

Anglo-Irish Security Co-operation: A Dublin Perspective

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INTRODUCTION

This essay discusses Anglo-Irish security co-operation over the last twenty years. It is an aspect of Irish affairs which has not received much critical attention, although it is as old as the state itself. Despite decades of discreet if selective co-operation between Dublin and London and Dublin and Belfast, until the 1980s neither the British nor the Irish authorities would normally say anything at all on the record. In general it has been left to conspiracy theorists to make what they will from the evidence available.

There have been considerable changes in Anglo-Irish security co-operation since the present troubles in Northern Ireland flared up twenty years ago. The most obvious is the explicit commitment by the British and Irish governments under the 1985 Hillsborough agreement to work together against terrorism and toward increasing nationalist confidence in the northern security forces. In the past decade co-operation has been substantially stepped up, and it has been unequivocally defined and avowed. In addition, by signing the 1985 agreement the Irish government expressed qualified confidence in the northern security forces, which is of some importance given its role of guarantor of nationalist interests. Overt co-operation between the security authorities of the United Kingdom and of Ireland has become a commonplace fact of political life.

The Hillsborough agreement dealt with security co-operation in some detail. Article 9 stated that:

with a view to enhancing cross-border co-operation on security matters, the Conference shall set in hand a programme of work to be undertaken by the Chief Constable ... and the Commissioner ... and, where appropriate, groups of officials, in such areas as threat assessments, exchange of information, liaison structures, technical co-operation, training of personnel, and operational resources.

The accompanying communique also said that the first meeting of the inter-governmental conference would consider:

- (i) the application of the principle that the armed forces (which include the Ulster Defence Regiment) operate only in support of the civil power, with the particular objective of ensuring as rapidly as possible that, save in the most exceptional circumstances, there is a police presence in all operations which involve direct contact with the community;
- (ii) ways of underlining the policy of the Royal Ulster Constabulary and of the armed forces in Northern Ireland that they

discharge their duties even-handedly and with equal respect for the unionist and nationalist identities and traditions.

"Particular attention "would also be given to" the importance of continuing and enhanced co-operation ... in the policing of the border areas."¹

Despite becoming stated policy, security co-operation remains an extremely sensitive issue. This is partly because secrecy is essential in security work, but political factors also come into play. Over the years there have been suggestions that the Irish authorities may be less than wholehearted about aspects of security co-operation, particularly in relation to the extradition of people wanted in the United Kingdom, and that they continue to use co-operation as a bargaining counter in negotiations. On the other hand, the Irish government undoubtedly feels that the British government has largely ignored its obligations under the Hillsborough accord to build nationalist confidence in the impartiality of the system of justice and its enforcement. It has often been said that the Irish government regards the 1985 agreement primarily as a means of securing political development, while the British see it largely as a security pact. If so, neither government has a great deal to be satisfied about.

From a southern viewpoint, Hillsborough has had mixed results. The Royal Ulster Constabulary (RUC) has shown considerable commitment to an evenhanded approach to public order questions, most strikingly during the annual summer marching season. However, few changes have been made in the operations of the Ulster Defence Regiment (UDR), the element of the northern security forces least trusted by the northern minority and by the Irish government, although there has been an increase in police accompaniment of UDR and regular army patrols. Changes in the courts of the kind hoped for by the Irish government in 1985 have been rejected by the British. Liaison arrangements between the British and Irish security forces have, however, developed to what the Irish regard as an adequate level, although these remain politically sensitive and there is some unease that intelligence from southern sources might when used operationally sometimes lead directly to deaths in the north. Furthermore, recent disclosures about the leakage of intelligence from the UDR and the RUC to loyalist paramilitary groups have caused disquiet and, while the Irish government has been reticent about the practical implications, the fact that information supplied by the Garda to the RUC has found its way into the hands of such groups is an embarrassment.²

For their part, the British authorities are dissatisfied with the practical results of intensified security co-operation, and may attribute this partly to a lack of Irish resolve to make the process work effectively. From the British point of view one of the best features of the 1985 agreement was that it contained an unequivocal, open and detailed commitment to security co-operation from Ireland. It also ended the impasse over the 1982 Dowra affair — a questionable use of Garda/RUC Special Branch liaison whereby a man was briefly detained in the north, resulting in the collapse of assault charges brought by him against a relation of the then minister for Justice in the south — which had prevented meetings between the Garda commissioner and the RUC chief constable for

almost three years.³ However, in the British view successive Irish governments have remained somewhat shamefaced about co-operation, and have given the impression of dragging their heels over key issues, such as extradition.

Security co-operation is a very broad term. At any time it is likely to mean different things to the parties involved. There is no doubt, however, that the scope of Anglo-Irish security co-operation has increased considerably since 1969. Broadly speaking it is publicly taken to include the exchange of information on republican and loyalist terrorist groups in Ireland, in Britain and abroad; the mounting of co-ordinated security operations in border areas; the conduct of operations on one or another side of the border to thwart cross-border attacks; and very limited arrangements for the Irish and British security forces to cross the border for bomb disposal work. It also includes steps taken to facilitate the extradition of suspects to either jurisdiction, although this was never in the gift of either government and is ultimately controlled by the courts, a distinction which some British politicians, untrammelled by the niceties of a written constitution, have always found difficult to grasp. In addition, the Irish government has for some years maintained that measures to increase nationalist confidence in the impartiality of the northern security forces are central to effective co-operation rather than being a possible result of it. Finally, as well as matters specifically related to the Northern Ireland troubles the term covers security questions which arise from the fact that the two countries are neighbours who share an open land border and a common passport area.

It should also be noted that there have been significant developments in the last decade in transnational security co-operation within the wider spheres of the European Community and the Council of Europe — to which Britain and Ireland belong — particularly in relation to terrorism. These are in part the product of a trend where Community countries are taking heed of their partners' internal security problems — an example is the marked shift in the attitude of the French authorities towards the Basque separatist group ETA — and the establishment of the Trevi group of Community interior ministers. In addition, in recent years the Provisional IRA (PIRA) have stepped up their activities in mainland Europe, mounting attacks against British targets where before they concentrated on obtaining logistical support for their operations in Northern Ireland. Governments, which until now may have turned a blind eye to the clandestine activities of Irish terrorist groups, such as arms purchases or money laundering, are unwilling to allow them to use their streets as a battleground. Another factor influencing co-operation is the growth in links between terrorist organisations throughout Europe — some say that they have been far quicker to further the idea of a Europe without frontiers than the governments they oppose. Both Britain and Ireland have now signed the European Convention on the Suppression of Terrorism and the European Convention on Extradition and have incorporated them in domestic law.⁴

Overall, there has been a convergence of obligations for the British and Irish governments in the last two decades arising both from bilateral and from European developments in security co-operation.

