

**Declan Costello Papers**

**P237**

**Descriptive Catalogue**



**UCD Archives**

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## CONTEXT

### Biographical History

Declan Costello (1 August 1926–6 June 2011) was the second son of John A. Costello and Ida Mary Costello (née O'Malley). He was educated in Xavier School, Donnybrook; University College Dublin where he received a BA in Economics; and King's Inns, Dublin. He served as auditor of the UCD Law Society for the academic year 1945–6,. He was called to the Bar in 1948 and to the Inner Bar in 1965. He married Joan Costello (née FitzSimons) in 1953.

Declan Costello was first elected a Fine Gael TD for Dublin North-West in 1951 and represented the constituency until 1969, when he retired temporarily from politics. He represented Dublin South-West from 1973 to 1977 when he resigned permanently from politics and was appointed to the bench as a judge of the High Court.

He is well-known for the authorship of the Fine Gael policy document 'Towards a Just Society' which was published as the Party manifesto for the 1965 general election. The publication of the Just Society document marked the emergence of a more socially-minded group within Fine Gael. However, support for this departure from traditionally conservative policies was not unanimous and the document caused some tension within the party. Following the general election, commitment to the Just Society policy declined and it effectively remained untested.

On 8 February 1967, Costello announced that he would not seek re-election in the next general election, citing family and personal reasons and his decision to prioritise his legal career over his political commitments. However, it has been argued that a sense of disillusionment and Fine Gael's treatment of the Just Society document may have played a role in his decision.

He reversed his decision to withdraw from political life and was successful in regaining his seat in the Dáil in the 1973 general election. He was appointed Attorney-General in the Fine Gael/Labour National Coalition government when his expectation would justifiably have been for a senior cabinet position.

During his term as Attorney-General, he represented Ireland in the proceedings against the government of the United Kingdom relating to breaches of the European Convention of Human Rights in Northern Ireland. The Strasbourg Case concerned the alleged use of inhuman and degrading treatment in the interrogation of prisoners in Northern Ireland. Costello also proposed the establishment of the post of Director of Public Prosecutions and of the Law Reform Commission, and published the White Paper on the 'Law of Nullity in Ireland'. He was also a member of the Irish Delegation to the Sunningdale Conference on Northern Ireland in 1973. He served as Attorney General until 1977 but announced his second and final decision not to seek re-election in 1976.

Declan Costello was appointed a judge of the High Court in 1977. He was the sole member of the Tribunal of Inquiry into the Whiddy Island disaster, following the explosion of the oil tanker *Betelguese* off the coast of West Cork in January 1979.

He was appointed Chairman of the National Youth Policy Committee and of the Committee on Fundraising Activities for Charitable and other purposes in 1989, the

latter resulting in the publication of a sizable report in 1990. He was a founding member of Saint Michael's House, which provides community-based services for people with intellectual disabilities, and was also a founding member and president of the National Association for the Mentally Handicapped in Ireland, subsequently renamed the National Association for People with an Intellectual Disability and currently Inclusion Ireland.

He was appointed president of the High Court in January 1995 and announced his retirement in 1997. He continued to publish on legal matters following his retirement, most particularly on the legality of the United States invasion of Iraq in the *Irish Law Times*, 2006.

He died at the age of eighty four on 6 June 2011 after a long illness.

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## **Archival History**

The Declan Costello Papers were deposited in UCD Archives by his widow Mrs Joan Costello in October 2013.

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## **CONTENT AND STRUCTURE**

### **Scope and Content**

#### **Fine Gael Teachta Dála, 1951–73**

Files of correspondence, texts of speeches, articles and newspaper cuttings relating to Declan Costello's career as a Fine Gael TD, including the development of the 'Towards a Just Society' policy document, the announcement of his resignation from politics and his subsequent departure in 1969.

#### **Attorney General, 1973–77**

Files of speeches, correspondence, reports and newspaper cuttings concerning his position as Attorney General to the Irish Government, 1973–77.

#### **Legal Career, 1945–2007**

Reports, files of articles including essays written by Declan Costello and collected articles by various authors, notes, correspondence and photographs pertaining to Declan Costello's legal career and publications following his retirement from the position of president of the High Court, 1945–2008.

#### **Personal Material, 1940–2011**

Diaries, correspondence and newspaper cuttings relating to Declan Costello, external to his official political or legal occupations. Includes personal diaries written by Costello during his political career, material concerning John A. Costello, Father Joseph Leonard CM, Jacqueline and John F. Kennedy, and commemorative material.

#### **Photographs**

Files of photographs mainly relating to Declan Costello's political and legal careers, 1945–c1993.

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## **System of Arrangement**

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## **CONDITIONS OF ACCESS AND USE**

### **Access**

Available by appointment to holders of a UCDA reader's ticket. Produced for consultation in digital format.

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### **Language**

English

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### **Finding Aid**

Descriptive catalogue

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## **DESCRIPTION CONTROL**

### **Archivist's Note**

Descriptive catalogue prepared by Leanne Harrington, August 2014.

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## **ALLIED MATERIALS**

Allied Collections in UCD Archives  
P190 Papers of John A. Costello  
P204 Irish Council of the European Movement Archives  
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## **1 Fine Gael Teachta Dála**

### **1.1 'Towards a Just Society', 1960-5**

**P237/1**

1960-2005

94pp

#### **'Towards a Just Society': memoranda and background documents**

File contains memoranda and other documents pertaining to the development of the 'Towards a Just Society' policy and the development of Fine Gael's economic and financial policies. The file features typed documents and manuscript notes relating to the necessity for the development of new policies and plans, particularly in relation to economics and finance.

Includes:

- Fine Gael confidential publication 'Financial Policy: Comments by Gerard Sweetman', addressed to Declan Costello from James Dillon (28 September 1960, 10pp).
- Memorandum on Economic and Financial Policy (3 March 1963, 5pp), with manuscript title 'Memo to Front Bench.'
- Memorandum on Turnover Tax (1963, 2pp).
- Fine Gael party attendance sheet featuring a list of party members and their contact details (20 May 1964, 2pp).
- Document, presumably written by Declan Costello, discussing dissatisfaction with the leadership of Fine Gael, namely James Dillon and Gerard Sweetman, with minor manuscript annotations (not dated, 3pp).
- Text of a speech made by Declan Costello at Addison Lodge, Glasnevin to a meeting of the combined Branches of Fine Gael in the Dublin North-West Constituency on potential new party policies (not dated, 2pp).
- Draft 'Memorandum on Economic and Financial Policy', with manuscript annotations (not dated, 5pp).
- Four drafts of a document outlining resolutions made by the Fine Gael party in relation to developing an economic policy, typed and manuscript copies present (not dated, 13pp).
- Brief document entitled 'Matters to be considered in relation to Fine Gael Policy Review' (not dated, 1p).
- Explanatory memorandum on a resolution concerning economic and financial policy (not dated, 4pp).
- Draft document featuring manuscript corrections and annotations relating to the Government's proposals for economic development (not dated, 3pp).
- Draft document with manuscript annotations critiquing the Government's economic and financial policy (not dated, 5pp);
- Brief manuscript notes on the chronology of events relating to the development of the Just Society policy, written by Declan Costello later in his life (28 May 2005, 7pp).

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January–May 1964

41pp

**'Towards a Just Society': correspondence**

Correspondence largely with fellow Fine Gael TDs, relating to Declan Costello's proposal of the 'Towards a Just Society' document.

Includes:

- Unsigned copy letter from Declan Costello to James M. Dillon, Leinster House, pertaining to the Just Society policy statement (11 January 1964, 3pp).
- Unsigned letter addressed to an unspecified Deputy regarding a Notice of Motion for discussion by Fine Gael; two copies of the Notice of Motion are present, one copy with manuscript annotations (27 April 1964, 3pp).
- Manuscript letter from Oliver [J. Flanagan], to Declan Costello discussing Fine Gael policies and Costello's proposed motion for the 'Towards a Just Society' document (28 April 1964, 5pp).
- Correspondence between Declan Costello and Michael Joseph O'Higgins, Leinster House, Dublin relating to Costello's Notice of Motion and to Catholic social teaching (9–25 May 1964, 15pp).
- Letter from T.F. [Frank] Roe, Kiltallagh House, Drogheda, to Declan Costello enclosing a copy of a letter he has sent to James Dillon recommending that Fine Gael move to the left (18 May 1964, 13pp).
- Undated letter from Garret [Fitzgerald], 75 Eglinton Road, Dublin, to Declan Costello discussing a 'shopping list' for Fine Gael (not dated, 2pp).

