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Derry 1968/78

1. The last edition in the current series of RTE's "The Politics Programme" which was broadcast on 30 June, was devoted to an analysis of the Northern situation over the last decade. The programme focused its attention exclusively on the city of Derry. It was presented by Conor McAnally who complied with a format similar to that used in ITN's "Weekend World" programme of 11 June which concentrated itself exclusively on Belfast.

2. There was, by way of introduction, a brief historical survey of the various peaks in the level of disturbance in Derry city. Use of old newsreels was made to show such events as the rioting in August 1969 and Bloody Sunday in January 1972. The use of old newsreels was not as extensive as in the recent ITN survey but a wider spectrum of opinion, political, religious, legal and social was recorded in the RTE production.

3. McAnally, in his introduction, referred to the changes that have taken place in the city during the 1968/78 period. He said one-man-one-vote was no longer a slogan of political agitation. It was now a fact. Stormont has gone. The violence has taken its toll in both human and property terms. While housing allocation is now free of discrimination, the current programme in house building has not succeeded in reducing male unemployment which McAnally said stands at 20% at present. Emigration is still a reality though a recent upsurge in commercial activity at the once thriving docks may dent it somewhat given the recent investment of £1½ million of Government and EEC investment.

McAnally also mentioned signs of a reduction in the tension in the city such as the recent removal of security barriers but also referred to incidents such as the recent shooting dead of Denis Heaney on 10 June by the British Army and the subsequent shooting, in retaliation, of RUC reservist Robert Struthers on 16 June as well as the millions of pounds worth of damage which was caused by an explosion at the CVA plant on 3 June in Co. Derry show how fragile the current relaxed atmosphere really is.

3.1. This introduction then brought McAnally to analyse one of the results the violence has had on the community of Derry as a whole, namely the "full retreat" of Protestants across the river Foyle to the Waterside. He referred to the recent closure of the Presbyterian Church in Great St. James' Street as "a victim of dwindling patronage" and speculated that given the current rate at which Derry's Protestants are transferring themselves to the Waterside the 5 remaining Protestant churches in City side may also suffer the same fate as the one in St. James' Street. McAnally referred to this aspect as a "finality" which "will live long after the troubles have ceased".

3.2. It was in this context that McAnally asked the Rev. Bert Tosh, Moderator of the Presbyterian Church in Derry for his opinion:



"There have been incidents, certainly, of active intimidation. There have been veiled threats. People have moved because at one time it was terribly difficult to cross the bridge. If they wanted to go to work, for instance, it might have involved 40 minutes or 45 minutes crossing the bridge. They have moved because of a lack of private housing development on the City or the West bank of the river. But, em, I suppose really at the end of the day ... most of the movement was a feeling of threat and a feeling that they were maybe, in some way, alien."

At this point camera shots of Orange/Loyalist slogans and paintings depicting King William on various wall-gables were shown together with a background rendering of the beating of a Lambeg drum.

3.3. Tosh then continued as follows:

"The Protestant community have lost their way to a great extent. Time, years ago they had control of the city shall we say. That's changed. They are in a minority and like all minorities with different ways in which they can react and I would be afraid that most of them are reacting by withdrawing terribly much into themselves, withdrawing from social and community activities."

3.4. Without any introductory comment from McAnally former Vanguard Assembly and Convention member Glen Barr took up the story by stating:

"It wasn't the Protestants who were in control of the situation. It was a very small clique of people who were in control of the situation and as far as I am concerned I am more bitter against the Governments of pre-1969 than possibly the Catholics are in that I was no better than the Catholics, coming from the backstreets as I did. The only difference was that they led me to believe that I was better than the Catholics and it was only when I looked around me and saw it for myself that this was not the case that I believed that Protestants and Catholics have a lot in common socially and every other way and I believe that eventually Protestants and Catholics in Northern Ireland will have to come together politically be it conservative politics, be it socialist politics, be it liberal politics but at least let it be politics and not sectarian political divides."

3.5. Marlene Jefferson, an Official Unionist Councillor on the Derry City Council mentioned that at the beginning of the troubles in the city "there was a great anger among the Protestant people" which she now felt has "become an indifference" which she thought was "worse, at least anger was some reaction" and opined that current Protestant feeling is that "it may be better now if the city was totally divided".

3.6. The interviews of Derry Protestant opinion then return to the Rev. Tosh who said that:



"There is a feeling that they don't want to be dominated by what many of them would still see as a Southern, perhaps, Catholic ridden Government and also there would be a rebellion or possibly even a case of revulsion against Irishness. By that I mean Irish culture, Irish flags, such things like that."