GENERAL SECURITY CO-OPERATION SINCE 1922

Anglo-Irish security co-operation has always embraced far more than is publicly avowed. This relationship arose from considerations other than the specific Northern Ireland problem, principally the facts of history and geography. From 1801 until 1922 all of Ireland was part of the United Kingdom. Since southern Ireland gained independence in 1922 the two countries have shared a land border. Irish independence was almost entirely a political and constitutional phenomenon. There was a high degree of economic, cultural and administrative continuity after 1922. Britain remained by far Ireland's most important market and Ireland one of Britain's biggest customers, until 1979 the Irish and British currencies were linked, English remained the first language of most Irishmen, many thousands of Irish people travelled to Britain each year to work and to settle, and both countries were functioning democracies. The Irish political system was based on the Westminster model, and the administrative system was heavily influenced by British example and was set on its feet by people who had served the British government in Ireland before independence.⁵

Despite the continuing political difficulties between independent Ireland and Britain after 1922, from the first there was considerable selective co-operation. In addition to straightforward criminal cases, where Irish and British police forces were routinely in touch, the British and Irish authorities operated a common passport area. The citizens of each country could move either way without hindrance. In order to prevent Ireland becoming an entrepot for unwanted aliens wishing to slip undetected into the United Kingdom, it was necessary for independent Ireland to continue to operate the British passport control system. This was done both to control the admission of aliens and to alert the British where the watch list indicated that suspects were to be noted but not stopped. In a study of the system completed in 1930 the British Foreign Office concluded that the Irish authorities were doing their utmost to honour their side of the bargain.⁶ Another instance of early co-operation was the screening by the Irish police of Irish applicants to the British army. Finally, there is some evidence that in the interwar years the Irish police exchanged information about communist activities with their counterparts in Britain and in other countries.⁷

During World War Two security co-operation was extensive. The Irish government had to ensure that the country did not become a base for German activity against the United Kingdom, since that would jeopardise Irish neutrality. Ireland had to co-operate closely with Britain, both to thwart German activity and to persuade the British that Irish counter-intelligence and security arrangements were adequate to protect Allied interests. Co-operation was close not only in relation to German espionage in Ireland and to links between the IRA and Germany; information on German air and naval activity observed from Ireland was also passed on. Co-operation extended even to the highly sensitive area of signals intelligence, where Irish and British cryptographers collaborated to break Abwehr ciphers. This co-association was sanctioned at the political level but it was completely secret.⁸

Wartime security co-operation worked because it was based on the firm foundation of mutual self-interest. While extensive it was selective and partial.

The British and their allies naturally made their own clandestine enquiries in Ireland. By the same token, the Irish built up a picture of British forces in Northern Ireland, and spied on the allied diplomatic missions in Dublin, using equipment and techniques secured with MI5 assistance from the British Post Office.⁹

Both Ireland and Britain gained from this wartime collaboration. Despite some German activity, Ireland was never the cause of serious security breaches. There is no doubt, so far as counterespionage was concerned, that links were maintained in peacetime. The war had shown that no Irish government could afford to allow the country to become a base for espionage or subversion by third countries against the United Kingdom and its allies. It had also shown Britain, in the words of her wartime representative in Dublin, that “the hound of the country hunts the hare of the country” — in general it was more profitable to collaborate with the Irish authorities on security questions than to conduct independent secret operations.¹⁰ When Colonel Dan Bryan, the Irish director of military intelligence from 1941, was promoted out of that job in 1952, he received a letter from Guy Liddell, a senior officer in MI5 who had run its counterespionage section during the war:

I expect that by now you will have had a letter from the office with the proposal that we should come over on a visit sometime next month, or at any time which is convenient to yourself. I need not tell you how much we value the association, which you have done so much to promote, and how anxious we are that it should continue with your successor.

I cannot say how much I regret your departure ... I should like to wish you the very best in your new job and to thank you for your wholehearted co-operation and many kindnesses in the past. I hope you feel, as I do and as I know Cecil [Liddell, his late brother responsible for MI5 liaison with the Irish during the war] did, that Liam [Archer, Irish army director of intelligence until 1941, and subsequently assistant chief of staff] and you have laid the foundations of something really worthwhile.¹¹

Counterintelligence co-operation has presumably continued ever since in relation to eastern bloc countries. Until the 1970s there was probably not a significant amount of activity to worry either Britain or her NATO partners. This changed with the establishment of a Soviet embassy in Dublin in 1974, and with the subsequent spectacular expansion in Soviet use of Shannon airport, developments which reportedly alarmed both the British and the American governments. The Irish government undoubtedly responded with assurances to friendly powers that Soviet activities in Ireland would be closely monitored.¹² The necessity for this was dramatically underlined in 1983 when two Soviet diplomats and the wife of one of them were expelled for “unacceptable” activities, reportedly the use of the country as a communications point for Soviet covert operations in other western countries, or for making contact with PIRA in Northern Ireland, or both.¹³ It is, plainly, necessary to ensure that Ireland’s development of links with the Soviet Union does not occur at the expense of

good relations with friends and neighbours, and it is likely that Irish commitments to prevent Soviet abuse of Irish territory necessitate some collaboration with British and American security agencies.¹⁴

DUBLIN-BELFAST SECURITY LINKS UP TO 1969

The most important form of security co-operation since 1922 — that between police forces in the two parts of Ireland — is the hardest to trace. There is, however, some evidence to suggest that the RUC and the Garda generally had good if somewhat distant relations up to 1969. The two forces developed from the same model, the Royal Irish Constabulary, and they had much more in common with each other than either had with any mainland British police force. Both forces came under the direct control of the central government, both had to deal with political unrest as well as conventional police work, and they had a common foe in the republican movement. In border areas officers from both forces were routinely in contact in the course of their normal work, and there is no doubt that there were exchanges of information on republican activities as well as on ordinary crime. The two forces reportedly also developed informal and illegal procedures for “simply dumping fugitive offenders across the border where the local police would be waiting to pick them up”.¹⁵ At headquarters level, however, there was less direct contact, although in World War Two liaison between the forces was considered good. The RUC also received information passed by the Gardai to Scotland Yard, and there were occasional discussions on security matters between the Irish Department of Justice and its northern counterpart the Ministry of Home Affairs.¹⁶

