". Much the usual stuff but this time we understand better what it means. The British army recognizes it cannot militarily defeat the IRA. Will it be content then to leave Ireland with the stain of losing out to the IRA while appearing to win against Hussein in the Gulf? Of course not. The military will not quietly withdraw from Ireland just because either the Irish or their own government want them to. Either they will impose their will on the British government or they will withdraw in a trail of blood. That is what Wilsey is saying (and he appears to be the soldier in charge at this time). If they cannot get their way politically at least they will show who is boss when it comes to killing. This apparently is how the military "thinking" goes. So we have a problem which all the blandness of Northern Ireland Secretary Peter Brooke and the bluster of politicians will not obfuscate: how does an undemocratic and militarist regime curb its own soldiery?

Perhaps the British government should consult the nearest friendly military dictatorship to find out? Or call in United Nations troops?

PEC RAFFLE WINNERS

We are happy to announce the following winners of the PEC Fundraising Raffle. The drawing took place on April 17, 1991 at the Rockland Irish Cultural Center in Blauvelt, New York: **Peter Smith** of Winoski, Vermont - Grand Prize, **Helen Leyden** of Elmira, New York - 2nd Prize, **Mary McGinty** of Narberth, Pennsylvania - 3rd Prize, **John Dolan** of Forked River, New Jersey - 4th Prize.

The winners of the **Book Of Kells** were: Susan Rowland, Pawtucket, Rhode Island; William Lamasney, Bergenfield, New Jersey; Dorothea Kenny, Brea, California; June Mullaney Mader, Durham, North Carolina; Rita R. Mischke, Meriden, Connecticut; Eugene R. Ward, Monroe, Wisconsin; Eileen Myers, Queens Village, New York; Stacy Sanders, Little Falls, New Jersey; Thomas H. Somers, Portland, Maine and Margaret Finucane, Stony Point, NY.

We are grateful to all who supported our Fundraising Raffle. Your continued support is the life blood of the PEC.

YOU DID IT AGAIN!!!

There is no doubt that PEC letter-writing campaigns are effective. Unfortunately, we do not always see the effects of our campaigns as is the case in the examples below. The effectiveness of our campaigns through our newsletter *Action Request* and *Telephone Hotline* (914 429-7849) programs will continue to increase as more and more of our members become letter writers, as more and more *PEC Support Groups* form, and as we continue to recruit new members with your help!

LOOK WHAT JUST HAPPENED! The respected New York Brehon Law Society has for years been pushing the United Nations to conduct hearings on British government human rights violations in Northern Ireland. Suddenly in April 1991 a UN human rights committee conducted such hearings. It so happened that in late January 1991 and into February, AIPEC conducted, through its newsletter, an *Action Request* to the UN Secretary General asking exactly that the UN conduct hearings on British human rights violations.

Also in April 1991 Amnesty International wrote to US Attorney General Richard Thornburgh expressing concern over the treatment of Joe Doherty's case. As late as January 1991 Amnesty International said it would not get involved in the Doherty case. Why the sudden change? In late February and into March, via an *Action Request* in that newsletter issue, the PEC asked its members to write to Amnesty International in London urging that they speak out on the case of Joe Doherty.

It is not our intent to take sole credit for these two significant events in which we are sure others participated. **Rather we wish to demonstrate the power of letter writing.**

All members are urged to participate in our letter-writing campaigns which we make easy. All you have to do is rewrite our sample letters, if that is your preference.

YOU CAN HELP MAKE THE PEC STRONGER AND MORE EFFECTIVE!!!

Inform members of your community about the work of AIPEC. Ask if they would like information on AIPEC. If they are interested, send their name, address and zip code to AIPEC, Malloy Building, Stony Point, NY 10980 or call (914) 947-2726. Make your goal 5 people. Whether you send us 1 name or a 101 names does not matter.

THE IRISH IN AUSTRALIA: THE EARLIEST YEARS by Margaret E. Fitzgerald, Ph.D.

