Neutral Citation No. [2016] NIQB 12 | *Ref:* **STE9820**

Judgment: approved by the Court for handing down | *Delivered:* **11/02/2016**
*(subject to editorial corrections)**

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

QUEEN'S BENCH DIVISION

_____

BETWEEN:

KEVIN WINTERS, DARRAGH MACKIN and KRW LAW LLP

Plaintiffs:

and

TIMES NEWSPAPER LIMITED t/as THE SUNDAY TIMES

Defendant:

_____

STEPHENS J

Introduction

[1] The plaintiffs, Kevin Winters, Darragh Mackin and KRW Law LLP contend that an article entitled

> "Torture is Indefensible – but so were the acts of terrorism that inspired it" ("the article")

published by the defendant, Times Newspaper Limited, in the Sunday Times on 14 December 2014 was defamatory of them. The defendant has brought this application pursuant to Order 82 rule 3A of the Rules of the Court of Judicature (Northern Ireland) 1980 seeking (a) "an order… determining whether the words complained of are capable of bearing the meanings attributed to them in … the amended Statement of Claim;" (b) such consequential order as may be appropriate including an order striking out the said meanings or some of them or an order dismissing the action and entering judgment for the defendant.

[2] Mr O'Donoghue QC and Mr Girvan appeared on behalf of the plaintiffs and Mr Ringland QC and Mr McMahon appeared on behalf of the defendant. I am indebted to both sets of counsel for their submissions.

Factual background

[3] The article, the full text of which I attach as an appendix to this judgment, was written by Kevin Myers. As the heading of the article suggests it advances the proposition that:

> "… At the end of any insurgency, the tale that invariably emerges is one of counter-insurgency terror, not of the far greater terror inflicted by the insurgents."

In the article it is stated that acts of counter-insurgency terror are indefensible but that they deflect from the terrorism that inspired them so that the original acts of terrorism "are not registered within any popular mythology" of the particular insurgency. In seeking to demonstrate that proposition the article refers to CIA torture chambers, events in Afghanistan, Yemen, Iraq and Syria. It also refers to the Taliban, Al Qaeda and Isis together with the PLO, the Vietcong and the Khmer Rouge. The references are wide-ranging encompassing events on a global basis and over a period of time. There are references to, for instance, Tomás de Torquemada, a Spanish cleric and Grand Inquisitor and to the risk of some countries slipping into the barbarism of the early Stone Age. In addition the article seeks to demonstrate the proposition by reference to events in Northern Ireland and the IRA. It contains the following passage:-

> "In Northern Ireland, the issue of the hooded men of 1971 has re-emerged, at the behest of the Department of Foreign Affairs. What was done to those 14 men, all citizens of the United Kingdom, was torture, no matter how vehemently the British Government argues that it wasn't. *Yet the British refusal to admit to a simple, obvious truth has allowed the Sinn Fein - IRA Family, and their legal auxiliaries, to put the torture of those unfortunates at the centre of, and even as a cause of, the Troubles.*
>
> Meanwhile, no sustained popular narrative even attempts to encompass the cold-blooded atrocities of the IRA death squads, which sometimes took weeks over their abominable deliberations. How many young people have even heard of the three Portadown Catholics – Aidan Starrs, John Dignam and Gregory Burns – whose broken, naked bodies the IRA dumped in South Armagh one night? And what of Tom Oliver in Louth? After the IRA had finished with this poor farmer, it looked as though concrete blocks had been dropped on every bone in his body.
>
> It is one of the more enchanting aspects of history, and a measure of the craven capitulation of constitutional politicians to the Sinn Fein agenda, that a member of the IRA army council at the time that Tom Oliver was beaten into a macerated pulp is now the TD for his native

county. And this lovely fellow is always sprouting about human rights, when the organization he helped to establish went on to abduct, torture and murder scores of Catholics, plus- as we now know – rape a fair few of them as well.

And no, the real issue here is not Gerry Adams, but the traditional narrative trajectory that initially accompanies and later is accepted as a historically accurate account of almost all insurgencies. The scores of people whom the IRA murdered or secretly buried between 1919 and 1923 are not registered within any popular mythology of those troubles. Ask any group of undergraduates - who probably regard the arch-traitors Snowden and Assange as folk heroes- about American policy in Afghanistan, and you'll hear about a sustained programme of torture of many hundreds of prisoners, even though there were 39 alleged tortured victims among the 119 CIA detainees." (emphasis added)

[4] The plaintiffs were not named in the article but they allege that they were identified as they are, and are known to be, the solicitors for the Hooded Men. The application does not seek to strike out the plaintiffs' claim on the basis that the plaintiffs were not identified. Rather the application is confined to the meaning of the words with the defendant contending that all the meanings alleged by the plaintiffs, even proceeding on the basis that the plaintiffs were identified, are outside the range of meanings which the words are reasonably capable of bearing ("the range of potential meanings") so that the action should be dismissed.

