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AND

EXTRADITION

by
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IRELAND AND EXTRADITION

A PROTECTION FOR TERRORISTS

No Extradition for Terrorists

On Tuesday, 20th July 1982 London witnessed the barbarity of the Provisional Irish Republican Army's terror and murder campaign when two vicious bombs decimated members of the armed services who were at their most vulnerable carrying out regular ceremonial duties. The first bomb, a car bomb packed with long nails, cut through a troop of the Household Cavalry in Hyde Park's Rotten Row at 10.30 a.m. as they rode out for the changing of the guard in Whitehall. Two troopers were killed at the scene, along with eight horses. Shortly afterwards another bomb ripped through the Band Stand in Regent's Park where the band of the Royal Green Jackets had begun to play. Six bandsmen died amidst the horror of dismembered bodies and the debris of the Band Stand. The total death toll of that terrible day later rose to eleven.

Public reaction to the horror of that day was strong, and amidst the newspaper coverage of the event people were reminded that if the terrorists responsible for the carnage were apprehended in the Republic of Ireland, from whence they had almost certainly come, they could not be extradited back to England to stand trial in London. This important fact only rarely impinges upon the public consciousness in Great Britain, and usually only after some major terrorist atrocity in England. But it is a fact of life which has to be recognised all too often in Northern Ireland for suspected terrorists have found it remarkably easy to obtain sanctuary in the Irish Republic. Early in the current terrorist campaign in Northern Ireland, on 3rd December 1971 three terrorist suspects escaped from the Crumlin Road Prison in Belfast. They were Anthony 'Dutch' Doherty, Martin Meehan and Hugh McCann. On 15th December the Royal Ulster Constabulary issued warrants for their arrest which were forwarded to the Irish Republic. On 27th January 1972 the Garda Siochana, the Irish police, arrested eight men, including Doherty and Meehan, after there had been a two hour gun battle between British troops and I.R.A. terrorists in the vicinity of Forkhill, in South Armagh. All the men were later released. Doherty and Meehan were again arrested and beat the extradition proceedings. Meehan was later arrested, tried and convicted in Northern Ireland. This story can be told time

and time again, although it is only rarely that the R.U.C. are lucky enough to catch the fugitive straying back into Northern Ireland.

It is now well known that successive Irish Governments, of whatever political colour, have refused to extradite suspected I.R.A. terrorists to stand trial in any part of the United Kingdom. It is so well known that the Royal Ulster Constabulary no longer takes the bother to issue warrants for the extradition of terrorist fugitive offenders, the result of the proceedings is so easily predicted. Chris Ryder of the Sunday Times was able to reveal on 15th November 1981 how one such fugitive from justice, James McCann, who skipped bail on a charge of possessing 14 rounds of .455 ammunition, is living prosperously in Dundalk controlling a major entertainment company supported by a substantial grant from the Dublin Government. It is also believed that a man who is now a member of the Dublin bar also skipped bail to the safety of the Republic when he was on an arms charge in Ulster.

Some of the Fugitives from Justice

An example of the kind of case which has led to the frustration of the Royal Ulster Constabulary in extradition cases is that of Sean Gallagher, who is alleged to have been involved in the murder of Constable Robert Leslie in 1971. Constable Leslie, from Moy in Co. Tyrone, was walking on patrol through Abercorn Square in Strabane with a colleague. Strabane is a small town situated on the land frontier with the Republic of Ireland. Two terrorist gunmen opened fire on them from a car, killing Constable Leslie instantly and wounding his colleague. The gunmen escaped in their car across the border into the Republic. Sean Gallagher was arrested in the Republic in October 1971 on a warrant issued by the R.U.C. Gallagher had previously lived in Bridge Street, Strabane. He was released by Killybegs District Court, County Donegal when application was made for extradition to Northern Ireland. The court said he was being released because of an alleged lack of identification evidence. The R.U.C. said that they had adequate evidence of identification, but that they had not been notified of the hearing by the authorities in the Republic of Ireland. Gallagher was later re-arrested in Dublin, having an address at Harold's Cross, Dublin. This extradition attempt failed when Mr. Justice Finlay ruled in the Dublin High Court that it was clear from previous judgments that if an offence was committed by a person or persons seeking by force to change the government of any country it was a political offence. Accordingly Gallagher was released. He was interviewed for a B.B.C. Television Panorama programme in