**P237/3**

1965

149pp

**'Towards a Just Society': published policy documents**

Publications detailing the finalised Fine Gael policies resulting from the 'Towards a Just Society' proposal.

Includes:

- Copy publication 'Planning a Just Society: Issued by Fine Gael' in advance of the general election of 1965 (1965, 80pp), with details of Fine Gael policies in relation to economic planning, banking, finance, social capital investment, taxation, health, welfare services and youth programmes.
- Booklet 'Fine Gael Policy 1956: 'Towards a Just Society'' (1965, 16pp).
- Booklet 'Fine Gael Policy for a Just Society: I. Irish Language Preservation' (1965, 13pp).
- 'Booklet 'Fine Gael Policy for a Just Society: 3. Education' (1965, 40pp).

**P237/4**

July 1958–March 1965

25 items

**'Towards a Just Society': press coverage**

File containing newspaper cuttings of press coverage of the development of Fine Gael's policies and the 'Towards a Just Society' document, primarily articles from the *Irish Times*, the *Irish Press* and the *National Observer*.

**1.2 Speeches, 1966–73**

**P237/5**

June 1966–73

74pp

**Speeches**

File of texts of speeches made by Declan Costello as a Fine Gael TD, and following his decision to return to politics as a Fine Gael candidate. Speeches pertain mainly to Fine Gael party policies, including economic and financial.

Speeches are:

- two copies of an address made to the Social Study Congress, 1966 at the National Stadium entitled 'Responsible Public Opinion', one draft copy features manuscript annotations and corrections (24 June 1966, 25pp);
- address given at the 'Think-in 69 Maynooth' entitled 'The Priest and Public Affairs' (1969, 7pp), text was contained within a booklet edited by John Moore and published for private circulation;
- speaking at the annual Fine Gael Convention in Dungarven, County Waterford (26 February 1971, 3pp);
- speaking at the Fine Gael Ard Fheis discussing the party and party policies (15 May 1971, 3pp);
- addressing the student's branch of Fine Gael on 'Justice and the Distribution of Wealth' (2 November 1971, 2pp);
- speaking at the Bundoran Debating Society on the subject that 'Ireland needs a New Republicanism', features manuscript annotations and corrections, (12 November 1971, 4pp);
- speaking at the Fine Gael Ard Fheis concerning party policy (20 May 1972, 3pp);
- speaking on Radio Éireann on behalf of the Association of Parents and Friends of Mentally Handicapped Children, document features manuscript annotations (1973, 2pp);
- two copies of an address entitled 'The Political Consequences of the Common Market' given at the Dublin Institute of Catholic Sociology, Eccles Street (16 March, 21pp). Draft copy features heavy manuscript annotations;
- speaking at the annual dinner of the Dunshaughlin District Executive of Fine Gael concerning Northern Ireland, only first page of the speech is present (10 December, 1p);

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- draft copy featuring manuscript title 'Ard Fheis Speech', discussing Fine Gael health and social care policies, contains manuscript annotations (not dated, 3pp).

### 1.3 Articles, 1955–72

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May 1955–October 1972

147pp

#### Articles

File pertains to articles written by Declan Costello concerning political issues, articles relate to social problems in Ireland, the common market, socialism, nationalism and supra-nationalism.

Includes:

- Copy of the publication *The Tablet: a Weekly Newspaper and Review*, Volume 205, Number 5989, (5 March 1955, 12pp), which features an article written by Declan Costello entitled 'Irish Neutrality: The Paradox and its Justification'.
- Copy of the publication *The Tablet: a Weekly Newspaper and Review*, Volume 205, Number 6001, (28 May 1955, 8pp) which features an article written by Declan Costello entitled 'No Socialism in Ireland'.
- Newspaper cutting of an article entitled 'Realism needed in judging North's plight' (9 September 1969, 2pp).
- Two copies of an article relating to the shooting of the child Angela Gallagher by the IRA entitled 'Who Killed Angela Gallagher?', one typed copy and a newspaper cutting following its publication in the *Sunday Independent* (21 September c1971, 6pp).
- Newspaper cutting from an unidentified newspaper featuring an article by Declan Costello entitled ' "What are TD's For?" Asks Declan Costello' (1 October 1972, 2pp).
- Two copies of 'Social Progress', text relates to social problems in Ireland, one copy features manuscript annotations and corrections (not dated, 10pp).
- Annotated draft of article entitled 'Nationalism and Supra Nationalism' (not dated, 9pp).
- Annotated draft of article entitled 'Nationalism and Supra Nationalism Part II' (not dated, 10pp).
- Annotated draft of article entitled 'Nationalism and Supra Nationalism Part III' (not dated, 7pp).
- 'Planning a Just Society and its Critics' (not dated, 6pp);
- 'E.E.C. – Yes' (not dated, 3pp).
- 'Two Questions for Socialists', formerly titled 'Social Democracy', features manuscript annotations (not dated, 4pp);
- Draft text entitled 'Anti-Apartheid', mostly manuscript with annotations and corrections (not dated, 6pp).
- Review of *Church and State in Modern Ireland (1923–70)* by J.H. White (not dated, 3pp).

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- Draft copy of an untitled book review or article referring to books by John Coles on Captain O' Neill and [Brian] Crozier's *The Masters of Power*, text features manuscript annotations (not dated, 3pp).
- 'Reforming Parliament' (not dated, 4pp).
- 'Reforms in the Legal System' features manuscript corrections (not dated, 3pp).
- Three draft copies of 'Free Trade and After', two of the copies feature manuscript annotations (not dated, 12pp).
- 'Irish Foreign Policy' (not dated 8pp).
- Draft 'Constitutional Implications of the Rome Treaty', features manuscript annotations and corrections (not dated, 17pp).
- Untitled text, both typed and manuscript, by Declan Costello discussing Ireland's neutrality and NATO, [Viscount James] Bryce, author of *The American Commonwealth*, Stewart Alsop, American newspaper columnist and political analyst and the Council of Europe (not dated, 12pp).

#### 1.4 Council of Europe, 1956–60

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1956–60

12pp

##### **Council of Europe**

File contains a small number of items relating to the Assembly of the Council of Europe in Strasbourg, at which Declan Costello acted as an Irish delegate; and the Organisation for European Economic Co-operation (OEEC).

Includes:

- Text entitled 'Strasbourg 1957', possibly a report, concerning the Assembly of the Council of Europe in 1957 (1957, 3pp).
- Letter marked personal from Dunstan Curtis, Deputy Secretary General of the Council of Europe, to Declan Costello regarding the OEEC and European Cooperation (26 April 1960, 2pp).
- Speech by Declan Costello addressing the Assembly of the Council of Europe concerning the development of a common market in Europe (not dated, 5pp).

### 1.5 Irish Council of the European Movement, 1959

**P237/8** July–November 1959

32pp

#### **The Irish Council of the European Movement**

File of documents relating to the Irish Council of the European Movement, 71 St Stephen's Green, Dublin. The not-for-profit organisation was established to carry out the core function of promoting European integration as a non-governmental organisation.

Includes:

- Booklet 'European Economic Conference: Organised by the Irish Council of the European Movement in Dublin' (20 July 1959, 14pp), with 'John A. Costello' written on the front cover.
- Newsletter from the Irish Council of the European Movement (November 1959, 16pp).
- Application form for membership of the Irish Council of the European Movement, the document briefly outlines the aims and objectives of the Irish Council of the European Movement, the list of members, the Executive Committee and a proposed programme of lectures and conferences (not dated, 2pp).

### 1.6 Resignation from Politics 1969

**P237/9** January–March 1969

14pp

#### **Resignation from Politics**

File relates to Declan Costello's resignation from Fine Gael in 1969, features correspondence and newspaper cuttings relating to his decision not to seek re-election in the forthcoming general election.

