

IRA 'Popular' Policing and Social Control in Northern Ireland :

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Introduction :

The expression 'Popular' policing has also been described in the Northern Irish context as 'informal', 'community', 'alternative' or 'black' policing in the literature. Although no general agreement exists on the meaning of these terms they tend to reflect shades of nuance different scholars have intended to emphasize. The success of alternative forms of policing has often been judged in terms of their greater humanitarian or democratic potential ; however in Northern Ireland the popular policing systems set up by Sinn Fein/IRA in their Nationalist Catholic enclaves feature arbitrary decisions by hidden judges meting out brutal violence for offenses the official British justice system treats far more leniently. Though that system lacks due process (the right to trial) it does often reflect directly the will of the people in those communities. Furthermore this popular justice system has developed within the exigencies of a guerrilla war for national liberation and within a long historical tradition. As a necessary adjunct the creation of a popular justice system is seen as a large step in replacing the formal State power and establishing social control in Sinn Fein/IRA areas.

Historical Background :

As Hillyard puts it, "British rule in Ireland is a history of crises of authority, legitimacy and legality." [0.5] (Hillyard : 247) Throughout the eighteenth and nineteenth centuries many Catholic organizations ranging from secret societies like the 'Whiteboys' and the 'Ribbonmen' to paramilitary groups like the 'Defenders' and the Fenians developed rough systems of local justice. Senior (1852 : 32) [0.7] reported that, "*we are under two different and repugnant systems of law. One is enacted in Parliament and enforced by the courts - the other is concocted in the whiskey shop and executed by the assassin. And the law of the people is far better enforced than that of the Government. More who break it are generally sure to be detected, for their offences are generally public, the punishment is as severe as any man can inflict or suffer, and the chances of escaping it are few. The popular law, therefore, is obeyed ; the Government law is disregarded.*"

What Senior called 'popular law' has re-appeared, be it in an updated form within the Catholic Nationalist areas supporting Sinn Fein/IRA. In this article this same term will be used to describe the IRA justice system, as it is clearly within the same historical continuum.

Current Historical Framework :

The acceptance by the IRA of de-commissioning of IRA weapons and a public renunciation of future violence were two fundamental points upon which the Good Friday Agreement and subsequent forming of a Northern Ireland Assembly coalition government were based. In September, 1998 Gerry Adams, the president of Sinn Fein, announced, "Sinn Fein believes the violence we have seen must be for all of us, a thing of the past, over, done with and gone." [1.] (Reuters Sept. 3/98) This public declaration was seen as decisive in achieving in persuading the Protestant Unionist parties to participate in the new Northern Ireland coalition government. However, the question of exactly what kind of violence this refers to has been left undefined. As the 'Report Of The Chief Constable (2001)' points out in its statistical analysis of punishment beatings, shootings and murders, hundreds of people have been victims of popular IRA policing since the agreement was signed by Sinn Fein. Similarly murders and attempted murders of loyalist paramilitary figures appear to be not included within the parameters of Sinn Fein statements concerning violence. Clearly the violence that Gerry Adams is referring

to is narrowly defined as that directed at Britain, the British Army and the RUC, although that has never been clearly expressed.

Formally the peace process negotiations had been linked to the good behaviour of those involved. The British government reserved the threat to refuse Sinn Fein a place at the negotiations to decide the details of the new coalition government. In February 1997 Sinn Fein was expelled from the peace talks due to two recent IRA murders. The British and Irish governments qualified the expulsion saying that if the IRA did not engage in fresh violence Sinn Fein would be readmitted on March 9th 1997, as it subsequently was. In February 1998 when the RUC linked the IRA to the murders of Catholic drug dealer Brendan Campbell and UDA member Bobby Dougan, procedures were begun to eject Sinn Fein from the process; however the Sinn Fein leadership retorted saying they doubted whether they could influence the IRA to keep to its ceasefire if Sinn Fein was suspended for as little as three weeks. [2.] (Guardian Weekly, Feb. 22/98 : 9) Sinn Fein was temporarily suspended February 20th. Britain's Prime Minister Blair reasserted in March 1998 that Sinn Fein would be blocked from the power-sharing executive if the IRA failed to demonstrate that the war was over for good. On April 10th the Good Friday Agreement was completed and the Sinn Fein/IRA were on track to becoming part of the new Northern Ireland executive. Sinn Fein/IRA went on to place their two senior members, Gerry Adams and Martin McGuinness as Ministers of the Northern Ireland government.

It is apparent from these two instances of mock serious suspension that the Blair Labour British government, having reaped the public kudos for achieving peace in what had been an intractable thirty year problem, has been loathe to abandon those successes on the stumbling point of IRA violence. Seemingly they shared behind closed doors with the IRA the same interpretation of what constituted violence that could cause a serious expulsion, and violence which required some public show of condemnation but no action: sniping British soldiers was verboten; ambushing paramilitary enemies and executing local drug dealers could be frowned upon in the media but essentially ignored. Prime Minister Blair emphasized that the IRA had to demonstrate that the war was over. With that choice of words, he legitimized the IRA's struggle by raising it to the level of war - where murders become casualties and criminals change into P. O. Ws - and defined what violence the British government would be concerned about. The corollary was IRA awareness of this dissonance, and punishment beatings and shootings have continued as IRA gunmen transfer their violent energies from forbidden targets to soft, allowable ones. In essence British flexibility at the negotiating table, their 'softness' on such issues as decommissioning of IRA weapons, releasing convicted terrorists and the level of accept-

able violence, in favour of their core issue, the end of the 'hot' guerrilla war between Britain and the IRA, has allowed Sinn Fein to 'soundbite' its way around those other issues as long as it held to the main point and did not explode anymore enormous bombs in the financial core of London causing billions of pound of damage. Essentially IRA popular policing has been recognized by the British government.

The Loyalist paramilitaries are similarly benefiting from a looseness of interpretation as to what represents ceasefire breaking violence. In the last week of August 2000, a struggle over flags broke out at a cultural festival on the Shankill between the UFF/UDA and the UVF. The UFF then machine-gunned 'The Rex Bar', a UVF haunt, injuring three while police and journalists watched, and then raked the family home of Billy Hutchinson, leader of the Progressive Unionist Party (PUP), the UVF political wing, with gunfire. The next day a UVF gunman murdered Jackie Coulter, a senior UDA/UFF paramilitary and his passenger Bobby Mahood. The UVF then machine-gunned the office of the leader of the UFF, Johnny Adair. The UFF mustered 'C Company' which set fire to the PUP offices. When the RUC attempted to arrest Johnny Adair, they were driven off by UFF gunfire. Later that night numerous houses were attacked and burnt on the Shankill estate and twelve UVF families were ordered into exile. The UFF retaliated and murdered Samuel Rocket, a UVF member the next day. Later the police seized several machine guns from a UVF gang on the way to attack a public bar.

In response to three murders, several woundings and drive-by shootings, numerous cases of arson, public riot and shots fired at the police, Peter Mandelson, the Northern Ireland Secretary declared that "the loyalist ceasefires are still intact", though he condemned the upsurge of violence as "squalid, murderous gang warfare." He also ordered the British Army back on to the street to patrol the Shankill and the re-arrest of Johnny Adair, who was duly taken back to prison. (Adair had been one of the paramilitaries convicted of terrorist offences released early under the terms of the Good Friday Agreement.) [3.] (Electric Telegraph Issues # 1915&1917)

In this impressive demonstration of casuistry the UVF and UFF gunmen are Loyalist paramilitaries when negotiating with the government over whether or not they will continue to murder Catholics, but murderous gangsters when they kill each other. Gangsters are apolitical and can be ignored as anomalous, or in this case, the responsibility can be publicly hung on one person - Johnny Adair - indirectly absolving the rest for their strenuous efforts to commit mass murder. Certainly Mandelson felt obliged to treat the Loyalist paramilitaries with kid gloves: if they feel unduly picked upon they need only venture out for several nights and indiscriminately murder Catholics to cause the

IRA ceasefire to collapse as it retaliates.

It is within this casuistic web that the current ceasefire continues, and the Sinn Fein/IRA expand their popular policing role and consequent social control within their core Catholic areas.

Public Acceptability of the Police :

Traditionally in Britain the notion of public acceptability of the police force has played a central role in its historical development : the legitimacy of the police was hinged upon consent and an assumed relationship with the public. Though the reality of this consent has been disputed, particularly in relation to the poorer British classes, the importance of it as a crucial legitimatory discourse for the British police has not. [4.] (Brogden 1982 : 170) In contrast to various European countries, Britain itself has never had a paramilitary police of the Spanish Civil Guardia or the French Gendarmerie type briefed with the expanded role of controlling political dissent. However the pattern of historical development of colonial police forces reveals a different tradition : in Ireland under British colonial rule and from the earliest days of the Northern Irish state, the institutional relationship between the Royal Ulster Constabulary (RUC) and the Unionist government was one of direct political control and direction : public support from the Catholic community was neither courted nor expected, in contrast the RUC was clearly the strong arm of British and then Unionist control.