Asked by McAnally whether or not Protestants still had "a strong sense of identity with Britain", Tosh replied:

"I think this is diminished. When they became aware or at least some of them became aware that the British Government no longer looked to Northern Ireland as its proudest possession, this has meant, I think, that the Northern Protestant now lacks identity. He is quite sure he is not Irish. He is not English because very often the Northern Irish Protestant can't get on with the average Englishman. He has talked of himself as being British which is vague but em, he now realises that perhaps he doesn't really belong to anybody."

3.7. Barr then continued on this theme of absence of an identity by saying:

"People say to us - 'well! you are still British' you know. Why are you British? Well! I think if you analysed that very closely you'll find that a large section of the Protestant population only retain that British link to act as a barrier against a united Ireland and if the threat of a united Ireland was removed then, I think, the link with Britain as far as Protestants will be concerned would be weakened a great deal."

3.8. This theme was again taken up by the Rev. Tosh who said that:

"Though the Protestants tend to be put off by the symbols, perhaps, the tricolour, the Irish Republic's national anthem, the changing of road signs into their Gaelic equivalent; but the fears do exist, they've always existed. I suppose it is worse for people here because 10 years ago those fears, were (sic), seemed to be well in the future. Now, they would think that they have become much more of a pressing reality."

4. The programme then switched its attention from fears among adults to the effect the violence has had on the youth of the city during the decade. McAnally described this as being immeasurably great. Rosaleen McGinley told him of her fears because of all the violence that pervades the general atmosphere, especially at night. She described losing her job as a result of a bomb explosion. Dermot McShane who like Rosaleen had been brought up to see nothing else but violence described how he has been in and out of trouble with the authorities, including serving a period in jail. His picture was one of a senselessness brought about by violence.



McAnally then described how the Derry Youth and Community Workshop which was opened at the Old Foyle College last April, was endeavouring to encourage in the young an awareness of their relationship with society. The Workshop's aim was to provide a preparation for work for a 100 unemployed men and youths and this as the programme showed, was being done by the group undertaking renovation work of the old college itself. Individual workshops in areas of manual skill such as woodwork and metal work are being provided by the Workshop. In addition, in the words of one of the community workers attached to the endeavour, Colm Cavanagh explained that "there are various exercises that can be done to try and get people to examine their own prejudices, to examine their own aspirations, to examine their own view of themselves and a lot of it is done simply by talk and discussion and exploration and question, and question and question". As an illustration of what Cavanagh had in mind was an exercise in which a room is being defended by one group while another has the objective of trying to get into the room with a third trying to talk both sides out of the possibility of a conflict situation emerging. Within minutes barricades have been erected and stones are being thrown with the emphasis on negotiation having collapsed. The whole episode is then discussed by all the workshop's participants and each one asks the other why certain reactions to a given situation were adopted in the foregoing exercise. Some of the Workshop's participants were interviewed and gave a favourable reaction to <sup>the</sup> whole purpose behind the Workshop which is religiously mixed. Some saw it as about the only change to talk with those of differing religious persuasions.

5. From efforts to resolve the City's deep social and economic problems, McAnally proceeded to speak of the political change that has come to pass in the last ten years. Derry's City Council now has a nationalist majority comprising of the SDLP and the IIP and this significant change in power has been pointed to as a sample of power-sharing at local level. Others, McAnally suggested, consider all this change as merely a "window dressing" exercise in that the Council's functions have been concentrated in Belfast. Councillor Jefferson opined that

"there is a genuine concern and a genuine co-operation because our city has been torn apart and if we don't co-operate at Council level to try and re-build it there is no hope for us at all. We for example, take the Official Unionists, we could have immediately went in and taken an opposition party attitude, you know, which would have been to condemn everything good and bad. Well, I couldn't have been a party to that because it is my city ... we are representing all the people ... Many people have said to me ye's (sic) are window dressing. Well, I would not be a party to window-dressing."