Australia has also become home to thousands of illegal Irish aliens during the past ten years. These well educated young Irish who exile themselves for economic reasons are far different from the earliest Irish who were transported in chains.

Toward the end of the 18th century two factors halted England's practice of selling convicts to shipping contractors, who, in turn sold them to plantation owners across the Atlantic for terms of seven years or more. One factor was the independence of the Thirteen colonies. The other was the preference of American and West Indian planters for black African slaves whose labor belonged to them for life.

In 1786 the English government authorized a penal colony at Botany Bay in eastern Australia, a continent unpopulated except for aborigines. Commercial enterprise built by convict labor would, hopefully, make up for lost American profits; escape and return from halfway around the world would be impossible; and jails increasingly overcrowded by commutation of death sentences would be relieved.

The First Fleet in 1788 and the Second Fleet in 1790 included some Irish guards, officers, and crew, as well as convicts. Since Botany Bay proved unfit, settlement was made at Port Jackson, now Sydney. (Nevertheless the name Botany Bay lived on in folklore to describe all the penal colonies in Australia.) In 1791 came the first convicts sent directly from Ireland. The ship *Queen* loaded 133 men, 22 women, and 4 children reached New South Wales in September. From then on, thousands of Irish were sentenced to transportation to Australia.

Transportation was better than hanging. A woman on the *Queen* had been sentenced to death for stealing a piece of linen; no doubt, she preferred commutation to 14 years transportation by the "Royal Prerogative of Mercy." The two youngest on the *Queen*: were an 11 year old boy who had robbed a food merchant, and a 12 year old who had stolen a pair of buckles. These felons committed what we today would call minor offenses, but in 18th century England and Ireland all crimes against property were capital, not minor. Irish reprieved from hanging had been convicted of such crimes as stealing a blanket (an evictee with a family freezing in a ditch), and stealing the use of a cow (a man trying to get milk for a child.)

Convicts endured terrible conditions on the five-to-seven month voyage. They were shackled four together in dark holds, 7 by 6 feet with only enough height for a man to stand double. Captains used arbitrary flogging or an execution early in the voyage to discourage mutiny. The Irish were treated worse than the rest since they were considered savage, rebellious, and treasonous. In 1788 convicts on two ships leaving Dublin for Nova Scotia had overpowered the crew; on one of these, badly-treated seamen had joined the convicts and all landed to freedom in New Jersey and Connecticut. In 1795, after an informer told a captain that the Irish were plotting mutiny, guards fired indiscriminately into the prison quarters. Suspected Irish were flogged and put in slave leg bolts. Two Irish guards accused of abetting the plotters were flogged until their skin hung in shreds and then chained with handcuffs, thumb screws, and leg bolts until one of them died.

Once in the colony, convicts were put on even shorter rations than on the ship. They were assigned to officers, marines, and freemen for government or private work in clearing plantations and breaking stones. They were completely at the mercy of their masters. Women put in a factory with no living quarters were forced to find men willing to take them in, at whatever price or arrangement.

The Irish saw themselves as political prisoners, even though transported on criminal charges. This was true after the United Irish Rising of 1798. The English believed that the Irish populace was tamed and cowed by the savage repression, the bloody massacres, the portable wheeled gallows, and the hundreds of dead left hanging for months in every county. Juries were then encouraged to indict for property damages, a criminal charge, instead of treason, so that sentences could be commuted to transportation. Many were shipped to Australia without a trial. About 70% of the more than a thousand transported in the wake of the '98 Rising were really political offenders.

The penal colony governors, for their part, paid no heed to the custom of giving more lenient treatment to political prisoners. They considered these rebels the most dangerous. The United Irish, with their intelligence and leadership abilities, were seen as a threat to order in a colony in which 60% of the Irish who came before them were also literate and possessed of initiative. Prisoners might get favorable treatment if they were properly subservient, or better still, were informers.