Once the civil disturbances of 1969 spiralled out of control into 'The Troubles' the British administration identified this anomaly of a paramilitary police force operating within the British civil policing tradition as one of the crucial problems underlying Catholic alienation. As Tomlinson asserts, one of the concerns of the British government was to convince the Northern Ireland Unionist government to adopt British standards of policing [5.] (Tomlinson 1980 : 180) Lord Hunt's 'Report of the Advisory Committee on Police in Northern Ireland' (1969) recommended a number of changes already reflected in the Police Act of 1964 for England and Wales : disarming the RUC, relieving it of paramilitary duties and taking it out of direct political control. However as the violence in the early 1970's escalated the RUC's paramilitary role was strengthened rather than diminished and it was at the forefront of the struggle to suppress violent Catholic republicanism. Very soon the Catholic image of the RUC was defined by flak jackets, automatic weapons and armored vehicles : accoutrements of an occupying army not a community friendly local police force. Indeed in the IRA version of the causes of 'The Troubles' in 1969, the brutal RUC and auxiliary Ulster Special Constabulary (USC)

assaults on the civil rights marchers revealed them as Protestant sectarian forces determined to maintain the Protestant ascendancy by force. [6.] (O'Dochartaigh, 1997) argues that the harsh state response was a major factor in the resurgence of militant republicanism in a rejuvenated IRA.

In the corresponding struggle for the hearts and minds of the Catholic populace, the IRA and Sinn Fein 'brutal RUC oppressors of Catholics' discourse jostled with the RUC's version of events: 'a stable normal society terrorized by 'the men and women of violence' [7.] (Smyth, 1988). Both sides attempted to achieve social censure, wherein the activities of the censured group can be marked off as 'deviant, pathological, dangerous and criminal.' [8.] (Sumner 1990 : 27) For the RUC, all Sinn Fein activities were fronts for IRA terrorism; in the IRA discourse, the RUC are only Loyalist paramilitaries in a different uniform. This struggle to demonize the other included the necessary opposite: the celebratory aspect raising the efforts of one's own group. All IRA activities, be they robbing the local post office; kneecapping neighborhood joyriders or murdering off-duty police officers on their way to church, are described as selfless acts by idealistic volunteers for the greater good of a united Ireland. Similarly the 'murderous campaign of terror wreaked on the community by the IRA' is contrasted against the sacrifice, dedication and bravery of RUC officers who serve in the interests of the whole community.' [9.] (Mulcahy 1998).

Between these contending discourses fell the reality of popular policing in Republican and Loyalist ghetto areas. In essence a dual system of justice has developed: that of the formal state structure and the informal working class justice structure of the Nationalist and Loyalist paramilitary communities. Besides the traditional role of IRA as community defender has come the more problematic role of controlling criminal or anti-social behaviour. In the core Republican areas there is an almost total rejection of the official police force, the RUC by the community in their belief that it is a politically sectarian police force supporting the Protestant ascendancy. A 1973 community self-survey in Andersonstown revealed only 2 out of 264 respondents would give general support to the armed RUC and only 11 indicated they would support it if unarmed. [9.5] (Andersonstown Policing Survey : 1974). On the other hand the RUC do not respond adequately to law and order problems there due to bitterly gained experience of being ambushed and killed when doing so; because of their perception that the residents of those areas are supporters of the Republican paramilitaries trying to kill them and a widespread lack of public cooperation in solving crimes. Staunch Republican residents do not want the

presence of the RUC in their areas, believing them to be more interested in recruiting informers from among local criminals than conducting law enforcement. [10.] (Conway : 112) Local residents who might cooperate with the RUC in purely local policing matters are actively discouraged from doing so by IRA threats, local ostracism and the past history of violent attacks meted out to people branded as 'touts'. The cause of the RUC and the formal justice system has not been helped by the introduction of 'no jury' Diplock courts and mass convictions based on confession evidence alone in the fight versus armed Republicanism. The result has been that those areas were left with a de facto vacuum of everyday law enforcement by the state consequent with an intense 'anti-terrorist' campaign by the same police targeting the same communities. As Ellison discovered in his surveys of 1993 and 1995 bracketing the 1994 IRA ceasefire, 97-100% of Protestant organizations had contact with RUC Community Affairs officers whereas the figures for disadvantaged (economically) Catholic groups was 9-11%: Community Affairs officers being the public face of the RUC specifically delegated to further community relations between the public and the police. [11.] (Ellison, *British Journal of Criminology* (2000) 40 : 99) Rather than the smiling Community Affairs officer, the Republican Catholics more often see the machine-gun toating paramilitary RUC forcing in doors in dawn raids.

Cultural Antecedents concerning Punishment :

Each community grows within the framework of its specific culture : the ghettos that provide the core support for the IRA are both Republican and Catholic. Both cherish the reward for sacrifice : the true Catholic and the true Republican give up their ordinary lives to heroic self-sacrifice in attainment of heaven or heaven on earth, the concept of the Republic of Ireland. Martyrdom is the highest vocation : Bobby Sands the IRA hunger striker who starved himself to death has become an IRA saint, much as Patrick Pearse did in the 1916 Easter Rebellion. Many Republicans wear medallions engraved with the images of Mairead Farrell (killed by British SAS in Gibraltar) and other Republican martyrs, as Catholics wear medallions of the Virgin Mary. A dark side of both Catholicism and Republicanism is the acceptance and indeed encouragement of punishment. Punishment for disbelief is eternal damnation on the wracks of burning hell ; punishment on this earth is harsh physical pain, be it bones broken with iron bars or kneecaps shattered by bullets. Punishment is essential ; if the IRA has been willing to sacrifice their lives for the cause, then those of the community who sin have to accept their quota of pain. After an acceptance of punishment comes redemption ; confession,

punishment and an acceptance back into the fold. Much of the present leadership of the IRA went to Christian Brother Catholic schools where harsh corporal punishment was the norm. As Malachi O'Doherty reports, Catholic boys targeted for kneecappings often have been escorted by their relatives to the Sinn Fein offices to wait their turn in a kneecapping queue. [12.] (O'Doherty: 21-22) Popular IRA policing and punishment has become a cultural fixture within Nationalist communities.

The Troubles : A Cauldron of Social Chaos :

In the background is the legacy of thirty years of social chaos and lawlessness into which several generations of children have grown up. In 1972 there were ten thousand shooting incidents and hundreds of bombings reported by the police : in that maelstrom of civil war, law and order collapsed. The RUC reported that there were over 6,500 reported armed robberies in the eight years since the beginning of 'The Troubles' in 1969, (in a total population of 1.5 million) and that was believed to be a gross underestimate : "milkmen, bread roundsmen and rent collectors were routinely robbed on their collection rounds for sums as small as ten pounds." [13.](RUC : 145) One post office in Londonderry was robbed twenty times. The paramilitary ghettos were awash with guns. The IRA has developed their own version of the rules defining what is punishable crime. John Conroy describes some of the IRA's rules in 'Belfast Diary' :

"You were allowed to rob a bank or a post office, for example, but only if you were robbing them for the movement. Stealing from your neighbours was forbidden but stealing from the government was allowed and even praised by some as an act of resistance. Teenagers weren't supposed to steal cars or trucks, except during riots when barricades were necessary. During riots there were still rules : you could steal a bus, but not a black taxi... Dealing in smuggled goods was permissible... dealing in stolen goods was forbidden. Looting after a bombing was sometimes allowed. [14.] (Conroy : 68) Later IRA/SF attempted to make a formal distinction between 'community' crime and 'political' crime, the former being non-political acts carried out for individual motives - usually street crime against the community - the latter being anything the IRA believed advanced the armed struggle.

With the daily beat of street riots, barricades, the stoning of police, generally led by children, the essential message that the IRA rebellion against the state and its street rules had on the children has been apolitical and amoral : a desensitization to violence and a

moral collapse of the hitherto standard values of society. Soon it became clear that resultant criminality was far more corrosive on the Catholic communities than any damage and harassment the security forces might inflict. As the decades passed in the thirty-year span of 'The Troubles' particularly violent and daring criminals and paramilitary figures have become the role models for alienated youth, exacerbating the problem. During the hunger striker deaths in 1981 a West Belfast Catholic wrote to the Irish News, "*The Protestant paramilitaries would be foolish to attack the Falls (Road District), as our own hooligans are destroying the area street by street. No invasion by any enemy could have inflicted so much material damage or imposed so much hardship and suffering on a people least able to bear it.*" [15.] (Conroy : 184)

There is considerable debate on the extent of the "explosion of crime" in nationalist areas. Heskins points out that a quantitative analysis of official crime statistics for Northern Ireland, the UK and the Irish Republic reveal that the Northern Ireland crime rate is well below that of the national average in both the UK and the Irish Republic: in Northern Ireland crime increased 12% between 1980-1983 while the Irish Republic showed a 36% increase. [15.5] (Heskins 1985 : 191) However the very extent to which the Nationalist Catholics of IRA areas refuse to cooperate with the RUC suggest that official statistics are grossly under-estimated. Furthermore the average crime rate for Northern Ireland as a whole bears little relationship to the extent of criminality within the core IRA areas of West Belfast and Derry under discussion. What is significant is that the people of those areas felt that there was an explosion of crime that was not being adequately dealt with and the IRA has responded to that call.