[5] The amended Statement of Claim alleges that the words meant and were understood to mean:-

(i) That the plaintiffs are an auxiliary of a terrorist organisation.

(ii) That the plaintiffs in acting for the Hooded Men are not acting in the best interests of their clients, but rather is acting for ulterior, subversive and/or violent motives.

(iii) That the plaintiffs are supporters of the IRA.

(iv) That the plaintiffs are in breach of their professional rules of conduct in respect of their representation of the Hooded Men.

(v) That the plaintiffs have sought to use the proceedings in respect of torture victims known as the Hooded Men to deflect attention from other victims of the Troubles particularly victims of the IRA.

(vi) That the Plaintiff's have commenced the proceedings in relation to the Hooded Men to detract from the cold blooded atrocities of the IRA

including the torture of Aidan Starrs, John Dignam, Gregory Burns and Tom Oliver, and in relation to abductions, murders, torture and rapes perpetrated by the IRA."

[6] During the course of the hearing a number of points arose in relation to those alleged meanings which resulted in a further proposed amendment by the plaintiffs of the meanings alleged in the Statement of Claim. The points which arose were as follows:-

(a) In respect of meaning (ii) that the plaintiffs were not acting in the best interests of their clients it was submitted on behalf of the defendant that the emphatic meaning of the article is that what was done to the 14 men was torture. So it was contended with equal emphasis that there could not be any meaning taken from the article that any lawyer acting on behalf of the Hooded Men was not acting in the best interests of their clients in seeking redress for them. If the Hooded Men were tortured, as the article states, then it is obvious that those seeking to obtain compensation for them were doing exactly what they should do by seeking redress. It was submitted that there was no meaning within the range of potential meanings that the plaintiffs were not acting in the best interests of their clients.

(b) That in respect of meaning (ii) the allegation that the plaintiffs' were acting for violent motives (as opposed to ulterior or subversive motives) could not be sustained as being within the range of potential meanings.

(c) That in respect of meaning (iv) that the plaintiffs were in breach of their professional rules was just a more involved way of articulating a meaning was that the plaintiffs are unprofessional.

(d) That in respect of meaning (v) that the plaintiffs were deflecting attention "from other victims of the Troubles" which victims would include victims of Loyalist paramilitary activity, was not a meaning within the range of potential meanings given that it was suggested that the article meant that the plaintiffs were legal auxillaires of the Sinn Fein – IRA family. It was suggested that those organisations could have no interest in deflecting attention from victims of, for instance, Loyalist paramilitary activity as opposed to deflecting attention from victims of the IRA.

[7] As a result of those points having been made Mr O'Donoghue indicated that the plaintiff was proposing to amend the Statement of Claim so that the meanings alleged were as follows:-

(i) That each of the Plaintiffs is an auxiliary of a terrorist organisation.

(ii) That the Plaintiffs, in acting for the Hooded Men, acted also with the ulterior and subversive motive of seeking to secure an objective of Sinn Fein and the IRA to put the torture of the Hooded Men at the centre of or as a cause of the Troubles.

(iii) That the Plaintiffs are supporters of the IRA.

(iv) That the Plaintiffs are unprofessional.

(v) That the Plaintiffs have sought to use the proceedings in respect of victims known as the Hooded Men to deflect attention from the victims of the IRA.

[8] I will proceed on the basis that these are the meanings upon which the plaintiffs rely and that the defendant's application is that all of those meanings are outside the range of potential meanings which the words are reasonably capable of bearing.