In 1800 informers reported seditious meetings. The examining magistrate, Rev. Samuel Marsden, an Evangelical Anglican who hated the Irish, held the same kind of mock trials held in Ireland. He found no evidence, but sentenced 9 men to be flogged and 18 to be transported to the infamous colony of Norfolk Island. One man was sentenced to 500 lashes. After he was bound to a tree, two guards, one left-handed and one right-handed, used flails with metal knots. Blood, skin, flesh, and splinters of bone fell from him at alternate strokes. The smiling and sadistic English doctor took his pulse several times and said: "This man will tire you before he fails. Go on!"

Among the United Irish convict arrivals in 1799 were two Catholic priests, Rev. James Dixon and Rev. James Harold, and a Protestant minister, Rev. Henry Fulton. In 1800 Rev. Peter O'Neil arrived. Back in Ireland Rev. O'Neil refused to give names of United Irishmen that it was though he knew from the confessional. He was given 275 lashes with wired cat-o-nine-tails and transported without trial. With three priests in the colony, the Irish petitioned to have Mass said. They were unsuccessful for three years. During that time Rev. Harold was banished to Norfolk Island and Rev. O'Neil, though the intercession of friends in Ireland, was permitted to return home. The governor finally granted permission for monthly Mass in May 1803. This privilege was removed the following year after an insurrection, but restored sporadically. Not until 1820 was Mass said again. Meantime, although 90% of the Irish were Catholics, prisoners were punished if they did not attend Anglican services.

This is only the beginning of the history of the Irish in Australia. The story goes on with the convict death ships on which sometimes 40% died; with Michael O'Dwyer and his companions who came in 1806 and found their surrender terms ignored; with the Catholic and Protestant Young Irelanders of 1848, some of whom, such as Thomas Francis Meagher and John Mitchel, escaped to the United States; with the Fenians in 1867 in western Australia and the subsequent daring rescue of six of them in 1876 by American Fenians.

It is also the story of free Irish coming in the 1840's and 1850's for land grants and gold. Convicts anticipating emancipation and free settlers, wrote home asking families and friends to join them in what seemed to be a land of opportunity far away from the heavy hand of the crown. Some did return to Ireland or go to America, but most stayed and became Australians. Australia owes much to the Irish, many of whom started as convicts, who cleared and built the country, and whose descendants give an Irish flavor to the "Land Down Under."

THE TIME IS NOW

...for AIPEC to have a professional presence in Washington, DC.

Washington, DC is not only the Nation's Capital, but also an international city. It is the center of activity for media and communication services, Congressional action and political and policy-making organizations.

Washington, DC is the center of American power and influence! Many ethnic groups maintain Washington offices, some of them are heavily staffed and well-financed. The more effective ethnic groups have many distinct lobby groups. There are numerous organizations there representing the interests of Jewish-Americans, Arab-Americans and Black-Americans. The National Council of La Raza (Hispanic) has grown from virtually nothing to a staff of fifty and a budget of 4 million dollars in just over twenty years. Polish-Americans and Italian-Americans also have fully-staffed offices. By no means must we overlook the British who have recently opened a Northern Ireland office of Information in Washington. American supporters of Irish justice only have one full-time operation in Washington, DC.

The PEC has established an effective letter-writing network of members and supporters throughout the United States. Much of the mail generated through this network is directed to powerful political and media people with offices in Washington, DC. But we are often unable to follow-up on these opportunities. **Doesn't it make sense that AIPEC have a professional presence in Washington, DC for the purpose of informing our national leaders and influential media people, and for networking with and informing other human rights oriented organizations?**

In unity,

John J. Finucane, National President

WE WANT TO KNOW WHAT YOU THINK!!!

Please answer the questions below and return to: AIPEC, Malloy, Stony Point, NY 10980 or call (914) 947-2726. (To avoid damage to your newsletter, make a copy of this page for answering or write your answers on a piece of paper. Be sure to include your name, address and phone #.)