Into this legal breakdown, the IRA has felt a responsibility to respond to the distress of its support community and in the 1970's called upon it to report criminal offences to them :

"The community demands and is entitled to, protection from anti-social activities : robberies, break-ins, muggings, intimidation and extortion, rape, child molesting, etc. Others - politicians, community and youth leaders, social workers - have consistently failed to face up to the reality of the community's rejection of the RUC. By ignoring their responsibility to develop viable alternatives in dealing with crime, they are leaving the IRA, who cannot abdicate their responsibility to the community, to pick up the pieces." [16.] (Republican News, Feb. 25/1982)

Morrissey and Peace posed the question : why the IRA considers it necessary to intervene against those engaged in criminal activities, directly to West Belfast Sinn Fein representatives. The answers received focused on three basic reasons :

1. *"The need to build alternative revolutionary structures to those of the State with which people could identify in the process of conquering State power.*
2. *That the population of West Belfast had no confidence in the RUC and that the IRA was the only local organization with the resources to establish an alternative justice system.*
3. *That criminal activity is being used by the State for counter-revolutionary purposes intending to create a demand for law and order if the IRA does nothing or to seek breaches in IRA security if it comes out into the open to deal with criminals."* [16.5] (Morrisey & Peace : 163)

John Conroy quotes a Sinn Fein spokesman, Richard McCauley who described the IRA's guidelines for punishment shootings: "Women were never kneecapped... Young delinquents below the age of sixteen were sometimes severely beaten but never shot... All offenders received a warning before the gun was put to their limbs... If parents were deemed lax or irresponsible, the father was beaten up or both parents banned from the drinking clubs in the district." The banning of parents from local drinking clubs would be a modern variant on social ostracism, as drinking clubs are the center of social life in paramilitary ghettos.

Between 1973-1980 there were over a thousand punishment shootings and thousands more beatings and 'breeze-blockings' (a concrete breezeblock is dropped from height until the victim's limb is broken), the expression 'punishment shootings' perhaps not expressing the reality of placing a high-powered pistol or rifle directly against the knee of the victim and firing it. With that numbing frequency has come a commonplace brutality that has replaced the regular run of law. In result thousands of youths have been maimed and crippled, amputation of the limb affected not uncommon. Sally Belfrage reports in 'The Crack - A Belfast Year', that kneecapping itself was done differently according to alleged severity of the crime: for a serious crime the shot from point blank range into the back of the knee, left a large exit hole, blowing off the kneecap with irreparable damage. Lesser criminals had their knees shot from the side and the least serious had flesh wounds to the thigh inflicted. [17.] (Belfrage : 128) More recently the term "Crucifixion" designating the shooting of hands, knees and feet and "Mixed Grill" (ankles, knees and elbows) suggest macabre variations on the theme of punishment by crippling gunshot. The ratio of amputations to kneecappings was one in ten, of a permanent limp or disability, one in five. In the Opsahl Report it was noted that that there are more disabled people in Northern Ireland than unemployed people, reflecting

a disabled rate of nearly one in five. [18.] (Opsahl: 77) In cases deemed more serious by the IRA, for example that of eighteen-year old Raymond Devlin who was alleged to be committing robberies in the IRA's name, he was shot in both knees, both elbows and in the back [19.] (Conroy: 185) and finally executed after he returned to crime upon recovery. However execution is not necessarily limited to the worst cases: in 1983 a 39 year old Catholic was shot to death because of the criminal activities of his sons.

Extent of Punishment Shootings and Beatings :

The official statistics of the RUC as included in the annual Report of the Chief Constable indicate the following figures as to reported punishment shootings and beatings :

	Shootings			Assaults (Beatings)			Comb. Total
	Total	By Loyalists	By Republicans	Total	By Loyalists	By Republicans	
1990/91	112	61	51	53	18	35	165
1991/92	64	44	20	79	27	52	143
1992/93	139	69	70	56	33	23	195
1993/94	83	59	24	42	37	5	125
1994/95	98	55	43	105	46	59	203
1995/96	6	6	0	246	90	156	252
1996/97	41	37	4	291	125	166	332
1997/98	73	33	40	125	70	55	198
1998/99	73	40	33	172	112	60	245
1999/00	75	53	22	103	70	33	178

Although analysts agree that these statistics grossly underestimate the extent of paramilitary punishments, especially in beatings, they do reveal changes in IRA punishment strategies. During the seventeen month period of the August 1994 IRA ceasefire there was a clear shift away from shootings and a dramatic increase in the number of reported beatings as the IRA decided to restrain its use of gunfire in holding to its "complete cessation of military operations" ceasefire announcement. Significantly doctors report that the beating injuries were often far more traumatic both physically and mentally than punishment shootings.

Morrissey and Peace attempted to ascertain what were the general principles underpinning the IRA justice system. They asked Sinn Fein to consider six principles,

retribution, incapacitation, general and specific deterrence, rehabilitation and denunciation, usually associated with justice, and apply them to their own justice concept. Sinn Fein replied that severe wounding would be incapacitation, lesser wounding suggested special deterrence, that the rationale of the entire system was general deterrence, while negotiated forms of discipline with parents would be considered rehabilitative and public admittance of guilt a form of denunciation. They denied retribution had a place in their justice system. [19.5] (Morrisey & Peace : 164)

Sinn Fein/IRA Criminal Detection : Due to the close knit nature of the nationalist Catholic community it is very difficult to conceal persistent criminal behaviour. Sinn Fein and the IRA state they know who the 'hoods' are. The issue has been always what to do about them.

Resistance to SF/IRA Punishment Shootings :

Resistance when it appears generally takes the form of public protest within the Catholic community. In 1983 there were numerous protests demanding the end to kneecapping, and in response to that and an internal decision to broaden political support, Martin McGuinness, an SF/IRA leader announced that kneecapping as a punishment would cease, and instead the IRA would pursue 'more socially involved' and 'preventative' methods of combat delinquency. [19.6] (Fortnight Nov, 1984 : 10) A series of debates ensued to discuss what should replace kneecapping. When the IRA executed an alleged criminal in June a petition was organized condemning IRA executions which gathered over one thousand signatures. However the debates had also revealed widespread support for kneecappings and many community representatives clamoured for outright executions. Soon the IRA returned to kneecapping again.

Politically the Catholic mainstream party SDLP has maintained constant opposition to the SF/IRA policing efforts, recognizing the threat to their own credibility as their public turned away from the authority of the State, which the SDLP continued to support, towards that of the Sinn Fein. This has turned out to be prophetic as the SDLP percentage of the Catholic vote has been steadily falling. A more dramatic resistance was waged in 1975 by the Official IRA, a socialist faction of the old IRA which split off and renounced guerrilla war versus Britain. The Official IRA nicknamed the IRA the 'Royal Ulster Provisionals' (from Provisional IRA, the formal name of that organization,) and violent feud broke out. As Kelley describes it, "*The IRA had the incident centers as proof of their authoritative position. No semi-defunct group of Red reformists was*

going to be allowed to home in on the Provos' turf, now defined as including every Catholic neighborhood in the city." [19.7] (Kelley 1982 : 240) A number of Official and Provisional IRA were shot and killed.

Due to the ambivalence of the Republican Catholics towards violent punishments no sustained protest has been maintained and though the IRA may diminish the number temporarily in response to community complaint, it always returns to this tried and true punishment.

Sinn Fein Advice Centers :

Sinn Fein operates as the legal political wing of the IRA although it publicly denies being controlled by the IRA. Its complimentary roles include exploiting political developments precipitated by IRA military actions ; increasing popular support by an active propaganda war against the British army and local security forces and by providing helpful public services for its core communities through their advice centers. Sinn Fein publishes its own weekly newspaper, the Republican News highlighting IRA and Sinn Fein activities. Sinn Fein also published books, magazines, pamphlets, posters, postcards and produce tapes and CDs of republican music. All of these items are sold door-to-door and at the advice centers. Sinn Fein organizes protest marches, demonstrations and political commemorations (Hunger Strikers deaths, Bloody Friday etc). Green Cross, the Sinn Fein charity, collects funds door-to-door to aid the families of IRA prisoners. [20.] (Sluka : 85)

The official description by Sinn Fein of their advice centers is as follows :

'These advice centers are open to everyone, irrespective of political affiliation, on a daily basis, to deal with local and individual problems ; housing, electricity, repairs, arrests and raids, break-ins etc.' [21.] (Andersonstown News, 27 March 1982.)

Sinn Fein advice centers first appeared formally during the 1974-75 cease-fire when the British government agreed to the setting up of 'incidence centers' to monitor the cease-fire and provide the government with instant contact in the case of any incident. They were staffed by Sinn Fein but very soon became "Provo Police Stations" where crimes could be reported or complaints made about the security forces. [21.5] (Kelley, 1982 : 234) When the cease-fire collapsed in 1975 the seven 'incidence centers' were formally closed by the British government but in actuality continued to operate as Sinn Fein

offices, and symbolically as a reminder of the legitimacy of the IRA's policing role.