Legal principles

[9] At the hearing there was no dispute between the parties as to the legal principles for determining whether the words are capable of bearing a defamatory meaning. The judge's function is to delimit the range of potential meanings which the words are reasonably capable of bearing. It is the jury's function, if the trial is with a jury, to determine the single meaning that the words actually bore. Carswell LCJ in *Neeson v Belfast Telegraph* [1999] NIJB 200 at page 206 approved the principles set out by Sir Thomas Bingham MR in *Skuse v Granada Television Limited* [1996] ENLR 278 at 285-286. Those principles are

> "(1) The court should give to the material complained of the natural and ordinary meaning which it would have conveyed to the ordinary reasonable viewer watching the programme once in 1985.
>
> (2) "The hypothetical reasonable reader [or viewer] is not naive but he is not unduly suspicious. He can read between the lines. He can read in an implication more readily than a lawyer, and may indulge in a certain amount of loose thinking. But he must be treated as being a man who is not avid for scandal and someone who does not, and should not, select one bad meaning where other non-defamatory meanings are available" (per Neill LJ, *Hartt v Newspaper Publishing PLC*, unreported, 26th October 1989 (Court of Appeal (Civil Division) Transcript No 1015): our addition in square brackets).

(3) While limiting its attention to what the defendant has actually said or written, the court should be cautious of an over-elaborate analysis of the material in issue. We were reminded of Diplock LJ's cautionary words in *Slim v Daily Telegraph Ltd*, [1968] 2 QB 157, [1968] 1 All ER 497 at 171 of the former report:

> "In the spring of 1964 two short letters appeared in the correspondence columns of the 'Daily Telegraph'. Written by Mr Herbert, they formed part of a robust though desultory controversy about the prospective use by motor vehicles of a public footpath forming part of Upper Mall in Hammersmith. Neither letter can have taken a literate reader of that newspaper more than 60 seconds to read before passing on to some other, and perhaps more interesting, item. Any unfavourable inference about the plaintiffs' characters or conduct which he might have drawn from what he read would have been one of first impression. Yet in this court three lords justices and four counsel have spent the best part of three days upon a minute linguistic analysis of every phrase used in each of the letters. If this protracted exercise in logical positivism has resulted in our reaching a conclusion as to the meaning of either letter different from the first impression which we formed on reading it, the conclusion reached is unlikely to reflect the impression of the plaintiffs' character or conduct which was actually formed by those who read the letters in their morning newspaper in 1964."

In the present case we must remind ourselves that this was a factual programme, likely to appeal primarily to a seriously minded section of television viewers, but it was a programme which, even if watched continuously, would have been seen only once by viewers many of whom may have switched on for entertainment. Its audience would not have given it the analytical attention of a lawyer to the meaning of a document, an auditor to the interpretation of accounts, or an academic to the content of a learned article. In deciding what impression the material complained of would have been likely to have on the hypothetical reasonable viewer we are entitled (if not bound) to have regard to the impression it made on us.

(4) The court should not be too literal in its approach. We were reminded of Lord Devlin's speech in *Lewis v Daily Telegraph Ltd* [1964] AC 234, [1963] 2 All ER 151 at 277 of the former report:

> "My Lords, the natural and ordinary meaning of words ought in theory to be the same for the lawyer as for the layman, because the lawyer's first rule of construction is that

> words are to be given their natural and ordinary meaning as popularly understood. The proposition that ordinary words are the same for the lawyer as for the layman is as a matter of pure construction undoubtedly true. But it is very difficult to draw the line between pure construction and implication, and the layman's capacity for implication is much greater than the lawyer's. The lawyer's rule is that the implication must be necessary as well as reasonable. The layman reads in an implication much more freely; and unfortunately, as the law of defamation has to take into account, is especially prone to do so when it is derogatory."

(5) A statement should be taken to be defamatory if it would tend to lower the plaintiff in the estimation of right-thinking members of society generally (*Sim v Stretch* [1936] 2 All ER 1237 at 1240) or would be likely to affect a person adversely in the estimation of reasonable people generally (*Duncan & Neill on Defamation*, 2nd edition, paragraph 7.07 at p 32).

(6) In determining the meaning of the material complained of the court is "not limited by the meanings which either the plaintiff or the defendant seeks to place upon the words" (*Lucas-Box v News Group Newspapers Ltd* [1986] 1 All ER 177, [1986] 1 WLR 147 at 152H of the latter report).

(7) The defamatory meaning pleaded by a plaintiff is to be treated as the most injurious meaning the words are capable of bearing and the questions a judge sitting alone has to ask himself are, first, is the natural and ordinary meaning of the words that which is alleged in the statement of claim and, secondly, if not, what (if any) less injurious defamatory meaning do they bear? (*Slim v Daily Telegraph Ltd*, above, at p 176.)

(8) The Court of Appeal should be slow to differ from any conclusion of fact reached by a trial judge. Plainly this principle is less compelling where his conclusion is not based on his assessment of the reliability of witnesses or on the substance of their oral evidence and where the material before the appellate court is exactly the same as was before him. But even so we should not disturb his finding unless we are quite satisfied he was wrong.

