

COMMENT

The enthusiastic welcome given in the British press to the news that British soldiers and policemen had been found guilty of inhuman and degrading treatment of helpless people, simply picked off the streets or from their beds without any pretence of a criminal charge, should worry anyone tempted to political nonconformism. What kind of support or sympathy may we expect when the knock comes on *our* door?

There are people who say vaguely that these victims were surely terrorists and murderers; they asked for what they got. Not so: take the case of Pat Shivers for example. The police admitted that they *knew* he was not in the IRA. Part of his testimony runs: "Hands put against wall. Legs spread apart ... stayed there for about four hours. Could no longer hold up arms. Fell down. Arms put up again. Hands hammered until circulation restored. This happened continually for twelve or fourteen hours, until I eventually collapsed ... Pulse taken ... started to pray that God would give me strength not to go insane. Fell down several times more. Slapped back up again. This must have gone on for two or three days; I lost track of time. No sleep. No food ... "

Another, equally certainly not in the IRA was the remedial school teacher Paddy Joe McClean (amongst other things he was hung by handcuffs from a hook). He says of his interrogation: "Whether you are innocent, as I was, or guilty, it makes no difference. They weren't concerned whether we were guilty or not—indeed they knew that some of us were completely innocent—they were concerned with our reactions to the extreme stress of sensory deprivation." It is the theory of Mr McClean (and of John McGuffin, from whose Penguin Special *The Guineapigs* these quotations are taken) that the torture sessions were in the nature of a "medical" experiment in interrogation technique, and had little or nothing to do with investigating the IRA. This may be so, but obviously the terror generated in the Catholic community was also regarded as a bonus by the army.

What is important is that the facts of the matter are now clearly established. Despite the lies, evasions and delays of the British officials (they were also rebuked at Strasbourg for deliberately obstructing the course of the investigation—witnesses, for example, were arrested and intimidated by the army during the course of the hearings in the time-honoured gangster fashion) the judgement of the European Human Rights Commission still stands: these are the abominable things that these men did to their victims. What

sent the *Daily Express* (and other more reputable papers) hysterical with joy was simply that while the Human Rights Commission called it torture, the Court did not.

The fact that the present British government has “promised” not to use the combination of the “five techniques” again will hardly reassure anyone who knows that, in South Wales, soldiers are still being trained in the use of them, or who watched the report (put out, to its great credit, by the BBC) of the methods in current use by the Royal Ulster Constabulary.

It has not, so far, been a good year for judges. Neatly parallel to the Strasbourg verdict is that of the unspeakable Judge McKinnan. Once more, here the facts are not contested. Nobody denies that Kingsley Reed used and recommended obscene hate-filled insults; no one denies that he greeted the news of the killing of a young Asian immigrant with “One down, a million to go.” But the judge decided that this was not provocative racism, just as the Strasbourg judges decided not to call it torture when men are driven to the point of attempted suicide.

Some of the judges at Strasbourg had in their memories the Nazi experience which set new standards for horror, and nobody has accused the British government of setting up a new Belsen, but more important, surely, were political considerations. It was the Irish, Cypriot and Greek judges who wanted it called torture, and they represent peoples at the receiving end (from Britain and from Turkey), the other judges for the most part came from nations which would not like their powers of repression to be too closely limited.

People who used to believe in a miraculously independent judiciary as the guardian of our liberties must be a lot wiser now after the dreary succession of Widgery and Compton and Parker and now Strasbourg. The only real defence of these liberties against those who may find us a nuisance is the clear and continuous statement of the truth; it is what Archbishop Dwyer called “calling things by their right names.” Semantics is too important and too practical a matter to be corrupted by judicial Nuspeak. It is the business of us all to keep the language clear, and particularly of those whose preoccupation is with the Word. And it must be said that, judging by the recent threats from the National Front and petulant squeaks from some conservatives, in Britain the Church is not making too bad a job of it.

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