1982. The interviewer asked him if he had shot Constable Leslie. Gallagher's reply was "No Comment".

It is believed that Gallagher was part of a unit of the Provisional Irish Republican Army based in Lifford in the Irish Republic. It is typical of violence along the land frontier in Northern Ireland that it is perpetrated by terrorists operating from their bases in the Republic. The same Panorama programme contained another illustration, this time of the Irish National Liberation Army. Harry Flynn was an alleged member of that organisation serving a sentence for bank robbery in the prison at Longkesh in Northern Ireland. On 5th May 1976 he and eight others escaped by tunnelling out of the prison. Flynn was later arrested in the Republic but, as usual, the extradition proceedings failed. When he was interviewed by the Panorama team he admitted that he had been back in Northern Ireland "on active service" since the attempt to extradite him.

The same is of course true of those sought in connection with terrorist crimes in Great Britain. Currently held in an Irish prison is Gerard Tuite who escaped from Brixton prison in December 1980. He has been convicted in Dublin of possessing explosives and awaits trial in October on charges of bombings in 1979 in central London, Greenwich gasworks and at a Canvey Island oil terminal. When he escaped, his freedom was viewed as so dangerous that he was immediately placed at the top of Scotland Yard's wanted list. Because of his connection with the Provisional I.R.A. Tuite cannot be extradited back to Great Britain. It is also believed that Joseph Gilhooley and Brendan Swords, wanted by Scotland Yard for allegedly bombing Edward Heath's London home and other targets in 1974, are at large in the Republic.

It is believed that there are currently in the Irish Republic some two hundred men sought on charges in Northern Ireland, and a further four hundred whom the R.U.C. wish to question in connection with terrorist crimes committed in the Province.

The Legal Position in the Irish Republic

Extradition from the Republic of Ireland to the United Kingdom is governed by Part III of the Extradition Act 1965. The extradition of terrorists is prevented by the application given by the Irish Courts to sections 44 and 50 of the Act. Section 44 provides as follows:—

- (1) A warrant shall not be endorsed for execution under this Part if the Minister or the High Court, on the question being referred to the

court by the Minister, directs in accordance with this section that it shall not be so endorsed.

- (2) A direction under this section may be given where the Minister or the court, as the case may be, is of opinion that the offence to which the warrant relates is —
 - (a) a political offence or an offence connected with a political offence.

Section 50, which is applied by the High Court in reviewing extradition warrants, is in exactly the same terms.

If anyone, who is a suspected terrorist, is arrested in the Irish Republic on a warrant issued by the Royal Ulster Constabulary he is brought before a court in the Republic and swears an affidavit that he committed the crime in question but that he did so from a political motive and that accordingly he should not be extradited to stand trial in Northern Ireland. The Irish Courts have invariably accepted the claim that the offence involved was "political", even though most people find it impossible to see how the blowing to pieces of civilians could be described in this way by any system of law. Indeed it will be shown later in this pamphlet how the American Courts are now refusing to swallow such a bogus and repugnant principle.

The Nature of the Irish Government's Excuses

Every time that an Irish Government is asked to introduce extradition of terrorist offenders from the Republic to face trial in the United Kingdom it replies that the constitution of the Republic forbids them from extraditing anyone who has committed an offence for a political motive, and that applies whether the offence involved is robbing a bank to provide cash for the I.R.A., or murdering a Protestant farmer because he is a Protestant, or blowing a child to pieces in a bomb explosion in a main street shopping area. The Irish Governments have also sought to maintain that it is international law which forbids them from extraditing terrorists because their offences are political. Both claims were thoroughly scrutinised by the British representatives on the joint Law Enforcement Commission established in 1974 as part of the Sunningdale Agreement to examine ways of dealing with fugitive terrorist offenders. The British representatives included Lord Lowry (Lord Chief Justice of Northern Ireland) and Lord Justice Scarman (who is now, as Lord Scarman, one of the Law Lords in the House of Lords). It was their conclusion that there were no obstacles to extradition arising either from the constitution of the Irish Republic, or from international law.

The Constitutional Claim

Lawyer and layman alike can peruse the Irish Constitution for as long as he likes and nowhere in that document will he find any reference whatsoever to extradition or to political offences. All he will find is that Art. 29.3 provides that "Ireland accepts the generally recognised principles of international law as its rule of conduct in its relations with other States". So really the Irish argument is an indirect one: they say that international law prohibits the extradition of anyone who has committed an offence for a political purpose; and international law is part of Irish law; and it would be unconstitutional for the Irish Parliament to legislate in contravention of international law; therefore, we cannot allow extradition of I.R.A. terrorists.