When the need arose Irish governments consistently took strong action against the IRA to thwart attacks against the United Kingdom. The draconian Offences against the State Act of 1939 was a direct response to the IRA’s “S-Plan” bombing campaign in Britain. During World War Two, and again during the IRA “border campaign” of the late 1950s, internment was used in the south, and steps were taken to hinder cross-border republican raids.¹⁷ Brian Faulkner, the Northern premier from 1971 to 1972, contrasted north-south co-operation in the 1950s and the early 1970s: “the vital factor [in 1956-62] in stamping out terrorism, and one lacking in the present campaign, was the introduction of internment” in the south “parallel with its introduction in Northern Ireland,” combined with “prompt co-operation between the Gardai and the RUC.”¹⁸ Despite such measures, however, there remained a good deal of sympathy in the south for the republican movement, in so far as it confined its operations to Northern Ireland. This indulgent attitude was probably bolstered by the absence of any reciprocal violence in the south, apart from some semi-official scuffles along the border in 1922.¹⁹ It was only in the 1970s that militant unionists began occasionally to take advantage of the fact that the border was as permeable for them as for the IRA, realising that a few bombs in the south might have a salutary effect on southern attitudes towards republican violence in the north.

All Irish governments have deprecated the existence of partition, but none have been openly willing to take direct action to end it. The present Irish constitution, enacted in 1937, states in article two that “the national territory

consists of the whole island of Ireland, its islands and the territorial seas," while article three limits the operation of Irish law to the twenty six counties "pending the re-integration of the national territory."²⁰ This leaves hanging the question of how the national territory is to be re-integrated, although successive governments have stated that only peaceful means would be used. The existence of this constitutional and political claim, and the underlying sentiments that inspired it, have had considerable influence on Anglo-Irish relations, in the area of security co-operation as elsewhere. This is because they reflect a long-standing ambiguity in Irish attitudes towards the republican movement. Since independence all Irish governments have deplored the treatment of the nationalist minority in Northern Ireland. Equally, all Irish governments have traditionally made a clear distinction between the activities of the IRA and other republican groups within its jurisdiction, and what these organisations did in Northern Ireland and elsewhere. Essentially the Irish official view, at least until 1969, was that republican violence inside the state was a grave danger which had to be met with the full force of law; such activity outside southern territory was a futile but understandable response to partition and to the repressive and sectarian nature of Northern Ireland. Irish governments generally confined themselves to expressions of sympathy for the northern minority, although in 1922 and again in 1969 some ministers became involved in covert operations in support of armed action by nationalists in Northern Ireland.²¹

At the political level, and despite a fair amount of co-operation on security and economic matters, the Belfast and Dublin governments have studiously avoided direct contact for decades. In January 1965, however, the Irish prime minister Sean Lemass made an unprecedented visit to Belfast to meet his Northern Ireland counterpart Terence O'Neill. This meeting involved the Irish government's public recognition of the separate existence of the Northern Ireland state and administration, and appeared to presage a gradual rapprochement.²² However, these developments in relations were overtaken by events, as the Unionist administration found itself confronted with a concerted civil rights campaign in the late 1960s. Conditioned by decades of regarding all minority protest simply as a republican ploy, and beset by severe internal divisions on policy, the Northern Ireland government lost its way as unrest threatened to develop into virtual civil war.

SOUTHERN IRELAND AND THE TROUBLES, 1969-1979

Despite the rash of marches and demonstrations in 1968, the Irish government was unprepared for the outbreak of serious violence in Northern Ireland a year later. Its public response was confused. It supported the demands of northern nationalists for equal political rights, and it condemned the failure of the Stormont government to protect Catholic areas of west Belfast from attack by Protestant mobs. In cabinet some ministers spoke of sending the Irish army in, not so much to reclaim Northern Ireland as to defend nationalist areas which they feared would otherwise be overrun by armed Protestant rioters acting in collusion with the police. More cautious counsels prevailed in Dublin, but some steps were taken to meet the eventuality of widespread violence against

nationalists. A handful of men from Derry were given weapons training at an army camp in Donegal, though they were hastily packed off once the press got hold of the story.²³ A nationalist propaganda sheet, *The voice of the North*, was established and secretly financed with government money, and plans were made to set up a mobile illicit radio station to broadcast nationalist propaganda along the border. More importantly, an un-official scheme was launched to import arms through Ireland for the use of "citizens' defence committees" in Catholic enclaves in the North. Details of this only came out some months later with the arrest and subsequent trial of some of those involved, including a military intelligence officer and two ministers, Charles Haughey and Neil Blaney, who were dismissed from the cabinet in May 1970.²⁴ By then southern fears of unrestrained pogroms in nationalist areas had died down, and with them enthusiasm for direct action. In the meantime much money and some weapons had apparently reached PIRA, which had acquired control of the "defence committees".

The trauma of 1970 must have lessened the effectiveness of the Irish security forces. Military intelligence had been badly compromised by the involvement of one of its officers in the arms importation, and by the unresolved question of whether he was simply acting under orders; the head of the Garda Special Branch had made very strong claims of collusion between some ministers and the IRA, and in so doing had disclosed the extent of police penetration of parts of the republican movement.²⁵ All those accused of conspiracy to import arms were acquitted, and a subsequent parliamentary enquiry proved inconclusive.²⁶ The crisis obviously raised questions in British minds about the overall position of the Irish government.²⁷

The 1970s saw considerable developments in Anglo-Irish security relations, although some mistrust remained in the wake of the arms crisis and the uncovering in subsequent years of some British covert activity in the south. One reasonably well informed author wrote that despite the debacle of the arms crisis "the Irish government was more than willing to co-operate with British security forces provided they showed some understanding of the need for intelligence, in both senses of the word", and that "G2, the Irish Intelligence Service ... co-operated" in the introduction of internment in Northern Ireland in 1971 and retained good links with MI6 in subsequent years. The same reportedly held good for co-operation between the Gardai and the RUC under both the Lynch government of 1969-73 and the Cosgrave government of 1973-77, although it is said that mutual suspicion, "together with political restraints and reservations", prevented liaison "from becoming really effective".²⁸ Despite disagreements on the political future of Northern Ireland, and despite southern anger at aspects of northern security policy and operations, the two governments shared much common ground. It was in both their interests to try to end political violence in Northern Ireland, and to stop weapons reaching PIRA and other paramilitary groups from outside Ireland. The RUC needed access to Garda intelligence on PIRA, while the Irish government was plainly dependent on Britain and other friendly countries for information about arms smuggling, because it had no significant capacity itself to gather intelligence abroad.²⁹ Similarly, the Irish government knew practically nothing about loyalist para-

military organisations, which from time to time carried out bombings in the south, and had no choice but to rely on the RUC for information on them. Political developments in Northern Ireland, particularly the prorogation of Stormont in March 1972 and the Sunningdale agreement of December 1973, were also important in improving the climate for co-operation. Under the Sunningdale agreement, in Brian Faulkner's words, "formal co-operation against terrorism" was "agreed for the first time". This the Unionist Party saw "as the major step forward, and we had a firm commitment that there would be operational and intelligence co-operation from the Gardai."³⁰ An Anglo-Irish legal commission was established to explore the treatment of fugitive offenders wanted for terrorist crimes, who were protected by Irish legal precedent from extradition. The group could not agree on extradition, but its work bore some fruit in the 1976 Criminal Law (Jurisdiction) Act, which allowed for trial in respect of extra-territorial offences in either jurisdiction.³¹ Though this act has seldom been used, it was significant as a legislative and political acknowledgement that the Irish state bore some responsibility for the acts of its citizens outside its territory.