(9) The court is not at this stage concerned with the merits or demerits of any possible defence to Dr Skuse's claim."

[10] Kerr J in *Doherty v Telegraph Newspapers* [2000] NIJB 236 stated

"It is clear that, in applying Order 82 rule 3A, the court must be careful not to pre-empt the function of the jury. While, as Sir Thomas Bingham

> said, there will inevitably be an element in the court's deliberations of the impression the words have made on the judge himself, that must be for the purpose of deciding what are the potential meanings of the words rather than concluding which meanings he would attribute to them. Over elaborate or zealous parsing of the words is not appropriate to the exercise that the judge must perform at this interlocutory stage. The impression created by the words rather than a close textual analysis of their import should be the touchstone for the application of this provision."

When I refer to the impression that the words have made on the court that is solely for purpose of deciding what are the potential meanings of the words rather than concluding which meanings the court does attribute to them. I will seek to avoid an over elaborate or zealous parsing of the words.

[11] In giving reasons in this judgment for the conclusions which I have reached I bear in mind what Carswell LCJ stated in *Neeson v Belfast Telegraph*

> "We have devoted very careful consideration to the individual meanings propounded in the statement of claim, and propose to express our conclusions on them as shortly as we can. We are conscious that this matter is very much one for the jury and that where we decline to rule out a particular meaning pleaded it will still be open to the jury to hold that the words do not in their view bear that meaning. We feel accordingly that it is better that we should not discuss our reasons for our conclusions in any greater detail than is strictly necessary."

I consider it inappropriate in this judgment to discuss my reasons for the conclusions at which I have arrived in any greater detail than is strictly necessary.

[12] In the context of this case it is appropriate to consider the difference between false innuendos on the one hand and true or legal innuendos on the other given that the plaintiffs have not pleaded any true or legal innuendo that may be associated in this jurisdiction with the word "auxiliary." Words are to be given their natural and ordinary meaning as properly understood though this includes the implications conveyed by the words. An innuendo that is capable of being detected in the language used is deemed to be part of the ordinary meaning. Such innuendos arise indirectly by inference or implication from the words published relying on general knowledge (known as a false innuendo). However if the innuendo requires the support of an extrinsic fact then the plaintiff has to identify the relevant extrinsic fact and prove that the fact was known to at least one of the persons to whom the words were published (known as a true or legal innuendo). So in this action the plaintiffs have chosen to rely on implications arising from general knowledge as opposed to proving any extrinsic fact passing beyond general knowledge which gives the word

"auxiliary" some extended meaning. I will proceed to determine this application on that basis.

[13] In the context of this case it is also appropriate to consider what were termed rhetorical innuendos by Lord Devlin in *Lewis v Daily Telegraph Limited.* At page 278 he stated:

> "Moreover, there were some pleaders who got to think that a statement of claim was somehow made more forceful by an innuendo, however plain the words. So rhetorical innuendoes were pleaded, such as to say of a man that he was a fornicator meant and was understood to mean that he was not fit to associate with his wife and family and was a man who ought to be shunned by all decent persons and so forth."

He went on to state at page 281

> "I should certainly like to see what I have called rhetorical innuendoes discouraged."

The central defamatory meaning alleged on behalf of the plaintiffs, is that they as solicitors conducting a case on behalf of their clients, the Hooded Men, were also assisting or acting in aid of or supporting the Sinn Fein – IRA family and that the assistance, aid or support that the plaintiffs were giving, not to their clients but to the Sinn Fein – IRA family, was to put the torture of the Hooded Men at the centre of, and even as a cause of, the Troubles with the aim of deflecting attention from IRA atrocities including abduction, torture, murder and rape. As a matter of logic if that central defamatory meaning is within the range of potential meanings, then there is also another innuendo meaning within the range, which is that "the plaintiffs are unprofessional." I will term that other innuendo meaning the first rhetorical innuendo. Also as a matter of logic if that central defamatory meaning is within the range of potential meanings, then there could be a further innuendo meaning within the range that the plaintiffs should be shunned by right thinking people. I will term that the second rhetorical innuendo. Both of these rhetorical innuendos are deductions from the central defamatory meaning. The second, more strikingly than the first, is an assertion of the effect of the defamatory statement conflating the defamatory meaning with the impact on the plaintiff. As Carswell LCJ stated in *Neeson v Belfast Telegraph*

