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Ulster Defence Association

1. Background

Following a visit to Ireland, a resolution asking the British Government to add the UDA to the list of organisations banned in Northern Ireland was introduced in the Senate and the House of Representatives in June, 1982 at the same time as a resolution dealing with the use of plastic bullets. The text of the resolution was in the following terms:

"That the Congress condemns all acts of violence in Northern Ireland and calls upon the Government of the United Kingdom to outlaw the Ulster Defence Association, its membership, activities, and any like terrorist organisation".

The UDA was formed in 1972. In a newspaper interview (Sunday Independent, 1972), a self-styled commander of the UDA said in reply to a question that the UDA was "definitely military". He went on to say that they saw themselves as "a watchdog body protecting loyalist political interests."

The UDA were involved in both the Ulster Workers' Council Strike, 1974 - which precipitated the fall of the power-sharing Executive - and the unsuccessful Paisleyite strike in 1977. Involvement in the latter should not be taken as implying UDA support for the Democratic Unionist Party. The UDA has often expressed itself as thoroughly disillusioned with loyalist politicians, alleging that the politicians had attempted to use the organisation for their own ends.

In recent years, the UDA has got involved on a political level through the New Ulster political research group. More recently, this organisation has been replaced by the ULDP, the Ulster Loyalist Democratic Party, which is led by John McMichael, a senior UDA figure. The party polled badly in the Assembly Elections in October, 1982 standing only in Belfast North where its candidate polled a mere 890 votes out of an electorate of 35,000. It is noteworthy that John McMichael himself has been the subject of an arms charge.

2. Involvement in violence

The UDA has never denied its involvement in violent acts since its foundation. As early as 1974, following the bombings in Dublin, the UDA press officer at the time said: "I am very happy about the bombings in Dublin. There is a war with the Free State and we are laughing at them."

According to a report in the Irish Times of 10th December, 1980, the UDA chairman Andy Tyrrie said he believed he was justified in making selective attacks on known republicans. In the same interview, Mr. Tyrrie refused to confirm or deny reports that the UDA were responsible for the assassinations of John Turnley and Mrs. Miriam Daly. The membership of the UDA is estimated at 10,000, having dropped from 25,000 in 1972.

Following the Assembly elections in October, 1982 the UDA's official spokesman, Sam Duddy, claimed that the Sinn Féin successes had made it clear that "thousands of Catholics had given the IRA a mandate to kill". He went on to say that Northern Ireland could be on the verge of a blood bath if more members of the security forces or Protestants were killed. The UDA leader were, he claimed, doing their best to restrain Protestants from engaging in revenge attacks but it was a difficult job given the powder keg situation.

3. Proscribing the U.D.A.

The U.D.A. is not proscribed in the State. However under Section 31 of the Broadcasting Act the U.D.A. are not permitted to broadcast on radio or television.

The U.D.A. is not a proscribed organisation in Northern Ireland.

The criteria for proscribing an organisation are laid down in Section 21 (4) of the Northern Ireland (Emergency Provisions Act 1978). According to this act an organisation must be "concerned in terrorism or in promoting or encouraging it."

In reply to questions about proscribing the U.D.A. the British Government have always refused, saying that the suspects and not the organisation should be held responsible.

There have been many comments by the judiciary in recent years on the question of prescribing the U.D.A. Some judges have described the organisation as "sinister and evil" and blatantly sectarian" and one recommended that it "should be banned to protect the youth".

The Chairman of the U.D.A. and the leader of the association's political wing were among those arrested in May 1982 following the finding of arms, ammunition and incriminating documents in the East Belfast H.Q. of the U.D.A.

Following representations by local church leaders on their behalf, the Lord Chief Justice granted bail to Andy Tyrrie and John McMichael. It is understood that in their letter to the Lord Chief Justice the Church Leaders stressed that Messrs. Tyrrie and McMichael might have a moderating influence to the more hardline members of the organisation. In April 1983, charges against McMichael and four other U.D.A. men were dropped, while Tyrrie was remanded on bail only to be cleared a week later.