During the 1970s political crime in the south increased, diluting residual Irish sympathy for the republican movement. Both the Fianna Fail government of Jack Lynch and the Cosgrave coalition which succeeded it in 1973 introduced very severe emergency measures. These included no-jury courts for political crime, extended police powers, and restrictions on broadcasting organisations, though not internment without trial, which had been one of the state's most effective methods of quelling republican fractiousness. All the evidence suggests that these developments had widespread popular support. There were occasional outbursts of anti-British feeling, for example after Bloody Sunday in 1972 and during the hunger strikes of 1980-81. But the majority of Irish people outside the border counties, where the traditional cross-party sympathy for republicans remained strong, were clearly opposed to PIRA's "armed struggle" in Northern Ireland. This was shown in the generally dismal electoral performance of republican candidates. Yet events in 1979 demonstrated that any hint of active security co-operation with the northern security forces, the logical corollary of cracking down on the republican movement in the south, remained a highly sensitive matter.

In the autumn of 1979 Lynch, who had been re-elected prime minister two years earlier, came under public attack from some members of his parliamentary party, apparently worried that Fianna Fail's republican ideals were being dangerously diluted. This was widely interpreted as the opening move in a push to oust him. The pressure on him increased with press reports that the government had secretly sanctioned limited overflights of Irish territory by the British security forces as part of a package of measures agreed to at a conference in London in the wake of the Mountbatten assassination and the Warrenpoint bombings. Speaking at a function in New York Lynch took the opportunity to say that there was "no truth" in such stories. Unfortunately for him he then departed from his script by adding the phrase "or almost none". (This indiscretion prompted a senior civil servant next to him to mutter "Oh, Jesus", a comment picked up by the microphone).³² Lynch's remark had major conse-

quences: the overflights issue became the subject of the party debate which preceded Lynch's resignation a month later. He was succeeded by Charles Haughey, who had rebuilt his political career after his dismissal from government and acquittal on charges of conspiracy to import arms in 1970. Irish sanction for British overflights effectively lapsed, though it was eventually revived on a reciprocal basis for bomb detection and disposal work in January 1987 following a meeting of the Anglo-Irish Conference in London.³³

SECURITY CO-OPERATION AND THE SOUTH, 1979-90

Charles Haughey came from the republican wing of his party. It was probably these credentials that enabled him to embark on a major initiative in Anglo-Irish relations. In May 1980 he and the British prime minister Margaret Thatcher agreed to closer political co-operation on a continuing basis, and "noted with satisfaction the efforts being made by the two Governments, both separately and in co-operation, in the field of security". They announced a meeting between the chief constable of the RUC and the Garda commissioner, an important breakthrough because it was a public acknowledgement by the Haughey-led Fianna Fail government that security co-operation was essential if political progress was to be made on Northern Ireland.³⁴

Exchanges of intelligence appear to have been the stock in trade of co-operation ever since, although on occasion sweeps and searches have been mounted in concert on each side of the border, for example during Operation MALLARD, the hunt for PIRA arms shipments, in November 1987. While security co-operation is run principally through the police forces, British and Irish military units are also deployed in border areas. The roles of the two armies are very different. Since 1969 the Irish army has always acted strictly in aid of the Gardai, providing cover so that the police can do their work. (Irish soldiers also guard cash shipments, prisons and courts). Although better equipped and trained for combat than the Gardai — most of whom are unarmed — there have been very few occasions in the last twenty years when Irish soldiers have opened fire. This is because the conventions of life south of the border mean that republican paramilitaries seldom engage army detachments or whatever they are protecting.³⁵ The British have long wanted direct army to army communications in those border areas where its units operate in lieu of or in tandem with the RUC, but the Irish government and its military advisers have always refused. British officials have also suggested that the Irish army should establish a separate border command, instead of continuing to rely on locally recruited, trained and garrisoned units. However, the Irish army is evidently reluctant to become drawn into a more active role despite the operational inflexibility of the existing arrangements. The approach of simply maintaining a presence may or may not be an effective deterrent to cross-border paramilitary activity — and the Irish government has argued that only a very small percentage of Northern Ireland terrorist incidents originate in the south — but it appears for the present to be the only one that is politically feasible.³⁶

Co-operation between the two police forces does not always run smoothly. Quite apart from political issues, both northern and southern security forces have

been critical of each other's performance over the years. It is said that in the autumn of 1979, at a time of acute friction between the RUC and the British army over security policy, the Gardai told the newly appointed Security Co-ordinator Sir Maurice Oldfield that "we find it hard to believe any police force can get along so badly with its own army. We are baffled by the lack of co-ordination between them. How can you hope for help from us in this situation?"³⁷ For their part, British security sources have pointed to what they see as weaknesses in the training, organisation and deployment of both the Gardai and the Irish army. In addition to requests for direct army to army communications along the border, the British suggested some years ago that a separate Garda intelligence gathering and security unit be established in border areas. However, the Irish government concluded that this was a recipe for confusion and overlap, and overall responsibility was left with a Garda superintendent in each area. It is at this level that most security co-operation takes place. At higher levels contacts have been less frequent. Lawrence Wren, the Garda commissioner from 1983 to 1987, reportedly refused to meet his northern counterpart Sir John Hermon for some years because of Hermon's failure to investigate the "Dowra affair" of 1982. Hermon, credited with the rebuilding and reorganisation of the RUC after "the disasters of the early troubles", was quoted in 1986 as saying of the Gardai that "it was evident their capacity and contribution was small", and Garda sources have been forthright in their comments on the RUC's inability to operate at all in many border areas.³⁸ The Stalker "shoot to kill" enquiry also revealed an alarming lack of co-ordination between specialist RUC units. While each force sometimes resorts to blaming the other when something goes wrong, the Garda and the RUC are burdened with each other and have no choice but to continue to co-operate. The RUC may consider themselves better trained and better equipped; nevertheless the Gardai claim a great advantage over them in intelligence terms because they work in a jurisdiction where they are not in daily fear of assassination, and where they enjoy widespread public support, if not active help in border areas. One of the limitations of security co-operation, however, is a geographic one: the Gardai, traditionally weak on northern republican groups, are unlikely to be of great assistance in relation to republican activities in Belfast and other areas well inside the border.