1. Should the PEC establish a professional lobbying presence in Washington, D.C?
Yes [☐] No [☐]
2. Would you make a *special* annual donation to support a professional lobbying presence?
Yes [☐] No [☐]
If yes, how much of a donation (approximately)? \$ _____
3. Would you help AIPEC raise funds to support an AIPEC office in Washington, DC?
Yes [☐] No [☐]

Remarks: _____

Name: _____

Address: _____

Town: _____ St _____ Zip _____

Phone: () _____

THE CASEMENT INTERNED

by Sandy Carlson, *reporting from Ireland*

March 19, 1988 was the date of the funeral of Kevin Brady, one of three mourners murdered by loyalist paramilitary Michael Stone, who fired on and lobbed grenades at the mourners of the Gibraltar Three (three unarmed individuals murdered by the Special Air Service in Gibraltar on March 6, 1988).

At Brady's funeral, two British Army corporals sped into the funeral cortege. Several of the mourners attacked the car in an attempt to discern the identity of the occupants. The driver of the car, Corporal Woods, then fired on the crowd while Corporal Howe attempted to produce his gun. After the soldier fired the shots into the crowd, some of the mourners removed the corporals from the car. The men were dragged to Casement Park, where they were stripped and beaten. Within a matter of minutes, two members of the IRA took the corporals away and shot them.

None of those arrested have been charged with the killings. However, as of November 1990, 38 men have been charged for incidences which took place at Brady's funeral and 20 of them have been convicted and are serving over 600 years in prison.

All of these trials have been conducted in Diplock courts, which consist of from one to three judges acting as the jury as well as the judge(s). There is no jury of peers to consider the events; rather, the community is contained behind a plexiglass wall, making listening to the proceedings very difficult.

The Casement trials have provided the courts the opportunity to extensively use the video equipment which cost Britain almost \$200,000. It was first used in the trial of Michael Stone. The families of the accused and their legal representatives believe that the Stone trial provided the dry run of the video equipment for the government to encourage public acceptance of video trials.

These parties, along with legal observers, believe that the heli-tele (videos recorded from a helicopter) and video evidence have been both overused and much abused. Because the quality of the film is poor, even the police had difficulty discerning what was happening as they watched the filming. Only 4 out of 200 R.U.C. officers were able to identify men from the heli-tele.

Although the video evidence was vague and blurry, it has constituted a large part of the evidence against the men, many of whom are serving ten years or more on the basis of video identifications. In addition, some of the video evidence was treated with contrast stretching and zooming. In this process, color is either taken from or added to the film. In some trials, the judge accepted this treated film as evidence, although some of the data had been removed from the film.

An example of the abuse of the video evidence arose in Patrick Kane's appeal in February, 1990. The man the prosecution identified as Kane in the video evidence wore a blue-green coat with epaulettes and a hood. Kane's coat, produced in the courtroom at the trial and appeal, was emerald green, and had neither epaulettes nor a hood. However, the prosecution insisted both that the coat belonged to Kane and that the man in the video was Kane. His argument was that Kane foresaw his arrest, which came 9 months after the funeral. In his foresight, Kane realized that he would be required to produce the jacket he wore to the funeral. To avoid being identified in the video, he bought a similar jacket to hand over to the police.

Another example of bad evidence used against the mourners is the media witness called "Witness E". Witness E was used to support the prosecution's proposition of fact that the crowd knew the identity of the occupants of the car at an early stage. Witness E, who gave evidence from behind a screen, said he was at the hood of the car at the time and knew the occupants were British when the car arrived because he "could hear them squealing in English/London accents". Witness E alleged that the crowd was

shouting, "They are Brits, they are SAS!" Lord Justice Murray said he felt Witness E gave an inaccurate account of the car's arrival. Still, the prosecution continued to use Witness E's evidence to convict. However, 8 men were later acquitted for honestly and mistakenly believing they were being attacked.