Includes:

- Correspondence between Declan Costello and Liam Cosgrave discussing Costello's decision not to seek re-election with Fine Gael (7–8 January 1969, 2pp).
- Newspaper cuttings of the press coverage of his resignation (9–22 January 1969, 10pp), features cuttings from the *Irish Times*, *Irish Independent*, *Evening Herald*, *Sunday Telegraph*, *Hibernia* and the *Cork Examiner*.
- Letter from Declan Costello to Helen Bourke, Secretary of the Dublin North-West Constituency Office, with a message to be read to the Convention concerning his resignation (31 March 1969, 2pp).
- Unfinished manuscript draft of an article or speech explaining his reasons for leaving the party (1969, 4pp).

### 1.7 Newspaper Cuttings, 1962–73

**P237/10** March 1962–February 1973

30 items

#### **Newspaper Cuttings**

File of general newspaper cuttings pertaining to Declan Costello's career as a TD for Fine Gael, the 'Towards a Just Society' policy, reactions to the announcement of his early retirement from the Dáil in 1967, his subsequent return to politics and articles written by Costello on NATO, the EEC and Ireland.

### 1.8 Dissociated Political Material, 1951–73

**P237/11** 1951

2pp

#### **Election Card**

A small election card from Declan Costello's campaign in the general election of 1951. The card features a portrait of Costello along with a brief summary of his background and qualifications.

**P237/12** April 1965—May 1973

24pp

#### **Responses to Invitations**

File contains copies of responses from Declan Costello, in Irish, to invitations to various political events and dinners during his time as a Fine Gael TD.

**P237/13** c1973

2pp

#### **Curriculum Vitae**

Two copies of a brief *curriculum vitae* for Declan Costello featuring a list of all of his professional positions and education, one copy also presents recreational interests and additional positions.

## **2. Attorney General**

### **2.1 Speeches, 1973–6**

**P237/14**

April 1973–July 1976

126pp

#### **Speeches**

File of texts of speeches made by Declan Costello during his term as Attorney General. Statements relate to the policies of the National Coalition government, social and economic concerns, emigration, the mentally disabled, and statements made at award ceremonies and various Fine Gael Party functions.

Speeches are:

- addressing an AIM group forum in Liberty Hall discussing Irish social problems and the National Coalition government's policies (4 April 1973, 2pp);
- speaking in Ennis, County Clare in support of Fine Gael presidential candidate Tom O' Higgins (5 May 1973, 2pp);
- addressing a meeting of the Catholic Women's Federation at 91 Lower Baggot Street, Dublin, discussing Domiciliary Welfare Services (7 June 1973, 2pp);
- speaking at Béal na Blath, County Cork, at the Michael Collins' Commemoration (19 August 1973, 5pp);
- speaking at St Joseph's Hospital, Clonsilla at the presentation of certificates and prizes to the Nurses of St Louis School of Nursing (8 November 1973, 3pp);
- speaking at a press conference in the Shelbourne Hotel, Dublin, to announce the integration of the fund-raising activities of the Central Remedial Clinic and the Rehabilitation Institute (23 January 1974, 2pp);
- speaking at a Meeting of the Incorporated Law Society of Ireland at Ennis, County Clare (11 May 1974, 3pp);
- speaking at the Annual Prize Giving at the Coombe Hospital (6 June 1974, 2pp);
- speaking at the official opening and presentation of awards at the 22<sup>nd</sup> Annual Exhibition of the Irish Society for Design and Craftwork at Ireland House, St Stephen's Green (7 August 1974, 3pp);
- addressing the Annual Conference of the Mental Health Association of Ireland in the Burlington Hotel, Dublin (8 November 1974, 6pp);
- speaking at the Irish Management Institute's South-East Region Conference at the Ardee Hotel, Waterford (14 November 1974, 2pp);
- speaking to the Abraxian Society in the National Institute for Higher Education, Limerick (28 November 1974, 2pp);
- speaking at the Dinner Dance of Claremorris District Executive of Fine Gael, Claremorris (14 February 1975, 1p);
- speaking at the Annual Dinner of the Federated Union of Employers (8 April 1975, 2pp), accompanied by correspondence between Peter Kearns, 109-110 Parnell Street,

**P237/14 contd**

- Dublin and Costello relating to the speech (10–25 April 1975, 2pp);
- speaking at the official opening of the Rehabilitation Institute Exhibition in Ireland House (9 April 1975, 2pp);
  - speaking at a Seminar on 'Women's Role in Irish Society' organised by the Cork Federation of Women's Federations in the Metropole Hotel, Cork (26 April 1975, 3pp);
  - speaking at an Annual Meeting of the Irish Council for Itinerant Settlement, Waterford (10 May 1975, 3pp);
  - address made at the opening of the 6<sup>th</sup> Annual Meeting of the European Group for Cystic Fibrosis, Burlington Hotel, Dublin, (30 June 1975, 4pp);
  - speaking at a press conference on the publication of a policy statement 'Psychologists in the Service of Health' by the Psychological Society of Ireland at the Burlington Hotel (1 July 1975, 2pp);
  - address made at the formal opening of the 6<sup>th</sup> World Congress of the International League of Societies for the Mentally Handicapped at the Burlington Hotel (14 September 1975, 4pp);
  - speaking at the presentation of the 'People of the Year' Awards at the Burlington Hotel (29 October 1975, 2pp);
  - speaking at the Annual Dinner of the Insurance Institute of Dublin (6 December 1975, 4pp), text is accompanied by notes and material relating to insurance law and the insurance industry for use by Costello on the occasion of his address (1975, 10pp);
  - statement issued by the Government Information Service on behalf of Declan Costello relating to press reports on a statement allegedly made about the prosecution of squatters in local authority dwellings (13 January 1976, 1p);
  - address made at the Third United Nations Conference on the Law of the Sea, New York (9 April 1976, 10pp);
  - speaking at the Annual Conference of The Institute of Personnel Management on the topic 'State Intervention in Industrial Relations' at Fitzpatrick's Castle Hotel, Killiney, Dublin (20 May 1976, 3pp), accompanied by an unsigned letter to Michael O'Leary, Minister for Labour, in relation to the speech (21 May 1976, 1p);
  - speech made on the occasion of the presentation of nursing prizes at St Laurence's Hospital, Dublin, also present is an address made by Paraic McQuaid, chairman of the Board of Governors of St Laurence's Hospital, presenting a report on the activities of the hospital, with an information note for Costello on the hospital and a programme for the prize giving ceremony (9–22 June 1976, 15pp);
  - speaking at the Dun Laoghaire Summer Festival, at the Marine Hotel in relation to the Law of the Sea (25 June 1976, 5pp);
  - speaking at a lunch in honour of the winners of a competition organised by the Michael Sweetman Educational Trust (30 June 1976, 1p);
  - addressing the official opening of St Finbarr's, 13 Sunbury Gardens, Dublin (30 July 1976, 2pp);
  - statement made relating to the National Coalition Government,

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their progress in relation to social and economic issues and the election of the National Coalition candidate in Monaghan (not dated, 3pp);

- statement on Irish emigration and emigrant welfare, particularly in England, date stamp on the document has become faded and illegible (not dated, 4pp);
- statement entitled 'Protecting human rights – aspects of the Irish way' discusses the importance of the debate on human rights (not dated, 4pp).

## **2.2 Correspondence, 1973–7**

**P237/15**

March–December 1973

114pp

### **Correspondence, 1973**

File contains correspondence for the year 1973, during the first year of his term as Attorney General. Correspondence primarily pertains to requests for legal counsel, concerns not associated with his official capacity as Attorney General and invitations to attend or to speak at various events and occasions.

Includes:

- Letter from the Secretary General of the Department of the Taoiseach, written in Irish, enclosing Declan Costello's Warrant of Appointment for the position of Attorney General of Ireland. The Warrant is signed by Éamon de Valera, President of Ireland, and Liam Cosgrave, Taoiseach (14–16 March 1973, 2pp).
- Letter to Declan Costello from F.S.L. Lyons regarding a meeting in Cambridge (2 April 1973, 1p).
- Brief letter from John Hume, Derry, Northern Ireland to Declan Costello (5 April 1973, 1p).
- Correspondence between Declan Costello and Senator Mary Robinson, Wellington Place, Dublin, relating to a meeting in Cambridge of the British-Irish Association and the first report from the Select Committee on European Community Secondary Legislation (12 April–3 May 1973, 6pp).
- Correspondence relating to Declan Costello's resignation as a sponsor of the Anti-Apartheid Movement due to his official position within the Government, also present is brief correspondence with Richie Ryan, Minister for Finance, in relation to his own resignation from the Anti-Apartheid Movement (1–31 July 1973, 4pp).
- Note from Frank R. O'Connor, Assistant Director of Government Information Services, attached to a copy article 'This Man is a Criminal: Solent on hit-and-run Senior Council' from *The Irish People*, Volume 2, Number 28 (18 July 1974, 3pp).
- Letter from Declan Costello to Senator Austin Deasy,

**P237/15**

Waterford, pertaining to a legal case involving Domhall Ó Lubhlaí (25 September 1973, 1p).