The composition of the northern security forces complicates the issue of security co-operation at the political level. Formally there are two separate organisations, the RUC and the British Army. In practice there are three, because the UDR, while organized along military lines and included as part of the formal military command structure, has some of the characteristics of a local defence force. One of the most delicate problems in security co-operation revolves around the UDR. It is composed of local people, overwhelmingly Protestant and unionist, some serving full-time and some part-time. It is used extensively on security work, providing the main military support for the RUC in about 80% of Northern Ireland, thus freeing the regular army to concentrate on operations in sensitive or dangerous areas. Living and working in the community, members of the UDR are particularly vulnerable to attack, and over two hundred have been murdered by PIRA and other republican groups during the present troubles. Whatever its military usefulness, and whatever the desirability of maintaining

such a local force under military control — which may well be preferable to the likely alternatives — continuing difficulties with it raise serious problems for both the British and Irish governments. According to a recent work on Northern Ireland, a “worryingly large number of UDR personnel have been implicated in loyalist violence”, including a number convicted of murder, and the regiment is frequently accused of harassment of nationalists.³⁹

As has been seen, the 1985 Anglo-Irish agreement sought to address the twin issues of security and public confidence in the administration of justice. The Irish government and northern nationalists argue that the British government has not fully honoured many of its commitments.⁴⁰ The Northern Ireland judiciary successfully resisted even the relatively modest proposal to have three judge courts, while the idea of mixed northern and southern courts scarcely received a hearing. Five years after the agreement joint police/army patrols are still not the general rule, while it took two years and a leak to the media to produce the text of the RUC’s code of conduct. Furthermore, while Irish government confidence in the RUC — including the second line Police Reserve — remains high, the southern view is that the UDR continues to be an ill-disciplined force, some of whose actions increase rather than reduce nationalist alienation.

Misgivings about the UDR were heightened by the disclosures of September 1989, when the Ulster Freedom Fighters (UFF), apparently sensitive to the charge of being indiscriminate sectarian assassins, justified a killing by claiming they had documentary proof that their victim had been an IRA man. The UFF evidently had access to intelligence documents through the UDR, and two UDR men were later charged with the murder. Imprudent though the UFF’s claim appeared — since it may have needlessly betrayed a UDR source — it, together with related cases, created a political storm. In succeeding weeks intelligence documents turned up with monotonous regularity in the press — even the *Sun*, a newspaper generally associated with more conventional pin-ups, published an edited version of an RUC montage of PIRA suspects.⁴¹ After the first disclosures the RUC chief constable initiated an enquiry by John Stevens, a senior British police officer, into the loss of classified information, and took the highly unusual step of placing a notice in newspapers in both parts of Ireland emphasizing that his force would “not tolerate wrong-doing should it be uncovered in its own ranks or flinch from tackling it in any other branch of the Security forces or elsewhere in society”, and asking anyone with information on “leaks or associated matters to report it now”.⁴² Further disclosures about leaks followed in the press, including material originally supplied by the Gardai about PIRA suspects in Donegal, said to be the base of the PIRA unit responsible for the 1987 Enniskillen bombing.⁴³ The result was the absurdity that the Gardai had to warn and to take steps to protect people themselves suspected of very serious crimes. In response to the leaks the Irish Justice minister commented that, in light of the disclosures and the regiment’s previous history, the British government would have to justify the UDR’s continued existence, and he repeated his view that it should be confined to secondary static security tasks, such as guarding installations.⁴⁴ In the United States the chairman of the

American Friends of Ireland Congressional group went further, saying that the episode disclosed the workings of something akin to Central American "death squads."⁴⁵

The Stevens enquiry reported in May 1990. Overall the RUC emerged quite well; the UDR did not. The enquiry team found that UDR members and Protestant paramilitaries had colluded over many years, although this had been "neither widespread nor systematic". It was critical of UDR recruitment procedures, pointing out that some people "adversely vetted by the RUC vetting section" had nevertheless been allowed to enlist, and "a small number went on to commit terrorist-related and criminal offences while serving in the UDR". It made 83 recommendations to improve the handling of intelligence and the vetting of UDR applicants and serving personnel.⁴⁶

Effective counter-terrorist intelligence work requires a fast and constant flow of detailed information which, broadly speaking, is tactical rather than strategic material, and to be of use the product must generally be available at the operational level. There is not much point in assembling a fine collection of photographs of terrorist suspects if elements of the security forces on the ground are never allowed to see them. The problem is to ensure that the material goes no further than it should. (This is, of course, also the case in the south. There were suggestions that RUC information supplied to the Gardai had leaked to PIRA, resulting in the deaths of Lord Justice Gibson and his wife in 1987, and two senior RUC officers returning from a liaison meeting with their Garda counterparts in 1989. However, in each instance a Garda leak was only one of a number of explanations floated for PIRA's information). The UDR and RUC documents known to have been leaked were low level material intended for dissemination widely — essentially watch lists with photographs, containing information which a terrorist organisation could probably collect for itself without much difficulty. But the point remains that they found their way into loyalist paramilitary hands, where they were apparently used for extortion and to justify the killing of nationalists.⁴⁷

The Irish government saw the findings of the Stevens enquiry as strengthening the case for "comprehensive reform" of the UDR.⁴⁸ But the reality is that, while Irish governments have long had doubts about the impartiality of some elements of the northern security forces, this has not prevented increased co-operation. Furthermore, even the Irish government acknowledges that since 1985 the minor increase in police accompaniment of UDR patrols represents some progress. Dublin must also be conscious that the UDR "devil" they and northern nationalists know may be preferable to an alternative that they don't. The regiment has provided a means for many thousands of unionists to contribute actively to their own defence within the law, and with far more discipline than was displayed at times of crisis by the old B-Specials. Furthermore, the UDR probably siphons off many people who might otherwise join loyalist vigilante groups or paramilitary organisations. Its absorbent qualities should not be underestimated.