The premises in this line of argument are totally false, and can be shown to be so by reliance upon cases in the Irish Courts themselves. Looking first of all at the premise that the Irish Parliament cannot legislate in conflict with international law, it is clear from the wording of the Constitution which has been quoted that it does not even purport to impose any restrictions upon the legislative power of the Irish Parliament. It is worth quoting Mr. Justice Henchy's judgment in the Irish High Court in **The State (Sumers Jennings) v. Furlong** (1966): "First, section 3 of Article 29 of the Constitution was not enacted, and is not to be interpreted in these courts, as a statement of the absolute restriction of the legislative powers of the State by the generally recognised principles of international law. As the Irish version makes clear, the section merely provides that Ireland accepts the generally recognised principles of international law as a guide in its relations with other states . . . I would respectfully adopt the dictum of Davitt P.:— 'Where there is an irreconcilable conflict between a domestic statute and the principles of international law or the provisions of an international convention the courts administering the domestic law must give effect to the statute' ".

There is a clear statement from the Irish Judges that if there is any conflict between a law enacted by the Irish Parliament and any principles of international law, the Irish Courts are under a duty to apply the Irish statute. So if the Irish Parliament did enact a statute permitting the extradition of terrorists, irrespective of whether the offence was committed for a political motive, an Irish Court would not invalidate it, even if it was in conflict with the principles of international law.

International Law

That brings us on to the question of whether international law does prohibit extradition of political offenders as the Irish Government argues. The

Irish argument draws its strength from the admitted fact that most extradition treaties between states do make an exception for offences which have been committed for a political motive, and it is from this that the concept of political asylum has developed. But this in no way establishes the proposition put forward by the Irish Government. All that it establishes is that international law does not compel the surrender of a fugitive offender who has committed an offence for a political purpose. Whether a state does decide to permit the surrender of a fugitive offender, irrespective of motivation, is a matter for that state itself, and not for international law. As is said in O'Connell's **International Law** (1970): "The non-extradition of political offenders is a rule of municipal law and not of international law." (p. 729).

And all of this is again confirmed by the Irish Courts themselves. Chief Justice Maguire said in **The State (Duggan) v. Tapley** (1952): "The attempt therefore to establish that the non-surrender of political refugees is a generally recognised principle of international law fails. The farthest that the matter can be put is that international law permits and favours the refusal of extradition of persons accused or convicted of offences of a political character but allows it to each state to exercise its own judgment as to whether it will grant or refuse extradition in such cases and also as to the limitations which it will impose upon such provisions as exempt from extradition."

So a state is entirely free in international law to allow the extradition of fugitive offenders even when they claim that the offence was politically motivated. Moreover international law is not a body of law which stands still. It is always developing and it is now clear that it is moving to the position that there is a degree of obligation on states to extradite terrorist offenders, irrespective of their motivation. The international community is recognising the international ramifications of terrorism, and the need for a united response to it. Proof of the international connections of the Provisional I.R.A. came very clearly in June 1982. During the Israeli invasion of the Lebanon to strike at Palestinian targets a number of members of P.I.R.A. were arrested by Israeli forces when they took various Palestinian camps. This confirmed what has long been believed to be the case — that the Provisionals received training in the Middle East from the Palestinians. And also in June members of the F.B.I. in New York seized a large quantity of ammunition en route to the Provisionals; at the other end of the operation the Irish Police were able to arrest a priest and several others when part of the same shipment was delivered in Limerick. The priest was later released.

The lead in producing an international response to terrorism has been taken in Europe, notably with the European Convention on the Suppression of Terrorism of 1977. This was adopted by the 21 member Council of Europe in November 1976 and opened for signature by the European States in January 1977. The United Kingdom was quick to ratify it and enacted its provisions into law in the Suppression of Terrorism Act 1978.

Article 1 of the Convention is completely clear in its statement that terrorist offences (and it lists what constitutes such offences) shall not be regarded as political offences, or as offences inspired by political motives. Amongst the offences listed are offences involving the use of a bomb, grenade, rocket, automatic firearm or letter or parcel bomb if this use endangers persons.