- Correspondence with Alexis FitzGerald, solicitor and Declan Costello's brother-in-law, in relation to an article published in *T.C.D. Miscellany* entitled 'Irish Parasites' by Patrick J. Hughes, a copy of the article is enclosed (23–26 November 1973, 17pp).
- Copy telex addressed to Assistant Secretary Whelan discussing an incident at Strasbourg involving the Irish legal team (30 November 1973, 2pp).

**P237/16**

January–December 1974

174pp

**Correspondence, 1974**

File containing correspondence for the year 1974 relating to Declan Costello's position as Attorney General. Correspondence concerns individuals seeking legal advice, invitations to events and receptions and copy reply letters sent by Costello.

Includes:

- Letter from Costello to Judge Barra O'Briain of Enniskerry, County Wicklow, regarding the 'Tomato Case' (7 February 1974, 1p).
- Correspondence with Gordon A. Holmes, state solicitor, relating to a proposed bill which includes provisions to make it an offence to make representations either to the Attorney General, to a State Solicitor or to the Gardaí relative to criminal prosecutions (25–27 February 1974, 3pp).
- Letter from Brian Garret, solicitor, relating to an article in *The Times* on extradition and the Sunningdale agreement, a copy of the article is enclosed (12 March 1974, 3pp). Also present is a subsequent letter from Costello to Garrett FitzGerald discussing extradition and the Council of Europe (15 March 1974, 1p).
- Letter and copy memorandum addressed to Costello from the Central Body for Residents Associations (ACRA) pertaining to proposed planning legislation, also includes a supplementary report on noise and the environment (15 March 1974, 6pp).
- Letter to Costello from An Taisce: The National Trust for Ireland concerning a review of the Local Government (Planning and Development) Bill, 1973. Enclosed is a copy of the reviews and comments made by An Taisce in relation to the Bill (24 March 1974, 19pp).

**P237/17**

January 1975–May 1977

155pp

**Correspondence, 1975–7**

File of correspondence for the years 1975–7 relating to Declan Costello's position as Attorney General. Correspondence concerns individuals seeking legal advice, invitations to attend or to speak at events and receptions and copy reply letters sent by Costello. Also present are copy letters sent by Costello's personal secretary on his behalf.

Includes:

- Letter to Garret M. FitzGerald, Managing Director of Phoenix Relays Limited regarding a copy of a document entitled 'Proposals for the organisation and Control of Community TV Programmes', which is enclosed (19 February–3 April 1975, 6pp).
- Letter to Costello from Richie Ryan, Minister for Finance, relating to the number of married women employed in the Civil Service as a result of the abolition of the marriage bar (23 September 1975, 1p).
- Correspondence with J.P.B. Mannix, Trinity College Dublin, relating to an article written by Costello on the Law Reform Commission, a copy of the article entitled 'Law Reform – A New Departure' is also present (11 December 1975–11 February 1976, 8pp).
- Letter to Costello from P.J. Moore, Department of the Public Service, pertaining to a draft memorandum for the Government concerning an 'Increase in remuneration of Members of the Government and Parliamentary Office holders...' and a draft Order entitled 'Ministerial and Parliamentary Officers (Salaries) Order, 1976', a copy of the draft memorandum and order are enclosed (25 February 1976, 8pp).
- Letter from Liam Cosgrave, Taoiseach, to Costello in relation to a letter from Pat Lindsay, Master of the High Court, to Cosgrave, a copy of which is enclosed, discussing Lindsay's dissatisfaction with the position of Master of the High Court (17–18 January 1977, 4pp).
- Letter to Costello from Sean Donlon of the Irish Embassy, Washington, relating to the flow of funds from the Northern Irish Aid Committee (NORAID) (not dated, 2pp).

### **2.3 Sunningdale Conference, 1973 [-2008]**

**P237/18**

July 1973–September 2008

198pp

#### **Tripartite Conference, Sunningdale**

File pertains to the Tripartite Conference which took place in Sunningdale, Berkshire, and which Declan Costello attended as Attorney General. The file contains memoranda and related correspondence primarily relating to the proposed cross-border Council of Ireland. Documents also relate to the events of the conference itself, including a comprehensive list of delegates in attendance.

Includes:

- Memorandum for the Government, 'Report by Minister for Foreign Affairs on the possible functions and structures of a Council of Ireland' (30 July 1973, 38pp).
- Memorandum for the Government entitled 'Preparations for the Tripartite Conference' and a summary of same memorandum, sections have been underlined for emphasis (23 October 1973, 37pp).
- Two copies of a Memorandum for the Government, 'Financing the Council of Ireland'. The first copy is an advanced copy (1 November 1973, 9pp) while the second is an official version of the memorandum which is accompanied by a brief summary of the document (2 November 1973, 14pp).
- Summary memorandum for the Government 'Tripartite Conference: (a) Council of Ireland Institutions: (b) the Status of Northern Ireland' (9 November 1973, 17pp).
- Revised proposals submitted to the Government by the Minister for Foreign Affairs relating to the memorandum submitted on 2 November 1973 concerning the financing of the Council of Ireland, attached is a document pertaining to possible implications if an investment were to be provided by Britain at a subsidised interest rate (21 November 1973, 9pp).
- Two letters from Declan Costello and D.Ó. Suilleabhain, Secretary General to the Government, concerning Government decisions regarding the Council of Ireland; the first is addressed to the private secretary to the Minister for Finance and the second to the private secretary to the Minister for Foreign Affairs (28 November 1973, 2pp).
- Report entitled 'Inter-Departmental Unit on Northern Ireland' pertains to the relationships between the proposed Council of Ireland and the status of Northern Ireland (November 1973, 16pp).
- Booklet entitled 'Northern Ireland: Text of the opening and closing statements by An Taoiseach, Liam Cosgrave, T.D., at the Conference between the Irish and British Governments and the parties involved in the Northern Ireland Executive (designate) on 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> December, 1973' (9 December 1973, 8pp).
- Document detailing the administrative arrangements for the

**P237/18 contd**

Sunningdale Conference including the place and times of meetings, accommodation and press arrangements and a list of the delegates in attendance (December 1973, 11pp).

- Draft document entitled 'Tripartite Conference: All-Ireland Court of Human Rights' discusses a proposal for the establishment of an All-Ireland Court of Human Rights to hear complaints of breaches of human rights from the entire island of Ireland (1973, 2pp).
- Document detailing the possible functions and structures of a Council of Ireland (c1973, 5pp).
- Copy of a brief report entitled 'Council of Ireland Court to deal with certain offences where extradition is not granted', refers specifically to cases where a person commits an offence in the North and is arrested in the south of Ireland (c1973, 3pp).
- Copy of a speech relating to the Sunningdale Conference outlining proposals for policing, common law enforcement and human rights under the Council of Ireland (c1973, 6pp).
- Transcript of an interview with Declan Costello carried out by Dr Christopher Farrington of the UCD School of Politics and International Relations concerning the Sunningdale Conference and the Northern Ireland situation. Transcript features manuscript annotations and corrections made by Costello and attached is a letter from Christopher Farrington discussing the transcript (2 September 2008, 15pp).

#### **2.4 The Strasbourg Case: Ireland *v* the United Kingdom, 1973–2008**

**P237/19**

2 September 1973–31 October 2008

41pp

##### **The Strasbourg Case, Ireland *v* the United Kingdom, 1971–8**

File pertains to the case at the European Court of Human Rights, of Ireland *v* the United Kingdom, the first ever interstate case to appear before an international human rights tribunal. Ireland alleged that the UK had violated a number of human rights through detainment of members of the nationalist community who were subjected to what is referred to as 'the five techniques' to facilitate interrogation. File contains correspondence, reports and articles on the Strasbourg Case.

