

The Rights of Man

Quincy Adams' argument before the U.S. Supreme Court—then headed by no less a scoundrel than Roger Taney, of later Dred Scott-decision infamy—lasted about two days, and cannot be fully summarized here. It dealt with treaty law, property law, and the most profound issues of the philosophy of law and statecraft. At this time, February 1821, the courts had not yet eliminated all discussion of reason and principles in legal cases; it was later that they imposed narrow strictures on court arguments.

A few excerpts from the court record, however, will demonstrate how the former President approached the issue:

“I know of no law . . . , statute, or constitution, no code, no treaty, applicable to the proceedings of the Executive or the Judiciary, except that law (pointing to the copy of the Declaration of Independence, hanging against one of the pillars of the court room), that law, two copies of which are ever before the eyes of your Honors. I know of no other law that reaches the case of my clients, but the law of Nature and of Nature's

God on which our fathers placed our own national existence.”

Later in his presentation, Quincy Adams directly attacked the point of view of his opposition, which demanded that the Africans be returned as slaves to their “masters,” as deriving from the ideas of Thomas Hobbes. He cited an argument in the Official Journal of the Executive (who was President van Buren) which argued that the enslavement of the Africans had to be upheld as a natural consequence of man's natural state. Again pointing to the Declaration of Independence on the wall of the Court, Adams said:

“It is alleged in the Official Journal, that war gives the right to take the life of our enemy, and that this confers a right to make him a slave, on account of having spared his life. Is that the principle on which these United States stand before the world? That *Declaration* says that every man is ‘endowed by his Creator with certain inalienable rights,’ and that ‘among these are life, liberty, and the pursuit of happiness.’ If these rights are inalienable, they are incompatible with the rights of the victor to take the

life of his enemy in war, or to spare his life and make him a slave. If this principle is sound, it reduces to brute force all the rights of man. It places all the sacred relations of life at the power of the strongest. . . . [Emphasis in original]

“I will not here discuss the right or the rights of slavery, but I say that the doctrine of Hobbes, that *War* is the natural state of man, has for ages been exploded, as equally disclaimed and rejected by the philosopher and the Christian. That is utterly incompatible with any theory of human rights, and especially with the rights which the Declaration of Independence proclaims as self-evident truths. The moment you come to the Declaration of Independence, that every man has a right to life and liberty, an inalienable right, this case is decided.”

These statements are only vaguely referenced in the movie version—but they are fully available by Internet and other means. They open up a whole realm of American history unknown to most citizens—a realm that must be known once again, if we are to recapture our national purpose, and survive.

—Nancy Spannaus

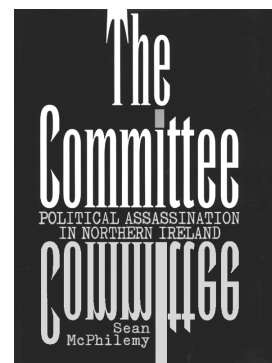
Murder Will Out

For murder, though it have no tongue, will speak . . .
—Hamlet, II, ii

Long years of bloody sectarian violence. Catholic versus Protestant. Nationalist versus Loyalist. The Irish versus the British. All this comes to mind when the “Troubles” of Northern Ireland are mentioned. But filmmaker Sean McPhilemy, in his new book, goes beneath the surface phenomena to tell a blood-curdling tale of collusion, from 1989 to 1991, between the Royal Ulster Constabulary (R.U.C.), Loyalist paramilitary death squads, and respected Protestant “citizens above suspicion,” to plan and execute the murders of Republican paramilitaries and Catholic civilians.

There has been Irish armed resistance to British rule since the Eighteenth century, when Irish patriot and

American Revolution supporter Henry Grattan attempted to force the British Crown to grant a declaration of rights to the Irish, including economic independence from Britain and an end to discrimination against Catholics (who were not allowed to hold office, vote, or own land). The full story of this centuries-long political and religious warfare is beyond the scope of this review; but, in itself, McPhilemy's explosive documentation reveals a new chapter in the sordid history of Northern Ireland, which provides another piece in the puzzle of London's control of terrorism, both domestic and international. The book's weakness lies in its failure to identify the policy command structure at the highest level. However, there are threads suggested in the book which, if pulled, would likely lead to the boardrooms of the Club of the Isles and the Queen's Privy Council.



The Committee:
Political Assassination in Northern Ireland
by Sean McPhilemy
Niwot, Col., Roberts Rinehart, 1998
378 pages, hardbound, \$24.95

A brief review serves to set the recent context of this tale. From 1968 to 1972, the Catholic minority in Northern Ireland began to build a Civil Rights movement. Violent clashes occurred, British Army troops were brought in to assist the local police force, the R.U.C., and, in

1971, when the first British soldier was killed there since the 1920's, a counterinsurgency warfare apparatus came into being which included both the R.U.C. and Army intelligence specialists. In September 1971, the Ulster Defense Association (UDA) was set up as the main Loyalist (loyal to the British Crown) paramilitary force, and the ranks of the Irish Republican Army (I.R.A.) swelled after the 1972 Bloody Sunday massacre. Since then, sectarian violence has been orchestrated by British Intelligence, on both sides of the "religious" divide.