The Irish Government, during the course of negotiations of the Convention tried to change the text to allow a state an alternative, namely, instead of extraditing the terrorist to stand trial in the state where he committed the offence, he could be tried in the state where he was arrested. The other members of the Council of Europe refused to accept this and accordingly Ireland has refused to ratify the Convention. Ireland did manage to get her way with the European Economic Community because when the members of the E.E.C. made an agreement on the application of the Convention on Terrorism amongst the then 9 member states of the E.E.C. (compared with the 21 members of the Council of Europe — a totally separate and distinct entity) Ireland had a clause inserted in that agreement allowing it to use the extra-territorial court method (examined below) instead of extradition. A debate in the European Assembly on 3rd July 1982 on the extradition issue shows that pressure is growing within that body for full extradition for suspected terrorists; dissatisfaction with the extra-territorial court system as an alternative was expressed, and the Assembly adopted by 54 votes to 8 (and 10 abstentions) a resolution calling for community action against terrorists who evade capture by crossing borders.

Further support for these developments can be found in the United Nations Convention on the Prevention and Punishment of the Crime of Genocide 1948. Article 7 of this convention makes it clear that genocide shall not be considered a political crime for the purposes of extradition. There can be little doubt that in the area of Ulster along the Land Frontier the P.I.R.A. campaign amounts to a campaign of genocide against the Protestant community.

In the area alongside the land frontier the terrorist strategy is to force any Protestant farming near the border to abandon his farm so that it can be taken over by a Republican sympathiser of the terrorists. The type of farmer

who is particularly vulnerable to this form of terrorism is the bachelor farmer, perhaps living with elderly parents and with no one to inherit the farm on his death. The example of William Morrison is illustrative. He was a 42-year-old bachelor farmer living on his farm, with his elderly mother, at Middletown in south Armagh. He had no connection with the security forces. Terrorists came across the border from Co. Monaghan and murdered him in cold blood early on Saturday, 17th April 1982. Nothing could provide a more clear example of a genocide campaign against Protestants. Yet the Government of the Irish Republic refuses to extradite those responsible for these crimes. A complaint has been made to the United Nations by Harold McCusker, M.P. for Co. Armagh, on behalf of the relatives of murder victims, that the Irish Republic is not adhering to its obligations under the Convention. The U.N. has referred the petition to its Human Rights Secretariat in Geneva for investigation.

Changing Views in the United States

The Irish Republic has taken comfort from time to time in the refusal of the United States to extradite suspected terrorists to the United Kingdom on the same ground of political motivation. It is indeed true that sometimes American courts have refused to extradite members of P.I.R.A., but significant changes are coming about in the U.S. courts as they realise the challenge to world order caused by the internationalisation of terrorism. The changed approach came in 1981 in the case of **Aber Eain v. Wilkes**. Eain was a member of the Palestine Liberation Organisation. He had planted a bomb in a street litter bin in a thoroughfare in Tiberias, Israel where a youth rally and religious festival were being held. The bomb exploded killing civilians. Eain was arrested in the United States and Israel commenced extradition proceedings. Eain claimed that the bombing was a political act for which he could not be extradited. The court refused to accept that the killing of civilians could be regarded as a political act:

“Accepting that the defendant was a member of a P.L.O. organisation and with motivation toward its political objective, there is nothing in the evidence which ‘tends’ to show that this act was directed in opposition to the State of Israel and that the crime furthered the cause of his group objective. He has not shown the relation between these crimes, the method of their commission and the political objective. The random and indiscriminate placing of an explosive near a bus stop on a public street in any trash bin defuses any theory that the target was a military one or justified by any military necessity. It was an isolated act

though there is no legal obstacle to it, Soroghan has not been retried on the murder charge.

There have been only two successful uses of the Act, one was against several members of a P.I.R.A. group which escaped from Belfast's Crumlin Road prison in June 1981. Eight terrorists had used guns to escape from the prison. Most of them were being tried for the murder of a captain in the Army's Special Air Service Regiment ("S.A.S.") and the judge was considering his verdict when they escaped. They were convicted in their absence. Subsequently some of the escapees, Robert Campbell, Michael Ryan and Michael McKee, were arrested in the Republic and convicted under the 1976 Act of using firearms to escape from custody. They will not, of course, be returned to Northern Ireland to serve their sentences for the murder.