In 1982 riding on the wave of both Catholic and international support generated by the death of the hunger strikers, the IRA and Sinn Fein decided to capitalize on it by abandoning their abstentionist position concerning taking council seats won in public elections. Sinn Fein formally re-opened their advice centers in West Belfast, the Creggan and the Bogside (Catholic ghettos of Derry) dealing with complaints about sub-standard housing and social security payments. [22.] (PIRA : 379) By 1986 there were fifty-six Sinn Fein councilors in local assemblies across Northern Ireland. Membership on the councils helped Sinn Fein eclipse the SDLP as the most effective guardian of the social welfare of Catholics. [23.] (PIRA : 412) In Belfast there were two Sinn Fein advice centers, where the party leader Gerry Adams, led a team of councilors and helpers processing claims against the Housing Executive and the Department of Health and Security, the two official bureaucracies in closest contact to the largely beneficiary poor Catholic population of the Nationalist enclaves. Advice centers soon appeared in Newry and other Catholic ghetto areas. Soon the advice centers net of activities spread out to include arbitration in domestic disputes such as violence in the family, rape and child abuse, thereby presenting themselves as a viable alternative to the social services of the official government. This conscious policy of Gerry Adams, the Sinn Fein President and his Belfast leadership to broaden the nationalist struggle from a purely military stance, to a political and a social movement involving all layers of life in their enclaves using the vehicle of Sinn Fein, has kept the IRA/Sinn Fein movement in very close contact to their support areas and maintained the necessary levels of support to keep the 'war against the Brits' going for thirty years.

As an indication of the extent of Sinn Fein/IRA popular policing, an RUC (Royal Ulster Constabulary) raid in 1978 of the Sinn Fein headquarters, Belfast revealed that the IRA had already set up a law and order system in West Belfast. The RUC found detailed records of crimes reported to the IRA through the various Sinn Fein advice centers and lists of suspected criminals. The creation of a system of 'People's Courts' were described in a policy document, which drew its inspiration from the concept of the 'Parish and District' courts system set up by the original IRA between 1919 and 1924.

Belfast Sinn Fein had received 544 'criminal' complaints at its centers between May and August 1977. The gamut of punishments meted ranged from the public circulation of criminals names in local Sinn Fein leaflets ; the abduction and violent warning to not offend again ; the forcing of criminals to read out public statements of guilt as a form of public humiliation in local clubs and pubs and finally a multitude of violent acts

committed by IRA punishment squads on designated criminals. In September 1977 twenty-five people were beaten with pickaxe handles or hurley sticks, tarred and feathered, kneecapped by gunshot or 'breeze-blocked' with heavy concrete blocks breaking their limbs. [24.] (RUC : 213-214) Of note, none of the victims of this episode of violent IRA justice made any complaint to the RUC.

Extrapolating on this representative period of Sinn Fein justice in operation, in one year perhaps three hundred Catholics would be assaulted, maimed or shot by IRA punishment squads in the city of Belfast and quite probably over 2,000 complaints would be received. These numbers suggest a fully developed system running on a busy schedule of judgment and punishment. As neither Sinn Fein nor the IRA publicize their legal statistics - this information was only acquired through a surprise police raid - these possible numbers remain speculative; however it can be assumed that the numbers involved are substantial. In contrast the official RUC statistics on IRA punishment beatings and shootings are considered to be under-represented as the above September statistics suggest, where none of the punishment victims made a formal complaint to the RUC. Often injured victims are taken across the border to hospitals in the Irish Republic to avoid mandatory reporting of gunshot wounds in Northern Ireland.

Although the RUC describes this IRA legal system as "pseudo-policing" it recognizes that in effect the IRA has achieved social control over substantial segments of the Northern Irish Catholic population, and acts as a de facto shadow government. Sinn Fein has achieved both political majorities in numerous local councils as well as significant representative participation in the new Northern Ireland government with Gerry Adams, the Sinn Fein president and his colleague Martin McGuinness, as government ministers. In the shadows the establishment of the IRA as the de facto local police and justice system allows it to define what is criminality, and indeed shape the law into whatever form suits IRA purposes. Black-marketing, 'illegal drinking clubs', extortion and protection, control over the building industry, gambling and allegedly drugs, continue to enrich the IRA and pay for public Sinn Fein activities while it 'polices' petty crime with ancient violence.

Formally the IRA state they are reluctant to perform this policing role because of the risk it places on the volunteers conducting the beatings and shootings - a ten-year sentence in prison if caught with a firearm, 'possession with intent to endanger life' - or being shot on the spot if the British army sees a gun openly displayed. In addition this popular policing requires considerable logistical and administrative effort in order to

hear complaints, investigate, judge and punish. However, the taking on of such a significant and powerful role in their community goes a large way in establishing the IRA/Sinn Fein as a parallel government to the formal governing structure. In essence the IRA has taken advantage of the everyday policing vacuum it created to stamp their authority on all Republican areas. In addition the encouragement of their communities to ignore the RUC, keeps the RUC, traditionally the government security organ most effective at penetrating and infiltrating the Republican communities, out of those areas. Importantly community policing is one role that the Republican communities are calling out stridently that the IRA perform. In the run-up to the 2001 national elections Gerry Adams (Sinn Fein leader and reputed IRA Army Council member) told the press that SF/IRA restraint in performing their policing role, *"...is the only thing that is going to cost Sinn Fein votes because people feel we are not doing enough."* [25.] (Sunday Independent. May 28/01).

Finally the IRA believe that if they ignore the crime problem then eventually their Catholic community will turn back towards the police as the lesser of two evils when confronting rampant criminality.

Local Support :

Sulka, a political anthropologist, who spent a year living and researching the culture and people living in the hardcore Republican ghetto, the Divis Flats, reports that many completely approve of the IRA's law and order role and some disapprove but most people accept the basic necessity of their filling that role. In his questionnaire on the issue 76.9% of Divis residents believed they need the IRA as police ; 23.1% believed they did not. Indeed in the Divis Flats the IRA social control role received a higher degree of support than did the IRA's goal of a united Ireland (69%) or armed struggle to achieve that goal (55%). [26.] (Sulka: 123&291) Belfrage's confidants in republican Andersontown, West Belfast reported :

"People are screaming to the Rah (IRA), 'Do something about the hoods!', right? And then if they kneecap somebody, 'You shouldn't have hurt that poor child!' How do they win? I mean they've got no jail to put anybody in. They have to find some form of punishment." (Belfrage: 129)

Interviews with local Catholics in IRA areas :

Richard (51) Catholic : "They're both as bad as each other. The IRA off crippling

wee kids for having a bit of fun, and there's the RUC still firing those plastic bullets - no court trial there, just an immediate sentence, if you get hit in the head. We'd be better off rid of both of them. Me sister's lad had **them** (IRA) set to him with hurling sticks, broke his arm in three places. They said he was selling marijuana. I used to do that myself when I was his age. Shameful it is. And that lot in the IRA are all just out of prison themselves."

Annie (young mother) Catholic/Ballymurphy : "Oh you hear about it you do. So and So has been done by the 'RA for causing commotion. You should have been here Monday night. Right outside my house these joyriders set a stolen car on fire. It was smouldering right through the next day and I couldn't put my washing out. Left an awful smell. What kind of thing is that for my little one Rory to see. He'll be wanting to emulate it in a few years. So yes, I support the 'RA for trying to keep the hoods in line. You'll not be seeing much of the RUC here. Not that they'd be welcome. The young on's be throwing stones immediate like. So we don't see the police here unless they're crashing down doors late at night."

Bobby (Ex-IRA convict): RUC Bastards! They support the hoods they do. Encourage them. It's through the hoods you see that they recruit their informers. Used to be that you could openly carry weapons down your street knowing that the street supported you. Do that now and your door'll be kicked in the wee hours of the morning.

Ah the lads try to talk to the hoods first, get them to change their ways. These days we're more political. Have meetings and the like. But the only thing they'll really understand is a good hard knock. Some of them is absolutely incorrigible. Three or four times they have been beaten, just sit up in the hospital till they mend boasting to their mates. Collect the comp from the government and then they're right at it again. Personally I think there ought to be more head jobs (executions) than kneecappings. That'd set out an example.

Francine (53, Grandmother/Catholic) : "I'm right against this kneecapping. Crippling young lads they are. You see them struggling down the street, gammy legs like old men, all for what? All of us are guilty of getting up to some hijinx when we were young. And who are the one's doing it? Pot calling the kettle black. Some of the biggest hoods in the neighborhood are in Sinn Fein. Out on the parole for killing someone **and now** they're judge and jury. That little one they did up on Beechmont was all of fourteen years old. Now what kind of future is he going to have? A nephew of my Lizzie's he is. Who's

he got to turn to? His own parents couldn't help him. Oh they complained about it all around to anyone who'd listen. And what good did it do? Lizzie's husband just got barred from his local club. Owned it is by the IRA. Oh I've had enough of all this. The RUC have done dirt in the past themselves but they'd be fairer to be sure to the young ones than that lot down on the Falls (Sinn Fein Falls Road Office.)