The charge of R.U.C. collusion with Loyalist paramilitaries had been raised many times. In early March 1991, this issue surfaced when a gang of Loyalist gunmen entered an isolated Catholic area and killed four people. McPhilemy, a film producer, had a young research assistant, Ben Hamilton, who insisted on pursuing the story. He was soon given access to "a source," who, as an insider, revealed details of how the collusion worked.

'The Committee'

What emerged was that a private group, "The Committee," composed of Ulster businessmen, clergy, and others, conspired with elements of the R.U.C., to assassinate Republican paramilitaries and Catholic civilians. The collusion included organizing the financing for arms deals from South Africa to Loyalist gunmen, based on laundering the profits of drug- and pornography-traffic-ficking. Some of the evidence pointed to British Intelligence and Secret Air Services (SAS) commando involvement.

The "Committee" structure was highly organized, reports McPhilemy. In mid-1986, the Ulster Loyalist Central Co-ordinating Committee came together, assuming "full authority over all Loyalist military and political activity." It included political groups, such as the Ulster Independence Party; paramilitary groups, such as the Ulster Volunteer Force (UVF) and the Ulster Defense Association, which sometimes went by the cover-name Ulster Freedom Fighters (UFF); in addition, prominent businessmen, clergy, and lawyers. Its chairman was Billy Abernethy, a bank manager at the Ulster Bank, the Northern Ireland subsidiary of National West-

minster Bank (NatWest is a powerful institutional force of the British oligarchy). Another person alleged to be at the top of the "Committee" was the former Assistant Chief Constable and former head of the R.U.C. Special Branch, Trevor Forbes, O.B.E.

The "Committee" structure included disgruntled R.U.C. officers, who constituted an "Inner Force" to be found within "every R.U.C. division in the province." The Inner Force designated the "most militant Loyalists within the force," to be members of an "Inner Circle," effectively an executive body.

R.U.C. Counterattack

More than one-third of *The Committee* describes the "dirty tricks" the R.U.C. used to discredit the documentary film exposé produced by McPhilemy and Hamilton, which aired on Channel 4 TV. R.U.C. Chief Sir Hugh Annesley initiated two lines of attack. First, the R.U.C. orchestrated a media barrage, denouncing the documentary as "a pack of lies." The political constituency leader who surfaced to denounce the film was David Trimble, now Northern Ireland's First Minister.

A few days after the film aired, Channel 4 TV's "Right to Reply" program was given over to Trimble and his constituent, the Rev. Hugh Ross, who had appeared in the film's segment on the Ulster Independence Party. Ross denounced the "misuse" of his interview.

Second, a legal assault was launched. McPhilemy had complied with laws which require anyone with information about terrorism in Northern Ireland to present it to the police, by providing a dossier to the R.U.C. when the film was aired. The R.U.C. was not interested in pursuing these leads, however; instead, it went to court to compel the name of McPhilemy's source! (McPhilemy had refused to divulge the name of his source, who feared for his life.) Using the full weight of the Prevention of Terrorism Act, three Scotland Yard detectives, on behalf of the R.U.C., served McPhilemy with court orders to turn over the name of his source—advising him that he could spend five years in prison if he refused.

A protracted legal battle ensued, as

both McPhilemy and Channel 4 refused to divulge the source. Contempt proceedings were sent to Attorney General Sir Patrick Mayhew, a cabinet minister in Thatcher's Conservative Party government.

Meanwhile, R.U.C. propagandists wrote that McPhilemy and Hamilton had bribed sources, scripted on-camera confessions, and relied on I.R.A. sources, among other misdeeds. Perjury charges against Hamilton, stemming from the contempt proceedings, were hoked up, resulting in his arrest and the search of his home. During the search, a document was found with an indirect reference to the source, enabling his eventual identification. Jim Sands was discovered, arrested, squeezed, and turned by the R.U.C. Sands' boss had been the Rev. Hugh Ross.

Once the R.U.C. had gotten Sands to recant everything he had told the two filmmakers, the most reliable "R.U.C. spin-doctors," Rupert Murdoch's *Sunday Times* and Lord Steven's *Sunday Express*, published repeated articles branding the documentary a "hoax."

Meanwhile, Chief Annesley announced that an R.U.C. investigation proved that the film's "outrageous allegations" were "without foundation."

Cui Bono?

By today, cracks in the R.U.C. cover-up have appeared. McPhilemy reports how he has unearthed independent verification of aspects of Sands' original tale of terror.

Much of what McPhilemy reveals will not seem far-fetched, but the question remains, after reading this devastating book: Who benefitted from this orgy of murder and political destabilization in Northern Ireland?

Hints are in the book, but not elaborated. For example: Does Abernethy's association with NatWest, a leading institution of the British oligarchy, imply control by the monarchy in coordinating Loyalist terror operations? And, the charge that drug-money laundering was used to finance arms shipments from South Africa is an important lead; if verified, it leads potentially into the filthy drugs-for-arms networks exposed in *EIR's* Special Report, *George Bush and the 12333 Serial Murder Ring*.

—Mary Jane Freeman