5.1. Another Council member who was asked for his views was Councillor Fergus McAteer of the IIP who said that Derry Council was, in effect, left "with the management of certain areas such as the provision of leisure amenities, the maintenance and provision



of parks, the cleansing department, the bins and cleaning of roads ... . While democracy has, at least, arrived in Derry from May of 1973 onwards, in fact, the effect, politically, in the lives of people in Derry has not been as great as I would have liked it". To this Jefferson added "You don't have any power .... we are a big pressure group and I don't think we have done too badly ... we have quite a bit of money committed to being spent in this city and I think that's important because we need money to rebuild it but we also need to influence people back into it and that's the big problem". McAteer, at this stage, opined that for him the "real issues" for him "are those that are essentially political and because we are party political representatives and we stand on party political manifestos I feel that the Council chamber should be used as a political forum because there are no other elected spokesmen other than the twelve men at Westminster and I feel that certain political issues should get a vital airing in the Council chamber".

6. The programme then switched from the area of local government reform to that relating to the prosecution of persons through the courts for terrorist related offences. McAnally referred to the Emergency Provisions Act, 1973 as providing for the setting up of a courts system on the lines suggested by the Diplock Commission. This system now acts as a channel through which terrorist related cases are processed at the central criminal system of Belfast City Commission. A Derry solicitor, John L. Doherty, gave the following views as to how it operates at present

"Persons, normally, are charged and the period of time from charge until the date of their trial would average somewhere in the region of nine months. Sometimes, it can be quite considerably longer. In fact I have an accused person myself for whom I act and was arrested and charged in November 1976 and has not yet come to trial and the likelihood is that he would be the full two years in custody awaiting trial."

At this juncture McAnally referred to the Diplock Courts as being similar to the Special Criminal Court in Dublin except in one important respect there is one judge presiding in the former while three preside in the latter. McAnally before continuing his interview with Doherty mentioned a sense of dissatisfaction among solicitors as to the operation, in practice, of the Diplock system. Doherty expressed his dissatisfaction as follows:

"In the absence of a jury you are depending on the judge to exercise the test of a reasonable man and judges, unfortunately, are people who to a great extent are isolated from the common man, the man in the street, in that their position makes this inevitable and as such they are possibly inclined to believe, in the first instance, prosecution or police witnesses, whereas, the jury system formally as it existed in these particular types of offences were always exercised in this burden of proof in favour of the defendant and the Diplock courts have really get to the stage in which it has really become very, very difficult to try and prove to the satisfaction of the judge that a man is innocent and should be acquitted and



there are several reasons for this. One of them being that the Emergency Provisions Act 1973 which was prompted by the Diplock Report shifts the burden of proof, in certain instances on to the accused person. Prior to the introduction of the Emergency Provisions legislation, in cases where statements were allegedly made by the accused to the police officer the accused had simply to persuade the court, that is the court, judge and jury that that statement was taken in oppressive circumstances and that a threat or inducement was held out to him and that statement could not be admitted in evidence against him but under the Emergency Provisions legislation the burden of proof has heightened itself considerably in that now he must prove to the satisfaction of the judge alone that there has been inhuman or degrading treatment used to extract a statement from him and unfortunately judges after a period of time have become, have got to the stage where they interpret this as meaning persistent physical violence towards the accused while in custody and to that extent it has certainly gone a long, long way from ordinary Common Law burden of proof."

6.1. Councillor Jefferson accepted the views of Doherty but qualified that acceptance thus:

"Well, the only fair way of trying people is back to the way we did before but you can see they were a necessity because, as you know, there was the intimidation of witnesses ... and it was the only means of putting known terrorists away and you have got to accept the fact that they are terrorists .... I have a very straight view on this. I feel that anyone who has done wrong must pay the price for it."

6.2. SDLP's Law and Order spokesman Michael Canavan believed that the longer existing Emergency Provisions remain in existence the inevitable result would be the brutalisation of the security forces operating them

"Measures like this which severely restrict human rights cannot possibly be maintained over a long period of time and we have had measures of this now over the last number of years and if they are continued over long their inevitable result, I think, is to brutalise the security forces and alienate the population against whom they are practised and that's what's happening here."

7. It was in this context McAnally referred to the abolition of special category status since 1 March 1976 for all prisoners who are convicted for terrorist related offences since that date and the current blanket protest by Republican prisoners at the H-Blocks of the Maze Prison at Long Kesh. At the moment a campaign in support of those protesting for the re-introduction of special category status is being waged by their relatives in Derry and elsewhere in Northern Ireland. Three women who are presently leading the Derry campaign were interviewed ensemble and were named as Mary Nelis, Mrs. McCool and Mrs. Doherty, each one, McAnally said, had a son protesting in the H-Blocks. Mrs. Nelis was the first to speak and described conditions in the H-Blocks as follows:



"The prisoners are entirely naked in cells without any furniture whatsoever, that their bedding has all been removed, that they are lying sometimes on the springs or else in mattresses on the floor, that they are surrounded with their own excreta and urine which they have to do in the cell because they are not allowed to go out of that cell, that their cells are usually covered in water as they have been hosed out by prison officers, that uneaten food is lying everywhere about the cell and this has given rise to maggots and other pests in abundance. In fact the last time I saw my son he told me that there was about six or seven hundred maggots in his cell."