In addition to overusing and abusing video evidence and relying on admittedly unreliable witnesses during the Casement trials, the Crown has turned the right to silence on its head by using it to corroborate bad evidence.

From Sean Kelly's refusal to enter the dock during his trial, the trial judge inferred that he was guilty when he considered this in conjunction with the prosecution's assertion that Kelly must have been in Casement Park. This assertion was based on the prosecution's identification of Kelly near the car in the video evidence. During Kelly's appeal in February 1991, Barrister Desmond Boal stated that although Kelly was seen running toward the car, this does not mean he was guilty of attacking the car; others were seen rushing to the car but did not attack it. Boal pointed out it does not logically follow that he was in the park or that the man identified as Kelly must be Kelly just because he was at the car. However, Judge Kelly stated that in the balance of probabilities, Kelly must have been in the park.

Boal pointed out that the trial judge had said the heli-tele evidence "tends to show" Kelly involved in the attack on the car. "Tends to show" is a phrase which lacks certitude; therefore, because the trial judge could have used another to convey certitude but did not, he could not have been certain. Still, Judge Nichols insisted during the appeal that if Kelly seemed so intent to get Woods in the park, it would seem only logical that he must have entered the park.

However, Boal pointed out that there was insufficient evidence to make such a statement. By the trial judge's assessment of the video evidence, the court was left with no firm evidence that Kelly was in the park. Also, because Kelly did not make a statement, no statement could be used to support such an identification. Boal said that the trial judge's using Kelly's use of Article Four (the right to silence) to corroborate weak evidence put the onus of proof regarding the identification of Kelly on the prosecution rather than on the defence. Thus, the judges' inferences and assumptions were used to try to uphold the life sentence of a 22-year-old man.

The Casement trials are the testing ground for the Crown's use of several different kinds of evidence. However, because the arrests for the attack on the car and soldiers and the killing of the soldiers continue, the matter is still legally sub judice; therefore, media coverage of the cases is strictly limited. This gives the Crown a free hand to put away a large number of individuals from the nationalist community, for the case escapes the public eye. In considering the cases to date, it would seem that anybody present at the funerals is a potential victim of this small-scale internment.

In addition, the Casement trials are setting some dangerous precedents: the dependence on blurry, treated film for identifications; the use of film confiscated from all the media for identifications (thus, the media are induced to act as witnesses); the use of the right to silence to infer the guilt of a defendant. The 8 men who have been acquitted of crimes related to this incident have unnecessarily served time in prison from the time of their arrests to their acquittals.

In assessing the significance of the Casement trials, it is important to consider the amount of time and money the British government has invested in the Casement trials. It would be naive to believe that the government invested almost \$200,000 in video equipment for these trials only. Why is convicting so many individuals on such bad evidence worth such a large investment? What looms on the horizon for the nationalist people? Is this internment by another name?

NORTHERN IRELAND TALKSby Albert Doyle, *PEC Vice President*

The ongoing Brooke talks on the future of Ireland are very significant -- and make no mistake, they are about the future of Ireland, not just Northern Ireland. AIPEC feels that we owe it to you to state our position concerning the talks. In reading this keep in mind "where we are coming from." AIPEC is not beholden to anyone in Ireland. We will endorse any initiative which furthers our goals -- a united, democratic Ireland.

Thus, while we believe that all parties should be included in the talks -- and must be included in any final arrangement -- we do not say this because we are wedded to the policies of Sinn Fein, the principal excluded party, but because no long-term solution can be contemplated which does not take into account such a substantial minority, or worse, one which requires the subjugation of that minority. Everyone knows this but apparently the British and Irish governments have accepted that the Unionists would not even come to the table unless Sinn Fein were excluded. Once again the Loyalists have exercised their veto power over British policy -- for the time being. This does not mean that nothing good can come from the talks. We will wait to see what is produced before reaching a final conclusion.