THE EXTRADITION ISSUE

A final aspect of security co-operation that requires consideration is the question of the extradition of alleged terrorists, a topic generally high on the agenda of Anglo-Irish relations. There have been considerable judicial, statutory, and administrative developments in this area since 1969, most recently in the spring of 1990 when, as a result of two key Supreme Court decisions, uncertainty about the extradition process increased.

Until 1982 a person wanted by another country with whom Ireland had extradition arrangements could avoid extradition if he or she could show that the alleged crime was political in nature or was committed for political ends. In this Irish courts were simply upholding an accepted principle of international law, as required by article 29.3 of the constitution; albeit one that was extremely convenient for republican paramilitaries wanted by Britain, for whom the south was a safe haven. The refusal of Irish courts to allow the hand over of wanted republicans has been a continual irritant in Anglo-Irish relations. British politicians and commentators saw extradition essentially as a political rather than a judicial process, whereas the Irish position was that extradition was a matter for the courts. However, in 1976 the Dublin government did introduce the Criminal Law Jurisdiction Act as a way around the extradition impasse. The measure did not satisfy the British government and it has seldom been used. The British wanted those accused of crimes in their jurisdiction to have their cases considered by British courts, and if convicted to serve their sentences in British prisons.

The legal principles upon which the Irish courts relied in their rulings on extradition were of long standing and were clearly understood. It was, therefore, all the more remarkable when the Irish Supreme Court in 1982 abruptly reversed its view on the political defence in the McGlinchey case. There the court adopted a new test of a political offence, essentially restricting the term to non-violent action. This was reinforced in further cases, and by Irish accession to the European Convention on the Suppression of Terrorism.⁴⁹

Although extradition remained a lengthy process, for some years the McGlinchey case let the Irish government off the hook. Judicial ingenuity achieved what legislators could not or would not. McGlinchey, on the run at the time of the Supreme Court decision, was extradited when eventually caught, only to be acquitted on appeal in Northern Ireland and re-extradited south, where he was convicted on firearms charges. The second republican extradited was also acquitted. Up to 1989 a number of men were extradited and convicted of terrorist offences. Others, however, slipped through the net for a variety of reasons. Persons held on a warrant by the Gardai come first before a district court. District courts are quirky institutions whatever the offence, and district justices, subsisting on a diet of petty thieves, drunks and double-parkers, can develop somewhat idiosyncratic styles of adjudication. Furthermore, there is a tradition in Irish law of close scrutiny of arrest and detention procedures, and of any warrants or other documents involved. Extradition proceedings generally, for straightforward criminal as well as terrorist offences, are characterised by highly technical legal argument. On a number of occasions the British authori-

ties, evidently unused to the pedantic traditions of the Irish bar, made mistakes in preparing extradition papers. The result was a series of fiascos where wanted republicans had to be released. Until the spring of 1990, the solution to the remaining difficulties appeared to lie in relatively modest procedural measures, such as switching all extradition hearings to higher courts or establishing a special district court to handle them.

The first legislative response to the situation created by the McGlinchey decision was the 1987 Extradition Act, passed in tandem with Irish ratification of the 1977 European Convention on the Suppression of Terrorism. The act owed something to political expediency. Ireland could hardly refuse to ratify the terrorism convention, but the governing Fianna Fail party was under pressure from its own supporters to introduce safeguards for those whose extradition was sought by the British. The act required the attorney general to satisfy himself, before permitting the endorsement of an extradition warrant, that there was a clear intention to prosecute, and that there was sufficient evidence to justify a charge.⁵⁰ The most controversial instance of its use was in the Patrick Ryan case in November 1988. Then the attorney general, in the course of exercising his functions under the act, concluded that Ryan's chance of a fair trial in Britain had been jeopardized by the publicity surrounding comments made on his case in the House of Commons. This was an interesting finding, since it did not appear to come within the terms of the act under which the attorney general was operating, but rather from a hitherto undiscovered power of intervention under the 1965 Extradition Act. But the circumstances were exceptional, and in subsequent cases extradition proceedings were initiated following the same scrutiny process.

In the spring of 1990, however, the Irish Supreme Court radically revised its approach to extradition. In its judgements in the cases of Finucane and Clarke in March, and of Carron in April, the court partially reinstated the political defence as grounds for avoiding extradition, in addition to other considerations.⁵¹ At the time of writing, another extradition case is due for hearing in the Supreme Court. Depending on the outcome, the government may find itself under renewed pressure to take an initiative to close the constitutional loophole whereby alleged terrorists may walk free by proclaiming their acts to have been political in nature and in furtherance of articles two and three of the constitution which lay claim to Northern Ireland. There are already signs of a split between the coalition partners Fianna Fail and the Progressive Democrats on the issue.⁵²

There are, also, countervailing pressures which should not be underestimated. The treatment alleged Irish terrorists might receive in the United Kingdom has become an issue. In the cases of the Maze prison escapers Finucane and Clarke the Supreme Court found — on the evidence of proven assaults by prison officers on recaptured Maze escapers for which the British government paid compensation without, however, prosecuting the perpetrators — that they had a well-founded fear of ill-treatment if returned to prison in Northern Ireland. Perhaps more significantly, in the last year there have been dramatic breakthroughs in four *cause celebres* involving Irish people convicted of terrorist crimes in Britain. The "Guildford Four", sentenced in 1974, were

released after police falsification of evidence against them was discovered; similarly the Maguire family, who had served sentences imposed in 1975, were exonerated by the May enquiry, which again found that the evidence against them had been tainted and that a senior judge had made serious errors in their case; the “Winchester Three”, sentenced in autumn 1988, were freed by the Court of Appeal (albeit on what might be thought rather technical grounds given the weight of the uncontested evidence against them); and the “Birmingham Six”, jailed in 1974, had their case referred to the Court of Appeal yet again by the Home Secretary on the basis of forensic evidence apparently corroborating claims of police malpractice in assembling the original case against them. These developments can be interpreted as an ultimate vindication of the British legal system; equally, however, the Winchester Three case apart, they can, as Chris Mullin and other Labour MPs have argued, be seen as a shameful catalogue of police malpractice and judicial bias stretching back over many years and as many missed opportunities for wrongs to be righted.⁵³ In this context they give grounds for legitimate unease in Ireland, they provide useful ammunition for anyone contesting extradition, and they strengthen the atavistic streak of anti-British and semi-republican sentiment which many Irish people, their voting behavior notwithstanding, still have.⁵⁴