Mrs. McCool then continued by saying that the last time she saw her son was on the "17th of May and he looked really awful. It was three months previous to that from that he had a visit and I suppose after three, you know, his condition had deteriorated and I said to him 'How was the food son?' and he says 'it was that bad we don't eat it anymore'. He says 'apart from eight rounds of bread and he says maybe a potato that is our diet' ... He says the rest he says is either tampered with or just plain uneatable". Mrs. Doherty then said her son has "loss of weight, bad eyesight for which he has had to have dark glasses since he has been on the blanket. He is still more or less the same but looking terrible. Break your heart looking at him". Mrs. McCool then opined that "I always say had there been no state violence the IRA would have never got off the ground. These wee boys that we have had now at the moment on Bloody Sunday, we are going back ten years, these wee boys were out playing on the street marbles, football. They were, in no way, involved in any kind of, they were no more terrorists than I am myself. But with the situation in the North as it is and all the injustices, you know, their minds were very vulnerable at that age, especially on Bloody Sunday. They had just got into their teens and the horror and all of that. You know they believe in this cause. All they want is a united Ireland. They don't particularly want anything to happen, surely, to kill anybody overly to get it. They think is is their right."

7.1. Bishop Edward Daly of Derry, however, believes the current situation in the H-Blocks is largely one of the prisoners' own creation and that the solution of it lies with the "Provisional IRA". His words on this were as follows:-

"I feel that the key to the H-Block situation lies very much in the hands of the Provisional IRA. I'm sorry, I accept that the protest that they are making, and they have a point in the protest, they have been convicted under emergency type legislation, they have been convicted in no-jury courts largely, most of them on statements that they themselves have made, the circumstances surrounding those statements, the situation in which those statements were taken, gives cause for concern as the Amnesty report can bear out, as my own conversations with doctors, my own conversations with people who were questioned and who were subsequently released bear out. I am satisfied in my own mind that at least some of those statements were taken in very questionable circumstances and H-Block itself is



not a normal kind of prison and I do feel that there is a point ... I supported Ciaran McKeown's appeal for some type of emergency status which would allow them to wear their own clothes and so forth. I wrote to Mr. Mason proposing this and, em, he has rejected it. I think, politically, it would be very difficult for him to grant this kind of recognition. I think if the Provisional IRA are really concerned about the men inside that they should certainly consider and, particularly after the events of the last weekend<sup>+</sup>, and the cruelty involved in the way that they treated that policeman that they took prisoner, their total lack of sensitivity towards his wife, his widow now, and children and surely if they are really concerned about their own men in prison I think they have got to make some gesture to enable some kind of corresponding gesture to be made and certainly the type of activities they are going on with at the moment does not either engender widespread public sympathy for those men in H-Block nor, certainly, sympathy from government and I think there's got to be some pretty magnanimous gesture on their part, something, I think, like a complete ceasefire at this point in time if they are really concerned about long-term help for those people there."

7.2. McAnally described, at this stage, that while a campaign to highlight the H-Block situation continues there is little evidence massive public support. He mentioned that rumours continue to circulate as to the exact physical condition of the prisoners who are on protest including one that a prisoner is suffering from "severe hepatitis".

7.3. Councillor Jefferson said she had asked "how many Protestants" felt about the H-Block protests and it was her opinion that "they don't give eh .. can I say a damn. They don't give a damn about it which really shows a very em complete indifference ... in fact I think that if you asked many of the ordinary working Protestants what was it all about they'd say they didn't know and they didn't care".

7.4. Michael Canavan of the SDLP said that "You would have to ask people outside prisons who have sponsored and who support the protest and the prisoners themselves who have undertaken it themselves because the solution really lies in their hands. They can call it off at any time they want. I don't, however, think that the issue is so serious as to generate widespread public concern of the kind which they are trying to attract".