Nevertheless, based on the record of the Irish government in the 1985 Anglo-Irish Agreement negotiations we cannot be optimistic. In those negotiations the Irish government conceded the legitimacy of the partition of Ireland, a fundamental point they had never before conceded. Of course, the Loyalists didn't like the Anglo-Irish Agreement either because it

"allowed" the Irish to sit at the table. An optimist might say that this shows that it couldn't be all bad for this reason, but its not much of a point when you realize that the Brooke round of talks, as a starter, will scrap the Anglo-Irish Agreement.

But perhaps the most disturbing thing about the current talks is the inexplicable action of the Irish government, in advance of the talks, in stating openly that they are prepared to surrender their fundamental position, the Constitutional claim to a united Ireland. This is not a wise tactic when entering into any negotiation. We have always assumed that the Irish government leaders were intelligent people. We can only assume that this apparent negotiating stupidity is nothing of the sort, but rather is part of a crafty plan of some type. But what is that plan? What is their hidden agenda? Alas, we confess that we are not astute enough to come up with the solution to this puzzle. Is it intended to display to the world the legendary Irish generosity and good will -- so that if the talks fail they at least will not be blamed? That if this happens it will give the British an excuse to crack down on their Loyalist friends? If those are the reasons it is likely to end with Ireland having given a lot -- surrender of their claim to unity -- and gotten nothing in return.

The talks are being conducted in secrecy. Because of the fear of failure on the parts of the British and Irish governments we expect that they will result in something. Should the Irish government indeed renounce its Constitutional claim to ultimate reunification then the only possible acceptable result, from our standpoint, would be one which results in some form of Irish unity, even a federal arrangement. Anything less would be a disaster.

BOOKS AND VIDEOS, ETC.

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BOOK REVIEW

REBELS: THE IRISH RISING OF 1916: By Peter de Rosa, Doubleday, 1991, 510 pages, \$25, photographs and maps.
by William Hughes, *Maryland*

Author Peter de Rosa, an Englishman, has written a masterpiece centered on the dramatic events and heroic personalities that gave violent birth to the Irish Republic seventy-five years ago in Dublin, Ireland. In **REBELS: THE RISING OF 1916**, de Rosa brings to life the gallant leaders of the Rising, 16 of whom courageously faced a kangaroo British military court, execution by firing squads, (acting under the command of Sir John "Mad Dog" Maxwell), and common burial in lime pits.

Over 50 characters; Irish, English, German and Irish-American, who played important roles in the epic, are faithfully represented, as are the shifting locales where the riveting action takes place. Two of Irish America's leading Fenians of that day, John Devoy of New York City and Joseph McGarrity of Philadelphia, are prominently featured. The book, for good reason, has been a best seller in Ireland, both north and south.

By skillful use of both history and literary license, de Rosa puts you in the Dublin tobacconist shop of the legendary Tom Clarke, as he maps out a strategy for the rebellion with his best friend, and Irish Republican Brotherhood member, Sean McDermott. De Rosa naturally focuses on the other signatories to the Proclamation; Padriac Pearse, James Connolly, Thomas MacDonagh, Eamonn Kent and Joseph Plunkett. The details of their lives, their strengths and weaknesses, the passions and beliefs that drove them to their ultimate fate, are movingly set out.

The megalomaniac Sir Edward Carson, who betrayed his own native land for a diminished Ulster, and then betrayed Ulster for what he could get out of England, is shown in all his venality. Insights into the significant part played in the rebellion by Sir Roger Casement are also revealed.

In a docu-drama fashion, with credible dialogue, de Rosa cross-cuts scenes, as the daring, but doomed, plans for the military action progresses. It is a day by day, sometimes minute by minute, re-telling of a compelling story, the effect of which continues to shape the destiny of the Irish people.