The British attitude to the extradition issue has been described by one former minister as “irrational”, given the unavoidable legal complexity and delicacy of the process for any country, the availability of an alternative in Ireland in the form of the 1976 Criminal Law Jurisdiction Act, and the severity with which Irish courts treat terrorist crimes. But the British naturally want those accused of crimes in the United Kingdom to face trial there. Where the British government may be at fault is in the rather public and sometimes unthinking way in which it presses its view. An example is the Patrick Ryan dispute. This grew into a major Anglo-Irish row in 1988; firstly because the Belgian government refused to extradite Ryan to the United Kingdom, and instead deported him to Ireland, and secondly because some members of the House of Commons could not restrain themselves when the matter was raised, thereby potentially prejudicing any proceedings against Ryan in a British court. There is also an element of selective amnesia in the British position. Extradition from the United Kingdom itself can be a lengthy and uncertain affair, even when the government wishes to help — in the non-political Heysel Stadium case it took almost three years for Belgium to get hold of twenty-six British football fans, and in March 1989 a London court refused to extradite a man wanted for gun-running to Fiji on the grounds that the alleged offence was “of a political character.”⁵⁵ It is not only in Ireland that court decisions may go against the wishes of the executive.

CONCLUSION

Security co-operation has increased considerably since 1969. A combination of policy declarations, legislation, treaties and court decisions have put it on a far broader and more overt basis. Public revulsion at republican violence has come to outweigh residual sympathy for the republican cause. All the major political parties in Ireland now acknowledge the need for such co-operation,

whatever their views on the broader political question of the future of Northern Ireland. However, its effectiveness cannot be measured. The PIRA can still mount significant operations in Northern Ireland and Britain, it has imported large quantities of arms into Ireland, and it has successfully widened its campaign to include British targets in Europe. Protestant paramilitaries continue to operate in Northern Ireland. The best case to be made for the increased security co-operation of recent years is that circumstances would probably be very much worse without it.

It is impossible to say what more can be done by either government, or to determine what more either demands of the other, to make security co-operation more effective. The British want both a steady flow of intelligence and more vigorous patrolling in border areas. They are critical of the secondary role allotted to the Irish army, and of the uneven quality of information provided from Garda sources. They may want more combined or co-ordinated sweeps, whether for intelligence gathering or for security purposes, as part of a more dynamic approach by the southern security forces. They certainly want extradition to be made to work smoothly and they will continue to press the Irish government to ensure that it does. For its part the Irish government may feel that the practical steps in security co-operation sanctioned over many years — at some political risk, as Jack Lynch's fall in 1979 demonstrated — have not been matched by resolute action in Northern Ireland, particularly in relation to the UDR and reform of the courts, to increase nationalist confidence in the rule of law. Without this, in the Irish view, no amount of good cross-border intelligence will do much to improve the long-term security situation in Northern Ireland.⁵⁶

Whatever action is taken, it is difficult to see how either government could renege on the commitment to combine against political violence, or that either would wish to. The Deal bombing of 22 September 1989, in which eleven servicemen died, illustrated the ruthlessness and the continuing efficiency of the PIRA. Like the Enniskillen bombing of November 1987, which also came in the midst of a security co-operation crisis (over extradition), it served to remind both governments that, whatever their differences, terrorism can be tackled only in combination. Furthermore, security co-operation is a two-way process: the Irish government is almost completely dependent on the northern security forces for intelligence on and action to thwart loyalist groups planning revenge attacks across the border. The question for British and Irish policy-makers is how to make security co-operation into a positive element in Anglo-Irish relations, rather than simply an inescapable commitment.

Endnotes

The author wishes to acknowledge the help of a number of informed British and Irish people who gave him their time to talk about aspects of this question in the summer and autumn of 1989. It is not possible to identify them by name.

The author is also grateful to the anonymous referees who suggested improvements in the paper, originally presented at the 3rd Annual Conflict Studies Conference at the University of New Brunswick in October 1989.

1. The full text of the Hillsborough accord is reproduced in Paul Arthur and Keith Jeffery, *Northern Ireland since 1968* (London, 1988), pp. 99-108. This book is also a good introduction to the complexities of the Northern Ireland troubles.
2. *The Independent*, 23 September 1989; *The Sunday Tribune*, 24 September 1989. See *The Times*, 18 June 1990, for a discussion of developments in international police co-operation against terrorism.
3. On the Dowra affair, see Joe Joyce and Peter Murtagh, *The Boss: Charles J Haughey in Government* (Dublin, 1983), pp. 240-50;
4. Ireland acceded to the extradition convention in 1965, and to the terrorism convention in 1987. Britain acceded to the extradition convention in 1987, and the terrorism convention in 1977. Gerald Hogan and Clive Walker, *Political violence and the law in Ireland* (Manchester, 1989), pp. 181, 286-7, 296 and 301.
5. On the Irish political system see Basil Chubb, *The government and politics of Ireland* (2nd ed., London, 1982).
6. 'History of the Irish passport question', with Maxse to Warner, 10 Mar. 1930, Public Record Office (PRO) London, FO372/2649.
7. These points are covered in detail in Eunan O'Halpin, "Intelligence and security in Ireland, 1922-1945", *Intelligence and national security* 5, no.1 (January 1990), pp. 50-81.
8. *Ibid.*, pp. 70-3.
9. *Ibid.*, pp. 65-6.
10. Quoted in Ronan Fanning, *Independent Ireland* (Dublin, 1983), p. 124.
11. Liddell to Bryan, 4 April 1952, University College Dublin, Dan Bryan papers, P71/455.
12. Patrick Keatinge, *A Place among the Nations: Issues of Irish Foreign Policy* (Dublin, 1978), p. 97. This writer understands that *KGB: The Inside Story* (London, 1990) by Christopher Andrew and Oleg Gordievsky which was unavailable at the time of writing casts light on KGB activities in Ireland. That organisation apparently used the country mainly for training "illegals". From 1982 to 1985 Mr Gordievsky worked for the KGB in Britain, and at the time of his defection was Resident-designate in London.
13. Government statement, quoted in *The Irish Times*, and other coverage, 10 September 1983; *The Irish Press* of 24 September 1983 carried a detailed story about Soviet links with PIRA in Northern Ireland.
14. Interview with a former CIA officer who served in London in the 1960s, July 1988.
15. Michael Farrell, *Sheltering the fugitive? The extradition of Irish political offenders* (Dublin, 1985), p. 31; Hogan and Walker, *Political violence and the law in Ireland*, p. 281.
16. O'Halpin, 'Intelligence and security', p. 68, quoting Colonel Bryan and the British DNI Admiral Godfrey. Vincent Browne, "The Peter Berry papers," *Magill*, 3, no. 9, pp. 74-5, contains a diary extract which touches on discussions on security between Dublin and Belfast in the early 1960s.
17. J Bowyer Bell, *The secret army: the IRA 1916-1979* (revised edition, Dublin, 1979), pp. 170-181, 300-1, 305-7. This is a useful history of the IRA. See also the more recent study: Patrick Bishop and Eamonn Mallie, *The Provisional IRA* (London, 1987).