Deidre (40's, Catholic, Falls Road): "Oh, the situation is terrible it is. Houses are broken into all the time. It's got so bad that people are afraid to leave their homes in case the hoods get in while their gone. Me own home's been broken into and the police didn't want to know about it. They didn't say it but they was probably thinkin' serves me right for living where I do. Only the IRA will take any action about it so what's a person to do." [28.] (Interviews conducted by John Abbott, 8/01 Belfast)

Case Studies of Sinn Fein/IRA Punishments :

Paddy Gracey

In July 1990, Paddy Gracey, a local Catholic, was summoned to a pub in Belfast by the IRA for a talk. He went with his girlfriend and four year old son. At the pub he was led out the backdoor and told to lay down on the ground. When he protested that he hadn't done anything, he was told if he didn't lay down he would be killed. He lay down as ordered. The first bullet was fired through the back of his leg and destroyed his knee. Then the gun was placed against his other leg but it jammed. Then the gun was placed against his spine, in what is colloquially known as a 50/50 (fifty percent chance of being paralyzed, fifty percent chance of dying) but again the gun jammed. The IRA men fled and Paddy was left to crawl out to the street.

In the previous six months before his kneecapping, Paddy Gracey had been threatened numerous times and had had his home wrecked by the IRA due to an argument he had with a notorious convicted IRA bomber. After a long rehabilitation Paddy Gracey was able to walk although he has a permanent limp. According to his brother Paddy became increasingly reclusive and paranoid, "a monster-like person."

This IRA punishment shooting resulted in an alienation of parts of the local community. Shortly after this incident Paddy Gracey's mother founded FAIT (Families Against Intimidation and Terror) [29.] (Children : 206). FAIT made an international reputation by revealing on the grassroots level from inside IRA core neighborhoods, the details and extent of punishment beatings, shootings and banishments. FAIT takes as its

motto, **'Breaking the Silence Since 1990'**. FAIT's expressed intent is to highlight to the outside world the pain and suffering of the hundreds of victims of punishment beatings, shootings and expulsions. As the IRA at the same time was trying to demonstrate the 'moral' nature of its struggle against Britain, while highlighting the British Army's use of plastic bullets as evidence of immoral tactics, the information FAIT made public was acutely embarrassing, all the more so because its members were working-class Catholics from IRA areas.

Andrew Kearney

On July 19th, 1998 an eight man masked IRA punishment squad kicked down the door of the Kearney family apartment midnight Saturday in the New Lodge republican area, rifle-butted and dragged out Andrew Kearney, aged thirty-three. In the building stairwell he was shot three times in the knees and ankles. The elevator was deliberately jammed, the apartment telephone torn out and the IRA man dutied to call the ambulance forgot. The ambulance was too late in arriving. Andrew Kearney haemorrhaged to death in the apartment stairwell. [30.] (Reuters/DY Jan. 16/99: 14)

Significantly the Kearney family were traditional IRA supporters: Andrew's grandfather had been a member; his uncle was interred by the British Army as an IRA man; a cousin served twenty years in prison for IRA activity. [31.] (www.fait.org/nytimes05march1999) and his mother had been a lifetime supporter of the nationalist struggle.

The direct cause of Andrew Kearney being shot was due to his intervention and rescue of a seventeen year old boy being beaten by an IRA Brigade Commander in a pub. Then Kearney challenged the man to a fistfight outside. Prior to that incident he had received threats that "he would get done" [32.] (ibid) by the 'Direct Action Against Drugs', one of the cover names for IRA punishment squads. Kearney offered to write a letter of apology and read it out at the pub in question however IRA representatives told Mrs. Kearney that such a public apology would not satisfy the IRA commander's wish for revenge. There was no evidence on offer from the IRA that Kearney had been involved in dealing drugs, however his propensity for fighting had made him a marked man.

After this incident the IRA sought the professional advice of trauma doctors to ascertain the best method for inflicting serious but not lethal gunshot wounds. They were advised to shoot ankles and wrists, not knees due to their proximity to the femoral artery. [33.] (Electronic Telegraph # 1848)

The Kearney murder case is revealing in that it demonstrates the almost tribal nature of authority in the IRA enclave New Lodge. Kearney had challenged the local chief directly, and when the IRA chief refused Kearney's challenge, he lost respect and standing with the 'tribe'. In response he arranged for Kearney's punishment shooting, under cover of the IRA's anti-drug activities. It is significant that the New Lodge 'Direct Action Against Drugs' punishment squad would ignore the Republican credentials of a traditional IRA family; ignore the public relations debacle of using their semi-official status as the community policing force to enforce private revenge; and ignore the political priorities of Sinn Fein in its attempt to join the devolved Northern Ireland government as a responsible political party upholding the law. Clearly the punishment squad involved operates within a very loose concept of 'private law.' Kearney's crime was to publicly challenge the local IRA boss; and it turned out to be a death penalty offence. At the same time IRA/Sinn Fein is calling for the replacement of the Royal Ulster Constabulary (RUC), the official police, with a new 'police force' amalgamating new recruits from both Catholic and Protestant communities with paramilitary forces, most probably elements from this very same New Lodge punishment squad. This incident also highlights the tenuous nature of central IRA control over its local units. The Kearney case was a local public relations disaster but the central IRA has been loathe to interfere too much in local unit activities for fear of alienating them, and possibly pushing them into the arms of more radical splinter groups like the 'Real' IRA.

The Groogan Expulsions :

On August 26th, 1999 the local Catholic priest of St. Patrick's parish, Dungannon, Father Quinn responded to a knock on the door. Outside were two masked men carrying M-16 machine guns. They introduced themselves as belonging to 'Oglaigh na Eireann' (Gaelic name of IRA). They told the priest they had a message they wanted him to deliver: four local Catholic youth, Gerard Groogan (18), his brother Martin Groogan (16) and their cousins Paul McDonald (17) and Barry McDonald (16) had to leave Northern Ireland by midnight Saturday night or they would be shot dead. [34.] (Guardian Unlimited, Aug. 29/99)

Father Quinn delivered the message to the families involved. Immediately the families contacted local social workers to arrange for their children to leave Northern Ireland. The Groogan brothers left for London where a Christian charity would put them up at a retreat. They had never been out of Ireland before.

In an interview Gerard Groogan stated, "*We weren't involved in drugs or joyriding*

(stealing cars and racing them around) although we have done some break-ins (of people's houses). We hung out together and just wouldn't do what the IRA told us to do and we got into a few fights with some of them. They warned us before that we would get a beating, but this threat was too serious to be taken lightly and we know we have to get out." [35.] (Electronic Telegraph # 1556)

Michelle Gildernew, a Sinn Fein member of the Northern Ireland assembly for the area announced : *"I am aware of these people (the Groogans et al). I get complaints on a weekly basis about how they are terrorizing people in the community. You name it, they've done it. The terror ranges from burglaries to car theft to abusing people in their own homes. They have no respect for the community they live in. They're oblivious to anyone but themselves."* [36.] (Guardian : Aug. 30/99)

The Fairmount Park/Ballygawley Road Estate Community reaction : *"It is impossible for you to understand what it is like here,"* explained an elderly woman who had lived in Fairmount thirty-one years, *"The last three years have been impossible. Everyone is too afraid to leave their homes. Even in your home it is not safe... We were robbed last year when we left the house for just one hour. We are grateful for what the IRA has done to those hoods."* *"People are glad to see the back of these boys,"* said another man who had been beaten with an iron bar and had his wrist and elbow broken when he interrupted a burglary on his house. Paddy, another resident admitted going to the Sinn Fein office to complain, *"I went to the Sinn Fein office for years asking them to help. They told me there was nothing they could do because of the ceasefire. I kept going back."* [37.] (Independent/DY, Sept. 5/99) Father Quinn said, *"There has been some feedback (from the community) - a sense that this was long overdue."*

The expulsion punishment of the Groogans and the McDonalds was widely popular with the local residents. In effect the avenue of transmission of IRA justice in its nationalist enclaves takes the form of repeated and strident community complaint targeting a certain person or persons to the local Sinn Fein representatives, an eventual threat of physical violence on the targets and then a follow-through action of actual violence or expulsion from Northern Ireland as was the result in this case. Although there were not any publicly available records of the Sinn Fein proceedings, any opportunity for defense to the allegations or any appellate recourse versus the decision rendered, the community felt justice had been done.

John Collett

On December 8th, 1992 IRA members in Derry, broke down the door to John Collett's house with sledgehammers and shot him in the back of both knees shattering the bones and arteries in both legs. He died five days later. The IRA accused him of abusing many local children. John Collett had been a member of the rival Catholic republican paramilitary, the Irish National Liberation Army (INLA) in the 1970's.