What director/producer Ken Burns did so masterfully in his acclaimed public television series on the US Civil War, de Rosa also effectively recreates in **REBELS**. The reader becomes intimately involved in the rebellion, immersed in the humanity of its participants, and also suffers with its failure.

The final letters the condemned patriots wrote to their families are especially touching; as are the scenes that demonstrate the deep spirituality of the 16. De Rosa shows how Whitehall's vengeful response to the Rising transformed a disastrous military defeat into an unthinkable political success.

The venom of Ireland's media was also exposed when the *Irish Times* demanded reprisals against the imprisoned leaders. It wrote, to its everlasting shame, "the rapine and bloodshed of the past week must be punished with a severity which will make any repetition of them impossible for generations to come."

De Rosa's **REBELS** is a true classic in its genre. It will stand as the definitive book on the Rising. In ends with this memorable line -- "The final bullet exploding in Connolly's brain broke the last of Ireland's chains." I can't wait for the movie to come out! (Ed. Note: William Hughes, a member of the PEC, is a Baltimore attorney and essayist.)

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TEN MEN DEAD by David Beresford

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BOBBY SANDS AND THE NORTHERN IRELAND TRAGEDY by John Feehan

Feehan examines the life and death of Bobby Sands, a young nationalist who became internationally famous by winning a seat in the British Parliament while hunger-striking in the horrific Long Kesh prison. Paperback, 152 pp

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ACTION REQUEST # 1

On page one of this newsletter in *Political Vetting In The Republic Of Ireland*, we ask you to write a letter of support for *Between*. *Between*, whose work the PEC endorses, was written up in the December 1990 issue of this newsletter.

It is our hope that by bringing pressure to bear upon these officials, they will redress this wrong by recognizing the right of an organized group to confidently speak on behalf of defenseless Irish civilians.

All members are asked to write Monsieur Jacques Delors, President of the Commission of the European Communities, Rue de La Loi 200, B-1049, Brussels, Belgium to protest the EC Commission's withdrawal of funds for the *Between* organization. Ask your family, friends, business associates, to do the same. For your convenience, we provide the sample letter below which you can use as a guide or simply rewrite as is.

Dear President Delors:

I am dismayed at the EC Commission's withdrawal of funds from the *Between* organization in Cork, Ireland. I respectfully urge that the funds be restored immediately so that the women and children who benefit from *Between*'s holiday program will not be unjustly deprived of a holiday from the conflict in Northern Ireland.

Sincerely yours,
signature

MACBRIDE UPDATE

OHIO -- State Director Susan Whitford informs us of a very important victory. On Monday, May 6 the Cleveland City Council passed a MacBride Principles contract compliance ordinance. The bill requires that all contractors and subcontractors with plants in Northern Ireland comply with the MacBride Principles in order to keep/obtain city contracts. We congratulate all MacBride supporters and organizations for working together to assure this success. We also thank ordinance author **John Myers** (AIPEC member) and sponsoring councilman **Patrick O'Malley**....**CALIFORNIA** -- Member Brian Blake advises us that on May 9 the MacBride Principles bill introduced by Assemblymen **John Burton** passed in the Assembly by a vote of 43 to 28. The bill is expected to go to the Senate for a full vote in the first half of June....**NEW MEXICO** -- Member Willie Lennon of advises us that in March, 1991 MacBride Principles legislation passed in both the House and Senate only to be vetoed by Governor **Bruce King**. King had been asked not to sign the bill by the office of Northern Ireland's Archbishop Cahal Daly and the British government. King's public announcement for opposing the fair employment legislation was that he did not want to restrict state investments. Congratulations to Willie Lennon who spearheaded the campaign, the AOH, IAUC and all involved for a first-year effort well done. We also thank the bill's sponsors, in the Senator **Manny Aragon** and in the House, **Cisco McSorley**. Lennon advises they will be back in "92" with a bigger and better campaign....**MONTANA** -- In March the State House and Senate approved a Joint resolution expressing its support for the MacBride Principles.

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