The Act has also been successfully invoked in the unusual case of Gerard Tuite in June 1982. Although the trial took place under the administration of Charles Haughey, the proceedings were initiated by the previous administration of Dr. Garrett Fitzgerald. The case is unusual in that the charges against Tuite relate to crimes committed in England. Tuite was convicted in July of possessing 1,540 grammes of gelignite, a box with a timer, a micro switch and wiring, 11 cartridges of frangex explosives, 76 assorted detonators, 11 electronic timer power units and other bomb-making equipment. Other charges of conspiracy to cause explosions in England were deferred to October. The prosecution case was established by bringing forensic and police witnesses from England to Dublin and by the evidence of Tuite's former girlfriend who had been the occupant of the flat in which the arsenal was discovered. The enormous expense and inconvenience of bringing witnesses and evidence from one jurisdiction to another is very clearly demonstrated by this case. It was to avoid such inconvenience that the Council of Europe in January 1982 recommended that to strengthen the campaign against terrorism the prosecution and trial of terrorists ought to take place in the state best suited for conducting the proceedings. The Irish Government is, as usual, ignoring this recommendation from a body of which it is a member.

The Act is clearly seen to be making no impact whatsoever upon the P.I.R.A. campaign of murder and terrorism in Northern Ireland. It can only be used where the charge is simple and the evidence incontrovertible — as in the case of the prison escapees. No system of criminal investigation and prosecution can operate without the investigating officers in charge of a case being given the opportunity to question the suspect. It is often only when such questioning has been carried out that the police are able to weaken the stories concocted by the suspect to conceal his guilt. With this

extraterritorial court system there is no possibility of this occurring. The Act is not working, nor can it work. It is not even clear that the prosecuting authorities in the Irish Republic want to make it work in any event — otherwise Soroghan would have been recharged and tried for the murder of Ross Hearst.

An All-Ireland Court System

Irish Governments, notably the Fine Gael-Labour Coalition of 1981, tried to persuade the British Attorney-General, Sir Michael Havers, that the best way of resolving the problem was by establishing an all-Ireland criminal court, and all-Ireland law enforcement agencies. Alarminglly it seemed at times that Havers was being convinced by this strategem from the soft-spoken and apparently reasonable Garrett Fitzgerald, and his Attorney-General, Peter Sutherland. But that would be no victory for law over terrorism. Instead it would be a victory for the terrorists themselves. By setting up all-Ireland courts the Irish Republic would be invoking Articles 2 and 3 of the Irish Constitution which assert the right of the Irish Parliament to legislate for Northern Ireland. Those articles have always been deeply offensive to Unionists in Northern Ireland. But worse than that — they have always given a legitimacy to the I.R.A. who claim to be fulfilling the constitutional claim by fighting for re-unification.

Could Extradition Work?

Some Irish politicians, including Garrett Fitzgerald, perhaps knowing that their arguments used to oppose extradition not only lack any intellectual integrity but leak like the proverbial sieve, have shifted ground to say that even if extradition is introduced the absence of evidence to establish a prima facie case in the courts of the Republic would render it ineffective. This too is a false objection deliberately advanced to stop any progress. Extradition proceedings within the British Islands (i.e. between the United Kingdom and the Republic of Ireland) does not depend upon any evidential proceedings before the courts of the state in which the fugitive is found — there is no need (as is often the case between other countries) to show a prima facie case against the fugitive offender in the courts of the Republic. Extradition within the British Islands takes place under the "backing of warrants" system. The Chief Constable of the R.U.C. (or for that matter the Chief Commissioner of the Metropolitan Police) issues a warrant for the arrest of the fugitive and transmits that warrant to the Chief Garda Commissioner in the Republic. The Garda Commissioner gives orders for the arrest of the fugitive. The person arrested under the warrant in the Republic is

brought before a District Court, and if the District Court judge is satisfied that the offence charged in the British warrant is also an offence under Irish law he makes the order for delivery up of the fugitive to a British police officer. The District judge does not have to assess evidence or consider whether the offence is political. If the fugitive claims his offence is political he applies by special summons to the High Court in Dublin which will consider whether the offence is political. If the High Court finds the offence to be political it makes an order under section 50 of the Extradition Act for the release of the fugitive. If Irish law was changed to permit the extradition of fugitive offenders charged with terrorist offences, irrespective of the motivation, this stage would be successfully passed, and the Garda would be free to hand over the fugitive to the R.U.C. No problems of evidence arise at any point in the proceedings.