Local journalist Eamonn McCann described the local community reaction : *"Many people in Catholic Derry were openly pleased when John Collett died in Altnagelvin Hospital...Support for the IRA action is widespread in Catholic areas where Collett is spoken of as a sordid and malignant presence whose removal from the community, no matter by what means, is seen as a wholly welcome development."* [39.] (Lost Lives : 1304)

It is apparent from the nature of the wounds inflicted that the IRA punishment squad had not intended to kill John Collett, but his death resulted in a degree of community satisfaction that probably would not have ensued from a wounding. In incidents like this, involving alleged crimes such as child abuse and pedophilia, drastic IRA action was positively encouraged, and finally lauded by the local Catholic community. In contrast, under the laws of the United Kingdom, the punishment John Collett received in 1982 for exposing himself to children was only a suspended sentence : the writ of vigilante law in Republican areas under IRA control was and is far more savage and unforgiving than the laws governing the country in which these areas are in. In fact the UK does not have the death penalty. Similarly in 1972 a man with a long history of mental illness was shot dead by the IRA for a series of sexual assaults on girls. For a comparison in vigilante justice for similar offences one can look at Michael Gold's vivid description in **'Jews Without Money'** of spontaneous vigilantism in the Bowery, New York city circa 1900 : a hobo had attempted to molest a young boy and the street crowd reacted immediately.

"...Two Italian labourers had been digging a sewer nearby. They were electrified with rage. They swung their shovels over their heads and crashed them down on the bum's skull. He collapsed to the sidewalk with a gasp. And then an epidemic of madness swept the sudden crowd. Bedlam, curses, blood, a tornado of inflamed cruel faces. Everyone, even the women, kicked, punched and beat with shovels the limp ugly body on the sidewalk...If a cop hadn't arrived, the pervert would have been torn into little bleeding pieces." [40.] (Gold : 59-60.)

In contrast in Northern Ireland, the IRA version of vigilante violence has become

codified : gone is the spontaneity, replaced by more systematic violence. For the IRA, action such as in the Collett case, builds popularity and a sense of social solidarity. The IRA is seen as a direct reflection of the anger of the people. In contrast, the very liberality and justice-mindedness of the British legal system, with its concern about the rights of the offender, is seen as a failure to respond to the needs of the public. Ironically so, as almost every edition of the 'Republican News', (the IRA/Sinn Fein newspaper) highlights British military and police brutality and ruthlessness in its struggle with the IRA and Republicanism. Such moral opportunism allows the IRA the flexibility to be on both sides of an issue at once : the police can be blamed for their failure to police IRA core areas ; blamed again for their leniency versus criminals and blamed for the slightest infringement on the human rights of Catholics, while at the same time the IRA reaps public accolades with the savagery of its punishments against such targets of local public hatred as John Collett.

Sulka found that of all issues involving the IRA and the local community, their policing role was the most controversial. Though the majority favoured some IRA response there were many complaints about the efficacy and morality of punishment shootings for example : those whose children and relatives had been victims of it were generally negative ; others favoured kneecapping for more 'hoods' (a generic expression meaning anyone who commits crime or antisocial acts, for example vandals.) Conroy noted that for ghetto residents these punishment shootings were essentially acceptable and there was little sympathy for those so punished ; indeed many called for even more draconic measures. Munck reports that in the early 1980's when the IRA opened up its justice system to public debate, community representatives took the hardest line, many calling for the execution of 'hoods' instead of their kneecappings. [40.5] (Munck : 50) Staunch IRA supporters admitted this paramilitary 'justice' was rough and brutal, and that the absence of any publicly visible trials proving guilt added to the perceived arbitrary nature of the punishment ; however they felt there was no other viable option as the IRA is unable to imprison, and their supporters would not condone widespread executions. As the DAAD/IRA purges against drug dealers reveal in 1992 and 1994, execution was reserved for the leaders of drug gangs, incorrigibles, informers and those who steal from the IRA directly.

David McKittrick reports in a series of interviews with middle-class Catholics from West Belfast that *"the real enemy is their lives is not the British Army but Belfast's wanton youth. Many do not trust the Royal Ulster Constabulary. And so law-abiding*

Catholics turn to the IRA and are prepared to turn a blind eye to its violent methods, for they fear that the IRA's brutality is the only thing preventing an unrestrained crime spree by Belfast's alienated youth." [41.] (What the IRA is doing now, 1994 Indep. Oct7/DY) He quotes a middle-aged nurse who often treats punishment squad victims :

"Some of the injuries to these boys are horrific : some of them will be maimed for the rest of their lives. It's barbaric. But people are in a quandary. We don't want people kneecapped or beaten up, but the police are doing absolutely nothing about the hoods. You have to live here to understand what people have to put up with. It's unbelievable : breaking into people's houses and beating up 70-year olds, joy-riders tormenting old people half the night... A lot (of the boys) have very sad lives, and they're more to be pitied. They won't take help ; but they can't be allowed to terrorize people." [42.] (ibid.)

In effect, the very constituency - the educated middle class - that normally agitates for human, and particularly children's rights, essentially, within the Nationalist community, condones the brutality of arbitrary paramilitary punishment squads. This reveals to the extent that violence has become internalized within the culture of Northern Ireland as a means of solving problems, and its variance with the normality of life elsewhere in the United Kingdom.

The following is a typical example of minor crime and the role the IRA/Sinn Fein play in resolving such problems in Nationalist communities :

During the evening of September 6th, 1999, twenty-two youths gathered outside Michael's house on the Kilwilkee republican estate in Lurgan. They stayed most of the night drinking cider, throwing stones and ripping up his plants. They damaged his car and stole most of his garden gnomes. In response Michael went to the Sinn Fein advice center and reported the vandalism. He explained his decision, *"There is no point calling the RUC. They wouldn't come. They are not going to come to this area and put themselves at risk for the sake of vandalism. I can't say I blame them. Sinn Fein are the only ones that can deal with it."*

In response a Sinn Fein councillor spoke to the youths and the problem has abated. In the background is a local awareness that six people have been beaten and shot by the IRA recently on the Kilwilkee estate which houses five hundred families. [43.] (Electronic Telegraph : Sept. 8/99).

For an insider's account of the role of a Sinn Fein advice center in Nationalist

enclaves in enforcing the IRA's popular law the following description by Eamon Collins, an IRA man who was designated by the IRA to run the Newry Sinn Fein Advice Center in 1984, is elucidating :

"Dealing with the grievances people brought me began to absorb more and more of my time. Nothing was too trivial : disputes between neighbours, complaints about rowdy teenagers, badly fitting doors, rising damp. One woman brought me round to her house to tell me about a problem she was having with a store from which she had bought a sofa and armchairs. The suite had fallen to pieces but the shop was refusing to honour the guarantee. I said that she could tell the store that a Sinn Fein advice worker would be helping her compile the case for small claims court. The store acted swiftly to deal with her complaint." [44.] (Collins: 229)

Clearly Sinn Fein was able to solve the ladies' furniture problem, on one hand acting as a consumer advocate maintaining the facade of working with the formal legal system at this level of dispute at small claims court ; while on the other deftly utilizing the unspoken psychological pressure of being directly associated with what was publicly described as a terrorist organization. Indeed the store involved made the right decision as Eamon Collins at the very time he solved this neighborhood problem as the Sinn Fein local leader, was actively planning and executing bombings in the very same town as the local IRA ASU (active service unit) intelligence officer.

A different face of Sinn Fein appears in what Collins described as people treating him "as a Mafia godfather," in effect asking Sinn Fein to use IRA muscle to solve disputes. One former colleague from work asked Sinn Fein (Collins) to come down heavy on his son-in-law who was battering the colleague's daughter. When Collins said such domestic problems were none of Sinn Fein's concern, the colleague denounced his son-in-law as an informer : "That man is never out of the police station. I'm sure he is an informer." As the official IRA punishment for informing is execution that was a very serious accusation to make. As Collins went on to explain,

"Unfortunately that allegation that so-and-so was an informer became one I heard regularly from people who wanted extreme violence done to their neighbours, often for petty reasons, such as damage to bushes, dents in cars, loud music." [45.] (ibid)

Collins admitted to planning assassinations and bombings that were carried through but states unequivocally that he never ordered any punishments carried out based on such domestic disputes listed above. What is significant here is that there was no formal IRA/

Sinn Fein structure for resolving or judging such problems ; rather as Collins makes clear, it was an individual judgement that he made as the senior IRA/Sinn Fein man at the advice center. He could have decided the other way and sent out a punishment squad to crucify the son-in-law, for example, by nailing spikes through his hands and feet as has happened elsewhere.