7.5. Mrs. Nelis expressed herself completely in support of her son's protest saying:

"Well, the prisoners themselves have engaged in this protest to the end and we, their parents, realise that and we have accepted the possibility that, perhaps, some of our sons might die in H-Block. It is a very difficult thing to come to terms with. We have thought of it. We are marvelling, now, at the moment that some of these prisoners have actually survived these conditions for the past nineteen months and that they have retained their sanity. Their physical health is deteriorating all the time but even if some of the prisoners

<sup>+</sup>Constable Turbitt abduction and subsequent murder,  
Fr. Murphy kidnap.



die and even if some of the prisoners go insane and even if conditions become worse, so God knows, I can't see how they can become any worse than they are, we and the prisoners themselves will not give in to this criminalisation of our sons. It is their right they are fighting for. It is a matter of principles and people have died for principle before. I think that although the public, at the moment, may not be manifesting their concern on the streets that if anybody dies in H-Block that they will manifest their concern. It is a sort of on-going thing which is on the surface quiet but is a very explosive situation".

8. Attention was then turned to the RUC and McAnally referred to the sparse presence of the British Army on Derry's streets today. However "wary" people in Derry may be of the Army the position of the police is "worse" said McAnally. He cited the beating up of Samuel Devenny and his subsequent death together with the storming of the Bogside as episodes which "still loom large in people's minds".

8.1. Mrs. Nelis then gave her opinion of her estimation of the RUC which was quite Unfavourable. She expressed it as follows:

"There are too many question marks hanging over their heads. They are still recognised as the police force which engaged in conflict against the minority community up here. We don't trust them and we never will trust them."

8.2. Councillor Fergus McAteer mentioned that the RUC are still the subject of criticism and said "We have increasing horror stories emerging from the barracks - the RUC barracks in the Strandhill Road - and it seems that they are almost in competition with the well-known Castlereagh barracks".

8.3. Mrs. Nelis took up the story by saying "No policeman has ever been convicted for many of the crimes of murder and terrorising the community that they have engaged in since 1968 and they ... the judiciary (sic) system and the court system are all ... lined up in favour of the RUC against the ordinary people".

8.4. Councillor McAteer maintained that "so long as the RUC are composed in the way that they are and conducting themselves in the way that they do as the back-up team to the British security forces then they cannot look for any support from the vast majority of Derry people".

8.5. Councillor Jefferson, however, maintained that the "Amnesty report, immediately, condemns every policeman in Northern Ireland. This is so wrong, really ... Even though they ... specifically say it is not the uniformed policeman, for the ordinary general public say 'they are all the same, they are all bad'. So I would feel that even if there was the possibility of one of those accusations being true I think it should be fully investigated".



8.6. Bishop Daly believed that <sup>there</sup> is a basis in fact for some of the allegations being made in connection with the treatment of suspects in police custody. He said that "there is still mistreatment of people in custody and even without the Amnesty report, I mean doctors whom I know and whom I trust to be people of absolute integrity have told me of injuries that they have seen and I am quite satisfied in my mind that this is happening and I do not think that the accountability that should be there is there and until there is some accountability for ... mistreatment of people in custody or misconduct or whatever I think you are still going to have a tension between the RUC and the community, particularly here in Derry".

8.7. This particular subject then ended to the strains of a Phil Coulter song about his native Derry "The Town I Loved So Well".

9. On the prospect for peace in the coming decade Mrs. Nelis believed "I do think this thing could go on for another 20 years".

9.1. Mrs. McCool said that she "was never bitter in me (sic) life. I wasn't even bitter against the British like but now I am definitely very bitter and I'll just give you an example. I took my son of eleven years old up to visit me (sic) son in prison, now this is even before he went into H-Blocks and when he came out he said 'I am going to follow in Brian's footsteps'. That just gives you an example. It's the same in every house. They see what happens to their brother and naturally blood being thicker than water everyone of those are determined, through the bitterness, through the violence, of the state and the British Army and all the rest of it .... it will go on for years" as far as the "up and coming generation are concerned".

9.2. This pessimistic view of the future found an echo in Mr. Canavan's comments. He believed that "if the solution doesn't solve the basic troubles it is almost certain that violence will erupt again at some stage or another and I think the bitterness that has been created by the suffering over the last number of years and the fact that, for example, the border runs not along the edge of the six counties anymore but practically through every town and village in Northern Ireland. It is an indication that when the next round comes it will be much more ferocious than the last one".

*F. X. O' Donoghue*

28 July 1978

NOTE: The verbatim comments of the programme's participants were transcribed from a taping which the author made of the programme. All interviews were recorded in Derry and appeared to be in surroundings familiar to the participants.