The Irish Government and Terrorism

If the Irish Government want the ordinary decent peace-loving people of Northern Ireland to believe in the sincerity of their commitment to defeat the I.R.A. they must do something about extradition. The way in which the Soroghan case was handled entitles any one in Northern Ireland to question the sincerity of the Republic's Government. It is clear beyond any reasonable doubt that much of the violence in Northern Ireland emanates from the Irish Republic. In the period between January 1978 and June 1981, thirty-five per cent of the deaths resulting from terrorism in Northern Ireland occurred within a zone of 20 km of the land frontier with the Irish Republic. Co. Monaghan, in particular acts as a stock-pile of I.R.A. munitions and they strike out from it into Northern Ireland. The cases which have actually been dealt with under the Criminal Law (Jurisdiction) Act show the preponderance of terrorists who come from Co. Monaghan.

This pamphlet shows that the Irish Constitution provides no obstacle to the introduction of extradition for terrorist offenders. It also shows that international law, far from being an obstacle to such extradition actually permits it and approves of it. The courts in the United States are moving in that direction and the State Department is reviewing its extradition treaties with a view to amending them accordingly.

In the Irish Republic itself the ordinary members of the police force, the Garda Siochana, would like to see the law changed. Throughout the current campaign of terrorism in Northern Ireland the Garda have endeavoured to act as a fully professional police force, but they have not always had the political backing to deal decisively with the Provisionals. At their Annual Conference in March 1982 the Association of Sergeants and Inspectors of

the Garda, the General Secretary of the Association declared that "we allow the most vile criminals to live freely and openly in this country" under the specious cover of political immunity.

It is time the Irish Government recognised the international obligation to deal with terrorism, its obligation to its own population, and its obligation to the people of Northern Ireland and permitted extradition of terrorist offenders.

The legal machinery of Northern Ireland has always met its international obligations on the matter of extradition, or, indeed, under the Criminal Jurisdiction Act 1976. In June 1973 the courts in Northern Ireland ordered the extradition to the Republic of Ireland of Robert Taylor, allegedly a member of the Ulster Defence Association, to stand trial for the sectarian murder on New Year's Day 1973 of Oliver Boyce and Brid Potter. Taylor was eventually acquitted by the Dublin Special Criminal Court of the charges against him. In December 1979 the Criminal Jurisdiction Act was used to try Gerard Fearon and 4 others of complicity in the murder of Captain Robert Nairac. Captain Nairac, a member of the Grenadier Guards, was engaged on undercover work in South Armagh when he was kidnapped on the night of 14th May 1977. Nairac was taken into the Irish Republic, and, after he had been savagely tortured, he was murdered. Fearon, along with O. Rocks and D. J. O'Rourke were convicted of various charges arising from the murder by the Belfast City Commission. Liam Patrick Townson was also later convicted on similar charges before the Special Criminal Court in Dublin.

All nations of the world have a common interest in denying any sanctuary to terrorists who flee across state boundaries. Every effort must be made to make the Government of the Irish Republic conform to its obligations in the campaign against terrorism.

Why will the Irish Government not Extradite

If the position in international law is so clear, and if there is such a strong commitment in the community of nations to ensure that there is no refuge for fugitive terrorists, why do Irish Governments persist in their obviously transparent objections to extradition?

The real truth of the matter is that there has always been a curious ambivalence about Irish attitudes to the Provisional I.R.A. and other such organisations. After all, these terrorists are trying to fulfill the national objective of Irish unification. The Constitution of the Irish Republic, in Articles 2 and 3, lays claim to the territory of Northern Ireland. It is astounding that even though the Irish Republic is a member of several international group-

ings along with the United Kingdom, the principal one being the European Economic Community, Ireland claims part of the United Kingdom as part of itself. Such a gesture of unfriendliness is unparalleled amongst the community of nations. But worse than that, it permits the Provisional I.R.A. to claim a degree of legitimacy in that they argue that they are fulfilling the claim in the Irish Constitution.

So even when there is some terrible atrocity committed by the Provisionals in Northern Ireland, like the cold-blooded murder of eighteen soldiers at Warrenpoint on August 27th 1979, the same day as the murder of Lord Mountbatten, there is the ritual condemnation from the Irish Government and politicians, but beneath it all there is a sentiment of "Well done the Boys", and a secret admiration for another "gallant victory" against the Brits. Isn't it true that the Brits have always been Ireland's enemy? No Irish Government of to-day seems prepared to grasp the nettle of the Provisionals and run the risk of being accused of betraying "the Boys" to the Brits. All the bogus arguments about international law and the Irish Constitution are but a smoke screen to conceal a very basic unwillingness to deal decisively with Republican terrorists.