> "It is a difficult task for a court to strike a fair and proper balance between the right of a plaintiff in a libel case to rely upon any inferences which may correctly (be) drawn from the words published and the interest of a defendant in having the issues simplified to a proper extent and preventing the jury from being misled or confused by *prolix, repetitive or unsustainable* assertions relating to meanings propounded." (my emphasis)

I consider that if the words are capable of bearing the central defamatory meaning then that those words are also capable of bearing the meaning that the plaintiffs are unprofessional. However I consider that whilst this rhetorical innuendo is sustainable as being within the range of potential meanings, it adds nothing and tends to conflate the central defamatory meaning with the impact on the plaintiffs feelings in the context of their standing as professionals. Rhetorical innuendos of that nature add to complexity. For instance in some cases a defendant might seek to justify the meaning contained in a rhetorical innuendo by reference to facts not contained in the words that have been published. The whole purpose of pleading meanings accurately is to identify the central meaning which is to be determined. However, though rhetorical innuendos should be discouraged, I consider that I do not have jurisdiction under Order 82 rule 3A to strike out the first rhetorical innuendo if the central defamatory meaning is within the range of potential meanings, because also it would be within that range. However a further application could be made under Order 18 rule 19 or to the trial judge to leave that meaning out of account given the obligation to leave the issues precisely and relevantly delineated to the jury.

Discussion

[14] Amongst the principles to be applied is that the court should be cautious of an over-elaborate analysis of the material in issue and in the context of this article should have regard to the impression the words made on a single reading. Words are not to be taken out of context but rather to be read as a part of the article as a whole. The test at this stage is not what the words mean but rather whether the defamatory meanings are within the range of potential meanings. So the views that I express are not what I consider is the meaning of the article but rather whether the meanings pleaded by the plaintiffs fall outside the range of potential meanings. That part of the article which states that

> "Yet the British refusal to admit to a simple, obvious truth has allowed the Sinn Fein - IRA Family, and their legal auxiliaries, to put the torture of those unfortunates at the centre of, and even as a cause of, the Troubles"

read in the context of the whole article could give rise to the impression on a single reading that the lawyers acting for the Hooded Men assisted or acted in aid of or supported the Sinn Fein – IRA family and that the assistance, aid or support that those lawyers were giving was not only to their clients but also to the Sinn Fein – IRA Family, with the ulterior or subversive motive of putting the torture of the Hooded Men at the centre of, and even as a cause of, the Troubles with the aim of deflecting attention from IRA atrocities including abduction, torture, murder and rape.

Conclusion

[15] I consider that the meanings set out in this judgment at paragraph [7] (i) – (iii) inclusive and (v) are all within the range of potential meanings. I dismiss the defendant's application in relation to those meanings.

[16] I consider that the meaning set out in this judgment at paragraph [7] (iv) "That the Plaintiffs are unprofessional" is a rhetorical innuendo. An application has not been made to strike it out under Order 18, rule 19. It is within the range of potential meanings so I dismiss the defendant's application in relation to that meaning.

[17] Again I make it clear that it will be for the jury to determine the actual meaning to be given to the article.

[18] I will hear counsel in relation to the costs of this application given that the meanings pleaded by the plaintiffs required substantial amendment during the hearing of the application.

Appendix

"Torture is indefensible – but so were the acts of terrorism that inspired it

Let the first words on the use of torture by the CIA come from an article by the late Christopher Hitchens, who six years ago was voluntarily waterboarded by US Government operatives, but only after he had signed a contract of indemnification which said "Waterboarding is a potentially dangerous activity in which the participant can receive serious and permanent (physical, emotional and psychological) injuries and even death, including injuries and death due to the respiratory and neurological systems of the body." In other words, the journalist was agreeing to be tortured.

Nonetheless, some legal advice declares that waterboarding is not torture. This belongs to the same deranged mathematical phantasmagoria in which a negative multiplied by a negative produces a positive. No it doesn't. It produces negative-squared, namely an infinity of negativity beyond all calculation. Anything that deliberately induces physical agony and terror in a hapless victim is torture, a moral negativity without end, and to argue otherwise requires the demented casuistry of a Torquemada on crystal meth.

The stories from the CIA torture chambers make terrible reading, especially to a friend of the US, as I avowedly am. What was done to these men – the beatings, the isolation, the freezing, the sexual and rectal humiliation - is beyond excuse. Yet such a criminal response to a terrorist insurgency is so predictable and universal that they are almost joined at the hip. And at the end of any insurgency, the tale that invariably emerges is one of counter-insurgency terror, not of the far greater terror inflicted by the insurgents.

