

NATIONAL ARCHIVES

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Federal Court Ruling of 30th April 1981 in case
Attorney General of the U.S. v. Irish
Northern Aid Committee.

1. The most important features of the ruling are found on page 21:
"the uncontroverted evidence is that defendant is an agent of the IRA, providing money and services for other than relief purposes"

and on page 29:

"the uncontroverted assertion that defendant is a representative of, or acts at the request of, the IRA".
The ruling takes "I.R.A." to mean "The Irish Republican Army, Provisional Wing" (p.4).

2. Much of the evidence used to show that Noraid is an agent of the IRA consists of Noraid's own correspondence and literature. Two Noraid letters from 1971 are quoted as follows:

"We are doing everything possible to help the Provisional IRA in Ireland"

"Our support goes exclusively to the Provisional IRA and those who are working with them." (p.26)

Although most of the correspondence dates from the early 1970's the ruling concludes:

"defendant [Noraid] presents neither legally persuasive arguments nor any concrete particulars of fact to raise a genuine issue as to defendant's continuing agency relationship with the IRA" (p.29).

3. One piece of correspondence which is of particular interest dates from March 1978. It is quoted as follows:-

"Any unit which wishes to be sure its proceeds will be used for relief purposes need only make its remittances to the Bronx Office in the form of checks payable to An Cumann Cabhrach, the relief organization, and we will send the checks directly to them. . . ." Letter to Alic Maher, signed by INAC's U.S. Representatives, March 14, 1978, responding to a letter stating, "The Irish community is very critical of an organization that gives aid to the families of irresponsible members of any group [referring to the 'Provisional Wing of the IRA]. If this continues we cannot support Irish Northern Aid."

This inevitably raises the question of the destination of funds not marked "An Cumann Cabhrach". It may be noted that An Cumann Cabhrach has not been listed as a recipient of Noraid funds since 1973.

4. Turning to the fact that Noraid claims its foreign principal to be the Northern Aid Committee, Belfast the court ruling says

"the Attorney General has been frustrated in its attempts to verify the existence of the Northern Aid Committee [Belfast], a problem compounded by the absence in the files delivered to plaintiff during discovery, of any correspondence between INAC [Noraid] and the Northern Aid Committee [Belfast]" (p.8).

The ruling also refers to

"the absence in the files of any cancelled checks made payable to Northern Aid Committee [Belfast]" (p.43).

5. The ruling concludes that the information disclosed in many parts of Noraid's returns is inadequate. It notes that "the amount disbursed often exceeds the amount allegedly received" (p.43); it says that Noraid has not described in detail its activities on behalf of a foreign principal" (p.45), that Noraid "has not provided an accurate accounting of its receipts and disbursements" (p. 5) and that it has "not filed accurate and complete statements regarding propaganda" (p.5). The Court requires Noraid to provide a list of its branches, officers and employees (p.p. 33-35), and to provide fuller details of its propaganda activities, including its financing and role in the administration of the Irish People newspaper (pp 36-42).

6. The result of the court's ruling should be that Noraid would be required to disclose much more information about its activities than it does at present, including a full accounting of how much money it receives, where it comes from and how it is spent. Noraid is currently preparing an appeal. Whatever the outcome of the appeal, the U.S. authorities are now on record in public as considering Noraid an agent of the Provisional I.R.A.

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