As Martin McGartland notes, in Belfast there were different 'anonymous' community disciplinary committees which received community complaints and forwarded them to the head of discipline at Sinn Fein headquarters in Connally House, West Belfast. In 1991 that role was filled by Podraig Wilson, "*the man who decides who gets kneecapped and who receives beatings by punishment squads.*" [46.] (McGartland : 225)

In contrast Sluka found that the other republican paramilitary resident in the Divis flats, the INLA (Irish National Liberation Army), did not actively pursue a community policing role, instead focusing itself on attacking the security forces and the Protestant loyalist paramilitaries. Sluka chose not to speculate why ; however a comparison of the age make-up of the respective members of the IRA and INLA, reveal that the INLA reflected a much younger membership, and has been noted in the discussion concerning the IPLO (an INLA split-off group) the INLA was far less particular about who joined ; many of their younger members were or had been 'hoods' or criminals themselves. Youth who had been rejected for membership in the IRA were likely recruits for the INLA, hence that organization was hesitant to take a strict line on community policing and punishment attacks. Indeed the more active the IRA was in violently suppressing criminality, the more likely the INLA would benefit indirectly by increasing recruitment.

The residents of the Divis Flat keenly felt the lack of a normal police presence, often saying that "the hoods rule Divis" or it's a "concrete jungle." [47.] (Sluka : 124) However they were well aware that the IRA would respond to punish serious crime like rape or the mugging of the elderly ; the problem was rather the lack of a regular IRA presence meant that such crimes as vandalism, intimidation, petty theft, joy-riding and break-ins were rarely punished, and in that absence, flourished.

On some special occasions even staunch IRA families call the RUC. Belfrage reports that one of her confidantes had been burgled by local hoods and her rings taken. Such theft in itself did not necessitate calling the RUC ; however the thieves had also torn up her supplementary benefit and child allowance books (documents issued by the DHSS for payment of welfare benefits) and those forms could not be replaced without an official police report. [48.] (Belfrage : 336) One of the ironies of 'The Troubles' is that the British

government supports most of the IRA personnel and their families through welfare benefits. Incidentally Pat's rings were returned anonymously the next day, presumably through IRA intervention. In one notorious case of a vicious rape, the RUC were allowed to conduct house-to-house inquiries and the local Republican neighborhood cooperated with them. Clearly the community's traditional ability to discover local criminal's activities had been inadequate and hence IRA policing ineffective : in that case the State's professional police were called upon. Presumably the IRA arranged a temporary cease-fire so the police could conduct their investigation without fear of their personal safety.

The IRA is however caught on the horns of a dilemma : IRA policing fulfills a community demand and legitimizes the IRA/Sinn Fein semi-governmental presence in the community ; but every punishment shooting or DAAD execution runs a real risk of alienation of core adherents in Republican neighbourhoods. There is in addition a perception that the outer rings of Republican support : the American Irish diaspora, the sympathetic European left, are susceptible to media images of brutal kneecappings of teenagers. Finally a less quantifiable risk, is the extent to which alienated semi-criminal youth threatened and beaten by IRA punishment squads could become willing informants for the RUC and British army in their counter-insurgency activities or join less particular republican paramilitaries like the INLA or the IPLO. Belfrage reports that IRA supporters believed that the RUC would let go any criminals they caught in republican areas as a way to recruit them as informers. Certainly a review of the following cases elucidates this point.

Damien Johnson, Attempted Recruitment by the RUC

Twenty-year old Damien Johnson had been convicted of assaulting a member of the RUC and fined ninety-five pounds. A month later he was arrested for possession of cannabis after being searched on the street by the RUC. At the police station Damien was told that due to his prior conviction he was going to be prosecuted again ; however if he kept "an eye out for certain people's movements in the New Lodge area" the drug charge would be dropped and the police would pay his fine (for the assault.) The RUC began phoning his home regularly. Damien consulted his sister who urged him to contact Sinn Fein and explain the recruit attempt in detail. He did so and his case soon appeared in the SF Republican News. This RUC attempt to recruit a spy in an IRA area failed. [48.5] (Republican News, Dec : 1994 : 2)

Martin McGartland, RUC Agent inside the IRA

Martin McGartland was born into a Republican Catholic family in Ballymurphy, Belfast. He was recruited at eleven years old by Jo-Jo his sister's husband to help sell shoplifted clothing door-to-door. The IRA got wind of Jo-Jo's activities and he was captured on the Falls Road and kneecapped, causing a permanent limp. Martin wrote in his memoirs, 'Fifty Dead Men Walking':

"Jo-Jo's kneecapping was allegedly carried out as an example to others thinking of becoming involved in petty crime, but such a cowardly attack not only frightened me but angered me as well. I would never forget what the IRA did to him, nor would I forgive." [49.] (McGartland : 245)

Martin, like most Catholic youth of Ballymurphy, rioted in the streets against the British army during the almost nightly battles at the time of the hunger strikes – portrayed at the time by the IRA as the people's spontaneous anger against British oppression – but Martin's memories are less ideological and more of the excitement and furor of the times.

At thirteen years old Martin started joyriding with other local youth. They would steal cars and race them around, often taunting the RUC to chase after them. One night an IRA punishment squad tried to catch Martin and his friends. They missed Martin but caught his friend Paul McFadden, and he was kicked and beaten with a pool cue.

Martin continued fencing stolen goods. At age fifteen an IRA punishment squad came to his house and demanded to see him. His mother convinced them to leave but several weeks later an IRA gang of ten young men wearing masks and waving hammers and baseball bats attacked Martin and his friends at the local youth club. Martin successfully escaped [50.] (ibid : 40) Martin McNally, a good friend, was targeted by IRA punishment squads three times for stealing cars and joy-riding. Each time he was beaten with iron bars and bones broken, but he returned to joyriding. On his fourth capture by the IRA he was shot in both ankles and crippled, never able to walk properly again. Within the next eighteen months Martin McGartland was warned more than a dozen times by Sinn Fein officers, junior IRA members and full fledged IRA men about his criminal activities.

At age sixteen Martin was willingly recruited by the RUC as a police spy. He was paid one hundred pounds a week and reported to the police any suspicious activity he saw. Later under RUC direction he joined the IRA itself and became a member of its intelligence unit. Martin, as the title of his book suggests, '**Fifty Dead Men Walking**',

saved over fifty lives, prevented dozens of IRA operations from going ahead, provided information that led to the seizure of numerous weapons and bombs and the arrests of many active IRA personnel. In 1991 the IRA discovered he was a spy and kidnapped him, however he dove out of a third story window and was rescued by the army, though seriously injured. In 1991 the RUC provided him with a new life in England ; however in 1999 the IRA discovered his whereabouts and Martin McGartland was shot six times by an IRA gunman. Presently he is recovering from his injuries.

The Martin McGartland case is a classic example of the risks inherent in IRA policing of Republican neighborhoods in alienating one's core community. Martin at age eleven had seen his best friend crippled and throughout his early teens the IRA were a dark presence frequently threatening and attacking Martin and his delinquent friends. The crimes Martin and his mates committed : selling stolen property, car theft, joyriding would normally be classified as petty crime punishable by months in juvenile detention, probation and community service in the rest of Britain, not repeated life threatening beatings and shootings, nor permanent maiming and crippling. At sixteen Martin struck back at the IRA and eventually became a pariah to his community and danger to his family. In 1996, five years after Martin had left Northern Ireland, the IRA kidnapped his brother Joseph, hung him upside down from a fence and beat him with steel bars and baseball bats breaking his legs, arms and four ribs. No reason was ever given. [51.] (ibid : 247) Martin went on and wrote two books detailing his life within the IRA further damaging their organization publicly.

Guerrilla War Fatigue :

In 1986 Gerry Adams, the head of Sinn Fein and IRA Army Council member spoke of a stalemate between the IRA and the security forces, and indeed the latter years of the struggle until the 1994 ceasefire revealed an increasing lack of IRA effectiveness, much of it clearly due to the efficiency of the army-RUC intelligence efforts against core Republican neighborhoods. Brendan, one of Belfrage's confidantes, reports, "*Years ago you could walk about these districts carryin' a gun, but if you're seen with a gun nowadays it's a cert the army will be knocking the next morning.*" [52.] (Belfrage : 130) Although unstated by official security sources, it seems reasonable to assume that the RUC de facto acceptance of 'no-go' areas in republican core areas, combined with their lukewarm attitude to responding to the everyday law enforcement problems of citizens in those areas, facilitate their anti-insurgency struggle : increasingly brutal IRA 'policing' efforts

alienate young 'hoods' and their relatives, thereby encouraging informing; the lack of effective policing creates a divisive effect in the local communities as well as present the IRA with serious public relations problems – full page photographs of crippled sixteen year old boys – belying their popular romantic image. Finally war fatigue, a significant element in the calling of the IRA 1975, 1994 and 1996 ceasefires, is enhanced by the everyday exposure to the effects of incessant anarchic criminality.