Includes:

- Copy correspondence between Edward Heath, Prime Minister of Great Britain, and Liam Cosgrave, An Taoiseach, discussing the Strasbourg Case, also present is a typed message from the British Ambassador to Liam Cosgrave (27 September–5 October 1973, 7pp).
- Copy document signed by Declan Costello entitled 'Strasbourg Case: Approaches for a "Friendly Settlement"' details approaches made by Mr McNulty, Secretary for the Commission of Human Rights, for settlement talks (14 June

**P237/19**

- 1974, 2pp).
- Copy report detailing Declan Costello's opinion on the future proceedings of the Strasbourg Case (18 February 1976, 6pp).
  - Copy letter from Declan Costello to Liam Cosgrave expressing his views on the Strasbourg Case pending a meeting between the Taoiseach and Harold Wilson, the British Prime Minister (27 February 1976, 2pp).
  - Copy report of a visit made by Liam Cosgrave to London to meet with British Prime Minister Harold Wilson at 10 Downing Street, 5 March 1976. Document relates to the discussions which took place during the meeting (8 March 1976, 3pp).
  - Letters from Aisling O'Sullivan, a doctoral fellow at the Irish Centre for Human Rights, National University of Ireland, Galway, to Declan Costello relating to interviews given by him concerning the Strasbourg Case. The letters are accompanied by a list of questions to be asked and manuscript notes by Costello relating to the questions (12 October 2006–14 November 2007, 17pp).

**P237/20**

January 1975–April 1977

23pp

**Irish newspaper cuttings on the Strasbourg Case**

Newspaper cuttings of coverage of the Strasbourg Case in Irish newspapers, primarily the *Irish Times* and the *Irish Press*.

**P237/21**

April–May 1977

21pp

**British newspaper cuttings on the Strasbourg Case**

Newspaper cuttings of coverage of the Strasbourg Case in British newspapers, includes cuttings from *The Guardian*, the *London Times*, the *Daily Mirror*, the *Daily Telegraph*, *The Times* and the *Belfast Telegraph*.

## **2.5 Visit to Australia, 1974**

**P237/22**

March–April 1974

24pp

**Official Visit to Australia**

File pertains to an official visit made by Declan Costello to Australia (21 March–1 April 1974) as the Attorney General of

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Ireland; contains the programs for his visits to Canberra, Melbourne and Sydney along with manuscript notes on the details of his visit, including who he met, where he was interviewed and the contents of the interviews. Also present is a telegram from the Irish Government Chief Whip requiring Costello's immediate attendance at the Dáil following his return (29 March 1974, 1p).

## **2.6 Assorted Notes, 1973–6**

**P237/23**

March 1973–November 1976

111pp

### **Assorted Notes**

File of assorted manuscript and typed notes compiled by Declan Costello during his term as Attorney General. Notes relate to a variety of subject matters, including the Strasbourg Case, the Attorney General's salary and pension, the European Economic Community (EEC), brief notes on official meetings and Government policies and the constitutional and statutory powers, duties and responsibilities of the Attorney General.

## **2.7 Resignation, 1976**

**P237/24**

September–October 1976

22pp

### **Resignation from political life**

Documents pertain to Declan Costello's decision not to seek re-election to the Dáil once his term as Attorney General was complete. This announcement marked his second and final departure from politics.

Includes:

- Transcripts from a *Late Night Extra* interview with Declan Costello (26 September 1976, 2pp) and a RTÉ Radio interview with Michael Mills, political correspondent of the *Irish Press* on the departure of Costello from politics (26 September 1976, 2pp).
- Statement issued by Costello on his decision not to seek re-election (27 September 1976, 1p).
- Draft letter from Costello expressing his gratitude to the Constituency Party (1976, 1p).
- Newspaper cuttings covering Costello's resignation (26 September–8 October 1976, 25pp).

### **3. Legal Career**

#### **3.1 Auditor of the Law Society**

**P237/25** December 1945

11pp

**Inaugural Address as Auditor of the Law Society, University College Dublin**

Text of Declan Costello's Inaugural Address as Auditor of the Law Society, University College Dublin, for the academic year 1945-6, entitled 'Statutory Rule and Democratic Order.'

#### **3.2 Reports**

**P237/26** May 1980-March 1981

491pp

**Disaster at Whiddy Island, Bantry, County Cork: Report of the Tribunal of Inquiry**

Bound volume containing the report of the Tribunal established pursuant to Resolutions passed by Dáil Éireann on 6 March 1979, and Seanad Éireann on 8 March 1979, to inquire into the disaster which occurred at Whiddy Island, Bantry, County Cork on 8 January 1979 (9 May 1980). The detailed report is divided into seven parts which are then subdivided, a summary of each part is provided at the beginning of the volume. Attached is a certificate of the President's Award from the Association of Consulting Engineers of Ireland received by Declan Costello for his outstanding contribution to engineering understanding through this report (5-6 March 1981, 3pp).

**P237/27** October 1989

244pp

**Report of the Committee on Fundraising Activities for Charitable and Other Purposes**

Bound volume of the Report of the Committee on Fundraising Activities for Charitable and Other Purposes presented to Mr Ray Burke TD, Minister for Justice and Minister for Communications, on 19 October 1989. Report pertains to the types of fundraising in Ireland, statutory controls on fundraising in Ireland, professional fundraisers and recommendations on registration and accounting proposals, street and house-to-house collections, lotteries and other types of fundraising.

**P237/28**

June–July 2002

525pp

**Report of the Inspectors Appointed to Enquire into the Affairs of Ansbacher (Cayman) Limited**

File pertains to the Report of the Inspectors appointed by the High Court to inquire into the Affairs of Ansbacher (Cayman) Limited. The Inquiry followed the revelation that Irish political figures, along with numerous other Irish clients, had been employing a scam and using the clandestine bank, which was unauthorised to operate in Ireland, in order to evade tax. Declan Costello is credited as one of the original inspectors appointed by way of the High Court order of 22 September 1999 but was forced to withdraw due to health reasons prior to the completion of the inquiry.

Includes:

- Press Statement from the Office of the Director of Corporate Enforcement on the Report (6 July 2002, 5pp).
- Document from the Department of Enterprise, Trade and Employment relating to the reaction of the Tánaiste Mary Harney to the findings of the Report and summary details of the Report (6 July 2002, 12pp).
- Letter from Paul Appleby, Director of Corporate Enforcement, enclosing a copy of the Report in published and CD-ROM format (6 July 2002, 1p).
- Volume One of the Report published by Order of the Court made on 24 July 2002. The report is divided into seven parts, each detailing a different aspect of the enquiry such as a description of the Irish business of Ansbacher (Cayman) Limited and the wrongdoing involved, responsibility for the wrongdoing, assistance provided to the company, clients of the company and related matters (July 2002, 503pp).

### **3.3 Legal Articles**

#### **3.3.1 Legal Essays, 1956–92**

**P237/29**

1956–92

377pp

**Legal Essays written by Declan Costello**

File contains copies of legal essays written by Declan Costello throughout his legal career. The essays relate to Irish law, the family and the constitution, marriage law and human rights.