18. Brian Faulkner, *Memoirs of a statesman* (London, 1978), p.24.
19. SM Lawlor, *Britain and Ireland 1914-1923* (Dublin, 1983), pp.183-4.
20. *Bunreacht na hEireann constitution of Ireland*, arts. 2 and 3.
21. These were Michael Collins in 1922, and Charles Haughey and Neil Blaney in 1969. On Collins' activities see Lawlor, *Britain and Ireland*, pp. 183-5. On the 1969-70 arms crisis see Browne, "The Arms crisis 1970," "The Peter Berry Papers," and "The Misconduct of the Arms Trial," *Magill* 3, nos. 8, 9 and 10 (May, June and July 1980), pp. 33-56, 39-75, and 17-28 respectively.
22. Patrick Keatinge, *The formulation of Irish foreign policy* (Dublin, 1973), p. 36.
23. Evidence of Colonel Hefferon, *Committee of Public Accounts: Interim and Final Report (Order of the Dail of 1 Dec. 1970)* (Dublin, 1972), p. 647.
24. Browne, "The Arms Crisis 1970," "The Peter Berry Papers," and "The Misconduct of the Arms Trial," as in note 21 above.
25. Evidence of Chief Superintendent Fleming, 9 February and 3 March 1971, *Committee of Public Accounts*, pp. 417-28, 745-53.
26. The published material in Committee of Public Accounts nevertheless casts much light on many aspects of the affair.
27. Merlyn Rees, *Northern Ireland: a personal perspective* (London, 1983), pp.15-16.
28. Anthony Verrier, *Through the looking glass: British foreign policy in an age of illusions* (London, 1983), pp. 301-2, 304. G2 was the designation of the Irish army's intelligence directorate; Edgar O'Ballance, *Terror in Ireland* (Novato, 1983), p. 216.

It is difficult to form a reliable picture of the extent, nature and aims of British clandestine activity in Ireland in the 1970s and 1980s. A number of books, all of them of uncertain reliability, have nevertheless addressed the topic. Amongst the more striking are John M Feehan, *Operation Brogue: a Study of the vilification of Charles Haughey codenamed 'Operation Brogue' by the British Secret Service* (Dublin, 1984), and *The Statesman: a study of the role of Charles J Haughey in the Ireland of tomorrow* (Dublin, 1985), where at p. 56 Captain Feehan reports that he was "accused of being paranoid, crazy and sensational" when *Operation Brogue* appeared. Other books on similar themes are Patsy McArdle, *The Secret War: an account of the sinister activities along the border involving Gardai, RUC, British Army and the SAS* (Dublin, 1984), and Frank Doherty, *The Stalker Affair* (Dublin, 1986). See also Jonathan Bloch and Patrick Fitzgerald, *British intelligence and covert action: Africa, Middle East and Europe since 1945* (London, 1983), pp. 211-36. Unlike the other works listed, this book at least cites its sources.
29. Examples are the interception of the arms ships *Claudia* in March 1973, and *Marita Ann* in 1984, by the Irish naval service. There is no doubt that the Irish authorities were acting on intelligence received from other governments. PIRA had a major success in 1986-7 in running three ship loads of Libyan weapons and explosives from Malta. This apparently went undetected until the arrest by French Customs of the *Eksund*, bound for Ireland with a fourth cargo of arms.
30. Faulkner, *Memoirs*, p. 237.
31. Hogan and Walker, *Political violence and the law in Ireland*, pp. 308-9.
32. Private information from a person present.
33. *The Irish Times*, 28 September 1988.
34. Quoted in Arthur and Jeffery, *Northern Ireland since 1968*, p. 15.
35. One of the few exceptions involved the gunman and kidnapper Dessie O'Hare. He was severely wounded and captured, and his companion killed, in an engagement with a combined army/Garda detachment, having first attempted to shoot the unarmed Garda officer who flagged his car down. See the account of this in *The Irish Times*, 28 November 1987.

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36. O'Ballance, *Terror in Ireland*, p. 217; private information from a former minister and a British official.
37. Richard Deacon, 'C': *a biography of Sir Maurice Oldfield, head of MI6* (Fontana ed., London, 1985), p. 229.
38. Keith Jeffery, "Security policy in Northern Ireland: Some reflections on the management of violent conflict," *Terrorism and Political Violence*, 2, no.1(Spring 1990), p. 29; *The Times*, 10 October 1986; see Garda comments on RUC border intelligence in *The Irish Times*, 23 August 1988.
39. Arthur and Jeffery, *Northern Ireland since 1968*, p.70.
40. The text of the agreement and the accompanying communiqué are reproduced in full in *The Irish Times*, 16 November 1985.
41. See the chronology of events in *The Sunday Tribune*, 24 September 1989; *The Sun*, 20 September 1989.
42. *The Irish Times*, 22 September 1989.
43. *The Independent*, 23 September 1989.
44. Statement of Ray Burke TD on RTE Television's *Today Tonight*, 21 September 1989.
45. *The Irish Times*, 22 September 1989.
46. *Ibid.*, 18 May 1990.
47. *The Independent*, 21 Sept. 1989.
48. As in note 45 above.
49. For an impassioned summary and critique of developments in extradition law see Farrell, *Sheltering the Fugitive?*. Hogan and Walker, *Political violence and the law in Ireland*, pp. 279-309 gives the clearest account of extradition up to 1988. See also Michael Ford, *Extradition Law in Ireland* (Dublin, 1988), pp. 58-90.
50. Hogan and Walker, *Political violence and the law in Ireland*, p. 182.
51. *The Irish Times*, 14 March and 7 April 1990.
52. Unlike the other groups, the "Winchester three" were acquitted simply on the basis of prejudicial remarks made during their trial by the then Northern Ireland secretary Tom King, on whose property they had originally been detained in very suspicious circumstances.
54. In the June 1989 Irish general election Sinn Fein got just over 1% of the poll.
55. *The Independent*, 21 Mar. 1989.
56. See the comments of Dr Garret Fitzgerald TD, foreign minister from 1973 to 1977 and prime minister from 1982 to 1987, in "How the IRA won the wrong battle", *The Observer*, 31 August 1988.