In Northern Ireland, the issue of the hooded men of 1971 has re-emerged, at the behest of the Department of Foreign Affairs. What was done to those 14 men, all citizens of the United Kingdom, was torture, no matter how vehemently the British Government argues that it wasn't. Yet the British refusal to admit to a simple, obvious truth has allowed the Sinn Fein - IRA Family, and their legal auxiliaries, to put the torture of those unfortunates at the centre of, and even as a cause of, the Troubles.

Meanwhile, no sustained popular narrative even attempts to encompass the cold-blooded atrocities of the IRA death squads, which sometimes took weeks over their abominable deliberations. How many young people have even heard of the three Portadown Catholics – Aidan Starrs, John Dignam and Gregory Burns – whose broken, naked bodies the IRA dumped in South Armagh one night? And what of Tom Oliver in Louth? After the IRA had finished with this poor farmer, it looked as though concrete blocks had been dropped on every bone in his body.

It is one of the more enchanting aspects of history, and a measure of the craven capitulation of constitutional politicians to the Sinn Fein agenda, that a member of the IRA army council at the time that Tom Oliver was beaten into a macerated pulp is now the TD for his native county. And this lovely fellow is always sprouting about human rights, when the organization he helped to establish went on to abduct, torture and murder scores of Catholics, plus - as we now know – rape a fair few of them as well.

And no, the real issue here is not Gerry Adams, but the traditional narrative trajectory that initially accompanies and later is accepted as a historically accurate account of almost all insurgencies. The scores of people whom the IRA murdered or secretly buried between 1919 and 1923 are not registered within any popular mythology of those troubles. Ask any group of undergraduates - who probably regard the arch-traitors Snowden and Assange as folk heroes - about American policy in Afghanistan, and you'll hear about a sustained programme of torture of many hundreds of prisoners, even though there were 39 alleged tortured victims among the 119 CIA detainees.

The liberal ideological dogma is that torture never works - which is simply not true. Like any of the tools belonging to interrogators – coercion, blackmail, intimidation, charm, cleverness – it produces mixed results, which then have to be compared with other known intelligence. Moreover, it would surely have helped a little if the Senate committee responsible for the last week's damning findings had interviewed a single CIA interrogator. It did not.

Ignoring this key oversight, the BBC went into liberal overdrive, allowing an Islamist on air to proclaim that the successes of Isis in Iraq and Syria and of the Taliban in Afghanistan were due to CIA crimes. Meanwhile, a headline in the Times, alongside the revelations about the CIA's covert operations, read: "Beheading damages our image, Yemen al-Qaeda boss rules". This declaration came more than 10 years after Ken Bigley was beheaded in Iraq.

If Afghanistan, Iraq and Syria are about to slip into palaeolithic barbarism again, it is certainly not because of anything the CIA did. In Afghanistan, gang-rape by Taliban fighters is routine, and a male teacher was tied to two motorbikes and torn limb from limb for the heinous crime of educating girls. In Iraq, al-Qaeda uses superheated steam-jets to scald suspects, over many days, to death. The fact that al-Qaeda is out-insaned by Isis, the Charles Manson wing of Islamism, shows the folly of the western media's uber-obsession with the CIA. Was such coverage ever given to the catastrophe that has befallen the Christians of the Middle East – the Chaldeans, the Copts, the Orthodox – many thousands of whom have been massacred, some even crucified, and forced to flee by Isis?

Of course not – it's far easier to denounce the CIA because it conforms with the mythic requirements of that profoundly disordered organ, the western liberal imagination. This invariably will imbue violent and anti-democratic insurgencies –

the Viet Cong, the IRA, the PLO – with a fictitious virtue never accorded their state-enemies. Even the Khmer Rouge were so viewed, until the body count clicked past the 1m mark, at which point even smug liberals, duh, began to wonder.

This perverse cultural preference is possibly a guilt response to western colonialism, that dreadful phenomenon which, among other crimes, abolished slavery and suttee in India, in time bringing railways, parliament, political unity and a single administrative language to the world largest democracy. Ah yes, and it also introduced universities, government, roads and literacy to Africa. The United Nations – which usually can be relied on to denounce anything western – is of course a creation of the very western democracies which now so keenly deplore their own colonial past.

So, lest we forget: the CIA was in Afghanistan because the UN in plenary session and at the Security Council authorized it to be. Some of the agency's deeds there were indeed criminal, as the CIA director John Brennan admits, but its presence and its underlying purpose were emphatically not. But would the mythology of media-chic ever admit that?"