Includes:

- Copy of 'Natural Law and the Irish Constitution' in *Studies*, (1956, 7pp).
- 'International Terrorism and the Development of the Principle *Aut Dedere Aut Judicare*' in *The Irish Jurist*, Volume IX, (1974,

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- 17pp).
- Two copies of 'Aspects of a Judicially Developed Jurisprudence on Human Rights in Ireland' in *Understanding Human Rights* (February 1980, 34pp), one copy features underlined passages and terms.
  - General report entitled 'The Right to be Heard by an Administrative Tribunal and Judges' (1984, 53pp).
  - Copy of 'Alcohol, Preventing the Harm – Towards a National Policy' a text of a speech given by Costello at the opening meeting of an Irish National Council on Alcoholism Conference (INCA), (27–28 November 1986, 48pp).
  - Two copies of 'The Terminally Ill – The Law's Concerns', one a typescript draft, the other a photocopy of the publication of the article in *The Irish Jurist*, Volume XXI, (1986, 40pp).
  - 'Natural Law, the Constitution and the Courts' in *Essays in Memory of Alexis FitzGerald*, (1987, 14pp).
  - 'Fair Procedures, the Constitution, and Trade Unions' (1 December 1988, 14pp).
  - 'The Family and the Constitution', a paper delivered to the International Seminar on 'Progress through the Family' (21 May 1988, 14pp).
  - Booklet entitled 'Recent Developments in the Civil Law of Nullity of Marriage in Ireland: The Role of the Courts' an excerpt from *Studia canonica*, 24 (1990), pp. 27–41 (1990, 16pp).
  - Two copies of 'Limiting Rights Constitutionally', one copy a draft, the other an offprint of the article in James O'Reilly (ed.), *Human Rights and Constitutional Law: Essays in Honour of Brian Walsh*, (1992, 32pp).
  - 'The Profession of Judge in a Common Law Jurisdiction – Ireland' (1992, 8pp).
  - Two copies of 'The Irish Judge as Law-Maker', one a draft, the other a photocopy of a published version of the article in *Constitutional Adjudication in European Community and National Law* (not dated, 23pp).
  - 'Rights of Accused Persons and the Irish Constitution of 1937' (not dated, 25pp).
  - 'Human Rights in Ireland – Some Recent Developments' (not dated, 21pp).
  - Final draft copy of 'The Constitutional Protection of Human Rights: Some Perennial Problems' (not dated, 10pp).

### 3.3.2 The United States Invasion of Iraq, 2005–08

P237/30

10 November 2005–27 March 2007

59pp

**Correspondence concerning the publication of 'The Legal Justification of the Invasion of Iraq Considered' and 'Hamadan v Rumsfeld, Secretary of Defence and Ors and the protection of human rights by international law.'**

File containing letters addressed to Declan Costello pertaining to the publication of an article he wrote concerning the legality of the justification for the United States invasion of Iraq in 2003. The letters, addressed to Costello, discuss the publication of the article on the United States and Iraq and comment on its content.

Includes:

- Letter from Professor Finbarr McAuley, Faculty of Law, University College Dublin, relating to the publication of the letter in *The Jurist* (10 November 2005, 1p).
- Letter from Kevin Costello, UCD School of Law, Roebuck Castle, University College Dublin, relating to the content of the article (13 November 2005, 1p).
- Letter from David P. Boyle, Editor of the *Irish Law Times*, accompanied by a draft press release for the article and a copy of the *Irish Law Times*, Volume 24, Number 2, (January 2006, 20pp) which features the article entitled 'The Legal Justification of the Invasion of Iraq Considered.'
- Letter from Phil Shiner, Public Interest Lawyers, Birmingham, to Professor William Kingston, Trinity College Dublin, concerning Costello's article on the legality of the Iraq War (17 August 2006, 2pp).
- Print-out of e-mail correspondence between Ailish Finnegan, on behalf of Declan Costello, and David P. Boyle in relation to the publication of the article 'Hamadan v Rumsfeld' (27 November–2 December 2006, 1p).
- Letter from Fergal Cunningham, Legal Editor of the *Irish Law Times*, Donnybrook, Dublin 4, enclosing a copy of the article 'Hamadan vs Rumsfeld, Secretary of Defence and Ors and the Protection of Human Rights by International Law' which was published in the *Irish Law Times* (19 February 2007, 4pp).
- Manuscript letter from Terri McDonnell, Round Hall Press, attaching a copy of the *Irish Law Times*, Volume 25, Number 23, February 2007, which includes Costello's article (27 March 2007, 20pp).

**P237/31**

c.2005

274pp

**Drafts and Notes for 'The Legal Justification of the Invasion of Iraq'**

File contains multiple drafts of Declan Costello's article on the US invasion of Iraq along with individual chapter drafts, extensive manuscript and typed notes and corrections.

**P237/32**

2003–08

75pp

**Articles and Newspaper cuttings for 'The Legal Justification of the Invasion of Iraq'**

File of newspaper cuttings from the *International Herald Tribune* and *The Guardian*, printed copies of online news articles and copies of journal articles relating to the US invasion of Iraq. Also present are newspaper cuttings and printed articles from newspaper websites relating to interrogation techniques used by the United States under the Bush Administration in Guantánamo Bay on prisoners detained under suspicion of terrorism; and to a book published by Philippe Sands entitled *Torture Team*. Includes articles from the *International Herald Tribune*, *The Guardian* and *The Times*.

Includes:

- Vaughan Lowe, 'The Iraq Crisis: What Now?' *International and Comparative Law Quarterly*, Volume 52, (October 2003, 7pp);
- William H. Taft and Todd F. Buckwald, 'Agora: Future Implications of the Iraq Conflict', *The American Journal of International Law*, Volume 97, with manuscript annotations (2003, 13pp).
- Sean D. Murphy, 'Contemporary Practice of the United States', *The American Journal of International Law*, Volume 97, with manuscript annotations (2003, 8pp).
- Extract from *The Guardian* featuring the full text of Harold Pinter's Nobel Prize acceptance speech (8 January 2005, 10p).
- Print-out of a BBC News article on the letter of resignation of Elizabeth Wilmhurst, deputy legal advisor to the British Foreign Office, over her belief in the illegality of the war in Iraq (24 March–17 November 2005, 2pp).
- Copy extract from the House of Commons Hansard Debates featuring debates relevant to the Iraq war, the Attorney General's legal advice on the matter and the resignation of Elizabeth Wilmhurst, with paragraphs of particular interest marked (24 March–17 November 2006, 11pp).

### 3.3.3 Collected legal and economic publications, 1978–2007

- P237/33** 1978  
33pp  
**Political Judges and the Rule of Law**  
Ronald Dworkin, 'Maccabean Lecture in Jurisprudence: Political Judges and the Rule of Law', *Proceedings of the British Academy*, Volume LXIV
- P237/34** 1990–2002  
59pp  
**Articles on the United Nations**  
File contains copies of and extracts from articles on the United Nations, relating to the UN Charter, UN resolutions on the the Iraqi invasion of Kuwait in 1990 and the Vienna Convention on the Law of Treaties 1969, with manuscript annotations.
- P237/35** November 2002  
28pp  
**Campaign for Nuclear Disarmament Case**  
Article providing a summary of the legal case 'R (on the application of Abbasi) v. Secretary of State for Foreign and Commonwealth Affairs', a case concerning the Campaign for Nuclear Disarmament, printed from the LexisNexis UK website.
- P237/36** June 2003  
161pp  
**Draft Treaty Establishing a Constitution for Europe**  
Booklet 'Draft Treaty Establishing a Constitution for Europe: Submitted to the European Council Meeting in Thessaloniki, 20 June 2003.'

**P237/37**

2003–05

154pp

**Ireland's National Income and Expenditure**

File contains booklets and articles pertaining to Ireland's national income and expenditure, economic outlook and GDP.

Includes:

- Booklet from the Central Statistics Office, 'National Income and Expenditure 2002' (August 2003, 82pp).
- Booklet from the Department of Finance entitled 'Economic Review and Outlook 2004' (2004, 49pp).
- Printed statistics on GDP, and national income and expenditure for the EU member states, including Ireland (14 July 2005, 22pp).

**P237/38**

August 2004–March 2007

45pp

**Articles on the legality of the construction of the Israeli West Bank barrier**

File contains articles printed from the internet concerning legal assessments and the legal consequences of the construction of a wall in the Occupied Palestinian Territory, including in and around East Jerusalem.

Includes:

- Summary advisory opinion of the International Court of Justice on the legal consequences of the wall construction (9 July 2004–21 March 2007, 21pp).
- Copy document detailing a resolution adopted by the General Assembly of the United Nations during the tenth emergency special session (2 August 2004–26 March 2007, 4pp) concerning the legality of the construction of the wall.
- Copy article from the *Cambridge Law Journal* pertaining to the ICJ Advisory Opinion on the legal consequences of the construction of the barrier in the occupied Palestinian territory (November 2004, 4pp).
- Copy article detailing the decisions of the International Court of Justice in relation to the legal consequences of the wall construction (October 2005, 11pp).
- Copy document concerning a resolution adopted by the General Assembly of the United Nations relating to the effect of Israeli practices on the human rights of Palestinian people in the occupied Palestinian territory, including East Jerusalem (15 January–26 March 2007, 5pp).