Effectiveness of IRA Policing :

A necessary corollary to any discussion of IRA 'policing' and punishments is a consideration of its effectiveness in stemming the criminal activity at hand. Evidence suggests that the paramilitaries, both Catholic and Protestant have been unable to curb local criminality despite the draconic measures they have taken against it. John Conroy reports that the leader of the loyalist UDA, Andy Tyrrie told him, "*This is not a normal society. You have to instill fear in these sorts of people, but it never works if it occurs over a long period of time. People get used to being threatened. I know someone who has been kneecapped three times and is still doing the same things he was kneecapped for.*" [53.] (Conroy : 87)

In an unexpectedly reversal of effect, midst the ghetto criminal youth of both communities, a kneecapping became something to be proud of; being kneecapped twice a symbol of male pride indicating true criminal spirit. In addition the British government through the Northern Ireland Office ran a compensation program that paid, in 1980, from 800 pounds for a flesh wound to 4,000 pounds for bone or arterial damage. [54.] (ibid : 88) Coupled with the fact that the Belfast surgeons have become over the years some of the best in the world in treating bullet wounds to the leg, this meant that the average kneecapping, properly treated has become a money-making venture for penniless youth. Even 'Gangster' Devlin, the teenager shot in both knees, both arms and in the back by the IRA in 1981, recovered and returned to prey upon his Catholic neighbours. In August 1982 he was finally executed by the IRA as an incorrigible.

An intriguing recent SF/IRA development has been the selective utilization of their 'policing abilities' to enhance the attractiveness of their political line before elections. In the North Kerry electoral district in May 2001, (Irish Republic) the local SF Deputy Martin Ferris was publicizing Sinn Fein's effectiveness at restoring stolen property to their original owners. Ostensibly involving visiting suspect's homes and suggesting they return stolen property and sometimes picketing outside, this Sinn Fein activity was

denounced by the Association of Garda Sergeants and Inspectors (AGSI) as vigilantism “utilized for short-term political gain.” [55.] (Irish Examiner.com May 21/01.) Basically the Sinn Fein was offering a public harassed by crime, the muscle of the IRA to ‘encourage’ criminals to return their loot to the owners in exchange for their votes.

Conclusion :

‘Popular’ policing by the IRA is an everyday part of the life of the Catholic Nationalist communities. The tradition of coercive force as popular justice reaches back into the 18th century. Indirectly it has been sanctioned by the British government in its ongoing efforts to maintain the ceasefire status ; previously it was ignored as the authorities pursued the exigencies of controlling the ‘hot’ IRA terror war. The structure and extent of IRA policing is clearly dependent upon the IRA leadership in each area although it is evident that an informal bureaucracy has been created to maintain justice. There does not appear to be a ‘legal’ IRA standard that is followed in every case, although there is a system of graduated ‘tariffs’ applied to offenders ranging from warning, naming, public humiliation, beatings, exiling, maiming and shootings. Due to the rough and brutal nature of paramilitary justice, victims sometimes are killed when the intent was only to wound. In comparison with the formal justice system the most distinctive difference is the lack of a right to trial. The State offers due process and for non-political crimes, relative leniency in sentencing. On the other hand the IRA popular justice system is populist in nature and organically linked to its supporting community. It can be negotiated with. Community protests do occur against perceived IRA injustice, and the IRA is sensitive to those voices.

However the IRA’s brutal populist regime has in no way solved the crime problem ; rather crime continues to flourish midst widespread unemployment and a local culture immured to violence and lawbreaking. As West Belfast SDLP councilor Cormac Boomer describes it, “The IRA has created, encouraged and sustained lawlessness and it is hypocritical of them to pretend to be protectors.” [56.] (Irish News April, 24/82) IRA popular policing is broadly supported by their local community, although a significant proportion disagree, especially when their relatives or friends become victims of IRA justice. There is substantial support in the community for more IRA intervention and more drastic penalties. Concerns about human rights and the traumatization of youth are minimal in these largely working class Nationalist communities when compared with concern over the effects of destructive criminality.

When considering IRA popular policing from the viewpoint of social control, it is

clearly quite successful in strengthening Sinn Fein/IRA influence in their communities. Organizations competing for influence are co-opted, vilified, attacked and stifled. Individuals refusing to accept the IRA writ, such as Paddy Gracey and Andrew Kearney were kneecapped and killed as common criminals. Due to the community resource work done at Sinn Fein offices furthering the interests of the local citizenry in such areas as consumer advocacy as mentioned by Eammon Collins, Sinn Fein/IRA is popular as indicated by their electoral successes and the extent of Sinn Fein membership on local councils and in the Northern Ireland government. The opposition Catholic party, the SDLP has been recently eclipsed in Northern Ireland as the majority voice of the Catholic population. The SDLP find their party workers harassed, their speeches heckled and their supporters intimidated. The SDLP is unable to compete with Sinn Fein on questions of crime and justice: it doesn't have a private army willing to police the streets by gunfire. The IRA ability to act dramatically in cases of popular clamour for punishment as in the case of their unintentional execution of John Collett puts it in favourable contrast to the formal justice regime of the British government, where paedophiles, for example, are often given non-custodial sentences. So successful has this strategy been that Sinn Fein has incorporated 'restitution of stolen property by implicit threat' as a campaign platform in local elections. As the IRA defines criminality by its choice to punish, ignore or encourage, activities classified by British law as criminal, such as collecting protection money from local businesses; running 'illegal' bars and clubs; counterfeiting; welfare and election fraud; smuggling; pirating CDs and videotapes; hijacking; robbery from the government; organized street rioting, are allowed and have become socially acceptable. The resultant confusion of social values can be seen in the current tide of criminality.

Fundamentally the Sinn Fein/IRA decision to take up popular policing has achieved a mixed result. As a purely policing procedure its mixture of warning, shaming and brutal violence has done little to curb crime: generations raised in the anarchic criminality of 'The Troubles' have become accustomed to a high level of crime and the moral confusion within nationalist communities between acceptable crime and unacceptable crime has not been resolved. However the perception within the nationalist community that the IRA is battling crime more effectively than the rarely seen RUC has become widely established. Local kneecapped hoods hobbling down the street; child molesters bleeding to death after punishment shootings and drug dealers executed in local pubs provide highly visible and dramatic proof to the IRA's zeal in community policing. In a concrete way the public's fervour against crime is reflected in IRA punishments. The

majority in the Nationalist Catholic communities appear to support the IRA doing 'something' about the hoods, although a vocal minority criticize IRA justice as arbitrary and brutal. Arguably the people's voice is heard faster and more effectively in that system of justice than in the State's formal structure. It is important to note however that the IRA neither embraces the concept of direct government by the people or the exercise of power by democratically elected officials. The Sinn Fein/IRA leadership has remained largely unchanged throughout the thirty years of 'The Troubles.' Due largely to the exigencies of the Sinn Fein/IRA's nationalist struggle to expel Britain from Northern Ireland, criticism and dissent concerning the arbitrary nature of IRA justice is muted.

Documentation :

1. Reuters, Sept 3rd, 1998
2. Guardian Weekly, Feb 22nd, 1998
3. Electronic Telegraph, # 1915 & 1917
4. Brogden, 1982 : 170
5. Tomlinson, 1980 : 180
6. O'Dochartaigh, 1997
7. Smyth, 1988
8. Sumner, 1990 : 27
9. Mulcahy, 1998 : 21-22
- 9.5 Andersonstown Policing Survey 1974
10. Conway : 112
11. Ellison, British Journal of Criminology (2000) 40 : 99
12. O'Doherty, 1998 : 21-22
13. Ryder, 1992 : 145
14. Conroy, 1987 : 68
15. ibid : 184
- 15.5 Heskins, 1985 : 191
16. Republican News, Feb 25th, 1982
17. Belfrage, 1987 : 128
18. Opsahl, 1993 : 77
19. Conroy : 185
- 19.5 Morrissey & Peace, 1982 : 164
- 19.6 Fortnight, Nov, 1984 : 10
- 19.7 Kelley, 1982 : 240
20. Sluka, 1989 : 85

21. Andersonstown News, Mar 27th, 1982
22. Bishop & Mallie, 1987 : 379
23. *ibid* : 412
24. Ryder : 213-214
25. Sunday Independent, May 1st, 2001
26. Sluka : 123 & 291
27. Belfrage : 129
28. Abbott (interviews) Belfast Aug 1-7th, 2001
29. Children : 206
30. Reuters/Daily Yomiuri, Jan 16th, 1999
31. www.fait.org
32. *ibid*.
33. Electronic Telegraph # 1848
34. Guardian, Aug 29th, 1999
35. Electronic Telegraph # 1556
36. Guardian, Aug 30th, 1999
37. Independent/Daily Yomiuri, Sept 5th, 1999
38. Guardian, Aug 30th, 1999
39. McKittrick, 2000 : 1304
40. Gold, 1930 : 59-60
- 40.5 Munck, 1988 : 50
41. Independent/Daily Yomiuri, Oct 7th, 1994
42. *ibid*.
43. Electronic Telegraph # 1556
44. Collins : 229
45. *ibid*.
46. McGartland, 1997 : 225
47. Sluka : 124
48. Belfrage : 336
- 48.5 Republican News, Dec 1974
49. McGartland : 245
50. *ibid* : 40
51. *ibid* : 247
52. Belfrage : 130
53. Conroy : 87
54. *ibid* : 88
55. Irish Examiner.com May 22nd, 2001
56. Irish News, April 24th, 1982