### **3.3 Retirement from the High Court, 1997**

**P237/39** [1997]

6pp

#### **Retirement Speech**

Untitled draft text of a speech written by Declan Costello, presumably intended for the occasion of his retirement from the position of President of the High Court.

## **4. Personal**

### **4.1 Diaries, 1954–76**

**P237/40** January 1954–January 1963

76pp

#### **Bound Diary**

Bound manuscript diary with detailed dated entries largely pertaining to meetings, conversations with Irish politicians and events relating to elections, politics, the economy, Fine Gael policy and his position as a Fine Gael TD. The diary is only partially completed and there are additional notes in the latter half of the volume. Enclosed within the volume were loose sheets featuring manuscript and typed notes relating to Government meetings.

**P237/41** March 1968–August 1976

177pp

#### **Loose Diary Notes**

File contains loose diary entries, manuscript and typed. The entries were originally contained within a ring binder labelled 'Notes from Diaries (different dates)'. Many of the entries are not dated and the file also contains documents that were presumably intended to accompany specific entries. Entries pertain to meetings, official visits, Government policy, and economics. Fine Gael and other documents present include memoranda from meetings and individual letters.

## 4.2 Correspondence, 1948–2011

**P237/42** February–March 1948

33pp

### **Letter from John A. Costello**

File contains original manuscript letter from John A. Costello to Declan Costello, regarding the former's decision to become Taoiseach in Ireland's first Inter-Party Government (29 February–1 March 1948, 12pp). Letter details John A. Costello's initial reluctance, the role of Seán MacBride and other key political figures and a detailed account of the events and discussions that led to his eventual decision to take the position. Three typed draft transcripts featuring manuscript annotations are also present.

**P237/43** November 1978–April 2009

42pp

### **Correspondence concerning the Repeal of the External Relations Act**

File contains letters, notes and newspaper cuttings relating to Ireland's Repeal of the External Relations Act and, more specifically, John A. Costello's role.

Includes:

- Letter from A.E. Ritchie of the Canadian Embassy, St Stephen's Green, Dublin concerning notes which had been taken on 9 September 1948 on a conversation between John A. Costello and Minister Mackenzie King at Kingsmere, Ottawa, copy of the notes are also present (21 November 1978, 5pp).
- Letter from Seán MacBride, Roebuck House, Dublin, concerning statements made by Seán MacBride at a Conference Banquet in Toronto, 11 February 1978, in defence of John A. Costello and the Repeal of the External Relations Act a transcript of the statement is also present (15 January 1982, 3pp).
- Letter for publication sent by Seán MacBride to the Editor of the *Sunday Independent* concerning statements made by Dr Noel Browne in relation to John A. Costello and the repeal of the External Relations Act (20 January 1984, 3pp).
- Printed copy from Dáil Éireann Parliamentary Debates, with the text of a speech made by John A. Costello, 24 November 1948, on the second stage of the The Republic of Ireland Bill, 1948 (27pp).
- Copies of newspaper cuttings relating to John A. Costello and the External Relations Act, two from the *Irish Press* and one from the *Sunday Tribune* (2 February 1948–22 February 1987, 3pp).

**P237/44** March–April 1987

43pp

**Seán MacBride Correspondence regarding *Against the Tide***

File contains letters and newspaper cuttings concerning Seán MacBride's response to a book published by former fellow Clann na Poblachta TD, Dr Noel Browne, entitled *Against the Tide*.

Includes:

- Letter from MacBride to Declan Costello enclosing newspaper cuttings of articles written by MacBride, published in the *Irish Press* on the 1948–51 period (16 March–28 April.1987, 11pp).
- Copy of an article by MacBride to be published in the *Irish Press*, accompanied by a short note stating that Costello may be interested in reading the article prior to its publication (not dated, 32pp).

**P237/45** September–October 2007

44pp

**David McCullagh Letters**

File features letters and notes from David McCullagh, biographer of John A. Costello, Blackrock, County Dublin to Declan Costello concerning his father John A. Costello. Notes include transcripts from interviews with Declan Costello carried out by McCullagh, topics to be discussed, and notes from an interview with Mick Kilkenny, a former driver of John A. Costello.

**P237/46** December 2007–June 2011

17pp

**Paddy Harte Letters**

File contains letters from Dr Paddy Harte, former Fine Gael TD for Donegal, concerning articles Harte believes would be of interest to Declan Costello, and asking for Costello's opinion on an article written by Paddy Harte on the 'Towards a Just Society' document. Also present is an email sent from Harte to [Declan Costello's son] John Costello concerning a draft of an article remembering Declan Costello following his death in 2011 (14 June 2011, 3pp).

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August 1956–September 2009

207pp

### General Correspondence

File of personal correspondence of Declan Costello, features correspondence not relating to any of his official legal or political duties.

Includes:

- Letter to Costello from Dr T.K. Whitaker, Department of Finance, concerning an article which featured in the *Economist* on 'Central Banks for New Dominions' (13 August 1956, 2pp).
- Two manuscript letters from Wilmarth Lewis Walpole, Farmington, Connecticut (3 January 1959–8 February 1976, 7pp).
- Letter to Costello from James Dillon in reply to a letter sent by Costello concerning social issues, and socialism and Fine Gael. A copy of a speech made by Dillon at the Fine Gael Ard Fheis, 23 February 1960 is attached (12 July 1960, 14pp).
- Letter from Conor [O'Brien], Editor of the *Sunday Independent*, offering condolences following the death of John A. Costello (13 January 1976, 1p).
- Letter from Christopher Osakwe, Professor of Law at Tulane University, expressing gratitude to Costello for speaking at a conference and discussing future publications to be produced as a result of the meeting (13 November 1980, 1p).
- Letter from John G. Burns of Barefield National School enclosing a copy of their centenary book *Barefield National School Centenary, 1895–1995* which features a forward by Costello (20 June 1995, 154pp).
- Letter from Mary Harney, Tanaiste and Minister for Enterprise, Trade and Employment, concerning the Ansbacher Inquiry following Costello's resignation from the High Court Inspectorate (8 December 2000, 4pp).
- Letter from Enda Kenny, Leader of Fine Gael, extending an invitation to Costello to attend regional meetings of the Fine Gael party (17 June 2002, 1p).
- Letter from All Hallows College, Dublin, attaching an article from the All Hallows Annual in memory of Father Joseph Leonard, of All Hallows College (30 July 2002, 5pp) and a copy of a letter sent from Jacqueline Kennedy to Father Leonard which makes reference to Costello written in May 1950.
- Letter from Neil Cameron inviting Costello to take part in a BBC programme Cabinet Confidential discussing Northern Ireland and government archives releases in Britain and Ireland (17 November 2003, 1p).
- Note from Patrick Cooney, accompanied by a statement made by him, a former Minister for Justice, pertaining to the Barron Report on bombings in Dublin and Monaghan, 1974 (c.2003, 5pp).
- Card offering congratulations from Liam Cosgrave relating to an interview given by Costello and thanking him for the generous references (21 September 2009, 2pp).
- Letter to Joan Costello from Paul T. De Angelis, West Cornwall,

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concerning the publication of a letter from Costello to Jacqueline Kennedy in *Dear Mrs. Kennedy: The World Shares its Grief, Letters November 1963*, the letter is accompanied by an extract from the publication featuring Costello's contribution (20 September 2010, 4p).

#### 4.3 Father Joseph Leonard CM, 1940–64

P237/48

March 1956–October 1964

20pp

##### Correspondence with the Kennedys

Letters from an envelope labelled 'Kennedy. White House'. Letters are from Jacqueline Kennedy (*née* Bouvier) and John F. Kennedy to Father Joseph Leonard and to Declan Costello.

Includes:

- Letter from John F. Kennedy, then a United States Senator, to Father Joseph Leonard concerning a speech to be given by Kennedy at the Irish Fellowship Club in Chicago on St Patrick's Day 1956, and requesting stories, comments and suggestions from Father Leonard as source material. A draft text of the speech is present (5 March 1956, 5pp).
- Personal letter from Jacqueline Kennedy to Father Leonard, with a photograph of Jackie with her daughter, Caroline Bouvier Kennedy and A.B. Lewis (4 December 1958, 4pp).
- Typed card from Jackie Kennedy, The White House, to Declan and Joan Costello, thanking them for their sympathy following the assassination of her husband (20 December 1963, 1p).
- Letter from Jackie Kennedy to Declan Costello responding to the death of Father Leonard (1 October 1964, 1p).
- Small manuscript Christmas card from Jackie Kennedy to Father Leonard (not dated, 1p).

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1940–63

140pp

##### Father Joseph Leonard CM Texts

File contains religious texts and articles given by Father Joseph Leonard to Declan Costello; some of the texts written by Fr Leonard himself.

Includes:

- 'Ancient Humours and Modern Glands' (1940, 17pp).
- 'Ancient Humours and Modern Glands II' (not dated, 15pp).
- 'Saint Vincent de Paul and the Spiritual Life' in the *Irish Ecclesiastical Record* (1948, 12pp).
- Text of a speech made by Wilmarth J. Lewis at the American Law Institution Dinner, Washington, 24 May 1963. Manuscript

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- note states 'To Fr Leonard, from Lefty' (24 May 1963, 10pp).
- 'Plebs Sancta', features some manuscript annotations (not dated, 14pp).
  - 'Offerimus', features some manuscript amendments (not dated, 14pp).
  - 'The Philosophy of Saint Francis de Sales', features manuscript corrections and annotations (not dated, 24pp).
  - Two copies of 'Fortitude', one copy features minor manuscript annotations (not dated, 20pp).
  - 'Magnamity: A Part of Fortitude' (not dated, 6pp).
  - 'Justice: "Make Thyself Affable to the Congregation of the Poor"' (not dated, 3pp).
  - 'On Thankfulness and Gratitude (in Six Articles)' (not dated, 5pp).

#### 4.4 Newspaper Cuttings, 1930–2007

P237/50

August 1930–November 2007

30pp

##### Personal Newspaper Cuttings

File of newspaper cuttings and photocopies of newspaper cuttings, many of which were contained within a folder labelled 'Personal.' The file features articles relating to Declan Costello's political and legal career; the 'Towards a Just Society' document; a State visit to Perth, Australia; Costello's wedding to Joan Costello (née FitzSimons); the wedding of Alexis FitzGerald to Grace Mary Costello, sister of Declan Costello; the death of his father John A. Costello; and the death of Alexis FitzGerald, solicitor and Fine Gael politician, on 15 June 1985. Also present is a newspaper cutting from Costello's school-days at Xavier School accompanied by a manuscript letter on the stationery of the President of The Circuit Court, signed 'Tom' [Neylon].

#### 4.5 Obituaries and Memorials, 2011

P237/51

June–July 2011

10pp

##### Obituaries and Memorials

File of a small number of newspaper cuttings and a copy of *The Law Society Gazette*, Volume 105, Number 6, featuring obituaries and memorial articles for Declan Costello following his death on 6 June 2011.

#### 4.6 Dissociated Personal Material, 1983–8

**P237/52** November 1983–November 1998

28pp

##### **Dissociated Personal Material**

File contains documents pertaining to the death of Christopher Preston of the Law Library at the Royal Dublin Society, featuring a newspaper cutting, a copy of an obituary, a text of his Requiem Mass held 12 December 1983 and a text of an appreciation delivered at a Memorial Mass on 17 December 1983. Also present is a manuscript text of a speech given by Gerry Lee at a dinner for Ralph Sutton, Declan Costello's brother-in-law, at the Great Southern Hotel, Killarney, 6 November 1998, accompanied by a small note stating 'For Declan and Caroline' (6 November 1998, 17pp).

#### 5. Photographs and Sketch, 1945–93

**P237/53/01** December 1945

1 item

##### **Inaugural address to the UCD Law Society**

Black and white print of the guests and committee of the UCD Law Society at Declan Costello's inaugural auditorial address.

*Back row:* Alice Blayney, David Sheehy, Maeve O'Higgins, Michael Farrelly, [?], [?]. Declan Costello.

*Seated:* Eamonn Walsh, [?], [?], John A. Costello, Patrick McGilligan.

© Irish Times

**P237/53/02** December 1945

1 item

##### **Inaugural address to the UCD Law Society**

Black and white print of Declan Costello with *from left* W.T. Cosgrave, Christopher Hollis MP, [?] and Declan Costello.

© Irish Press

**P237/53/03** December 1954

1 item

**Inaugural address to the UCD Law Society**

Declan Costello with Christopher Hollis MP at his inaugural address.

© Irish Press

**P237/53/04** 1961

1 item

**Peace Conference, Montreux, Switzerland**

Black and white group photograph of the c.50 delegates to the week-long conference for peace organised by the Council of Europe. Declan Costello and Charles Haughey were among the delegates, accompanied by Joan Costello and Maureen Haughey. Haughey is standing at back, fourth from right. Costello is standing in the middle of the second row.

© J.M. Schlemmer, Montreux

**P237/53/05** 17 October 1962

1 item

**Pencil caricature of Declan Costello**

Pencil cartoon of Declan Costello BL in gown and wig. The sketch is labelled 'Pictorial Photo Ltd v Unidare Ltd' and is dated and signed, signature illegible. Possibly drawn by Robert Pyke.

**P237/53/06** March/April 1974

1 item

**Official visit to Australia**

Black and white photograph of Declan Costello, Attorney General, with Gough Whitlam, Australian Prime Minister, during Costello's official visit. Both men are seated, Costello holding a presentation copy of a large pictorial volume on Ireland.

**P237/53/07** 7 March 1975

1 item

**Conferring of the Freedom of the City of Dublin on John A. Costello and Eamon de Valera.**

Black and white photograph of Declan Costello seated beside Eamon de Valera and John A. Costello on the occasion of the conferring of the Freedom of the City of Dublin on the two men in the Round Room of the Mansion House.

**P237/53/08** 14 September 1975

1 item

**World Congress of the International League of Societies for the Mentally Handicapped**

Black and white group photograph of *from left* Pat Maloney, Declan Costello and two unidentified delegates at the Sixth World Congress of the International League of Societies for the Mentally Handicapped held in the Burlington Hotel, Dublin.

**P237/53/09** April 1976

1 item

**Third United Nations Conference on the Law of the Sea**

Black and white photograph of Con Cremin, Ireland's Ambassador to the UN, and Declan Costello, seated, with Joan Costello seated behind and obscured by Cremin, at the Third UN Conference on the Law of the Sea.

**P237/53/10** April 1976

1 item

**Third United Nations Conference on the Law of the Sea**

Black and white photograph of Declan Costello addressing the Third UN Conference on the Law of the Sea, standing at a podium with the President and Executive Secretary seated on a dais behind.

© OCI Departamento da Fotografia

**P237/53/11** 25 June 1976

1 item

**Dún Laoghaire Summer Festival: speech on the Law of the Sea**

Black and white photograph of Joan Costello, Hugh McCann [Department of Foreign Affairs], an unidentified UN official, and Declan Costello at the Marine Hotel, Dún Laoghaire, on the occasion of a speech given by Declan Costello relating to the Law of the Sea during the Dún Laoghaire Summer Festival.

© Lensmen

**P237/53/12** 25 June 1976

1 item

**Dún Laoghaire Summer Festival: speech on the Law of the Sea**

Black and white photograph of the unidentified UN official, Declan Costello and Joan Costello standing, with Liam Cosgrave in the background, at the Marine Hotel, Dún Laoghaire on the occasion of a speech given by Declan Costello relating to the Law of the Sea during the Dún Laoghaire Summer Festival.

© Lensmen

**P237/53/13** April/May 1977

1 item

**Appointment as Judge of the High Court**

Black and white photograph of John M. Kelly, Declan Costello and President Patrick Hillery in morning suits at Áras an Uachtaráin on the occasion of Declan Costello's appointment as a judge of the High Court and John Kelly's appointment as Attorney General.

© Irish Times

**P237/53/14** 1993

1 item

**Members of the Supreme and High Courts**

Colour photograph of twenty four judges of the Supreme and High Courts, taken on the occasion of the retirement of Judge A.J. Hederman. Declan Costello is standing at the rear, third from right.

**P237/53/15** [1990s]

1 item

**Presentation to Declan Costello at St Michael's House**

Colour photograph of Declan Costello being presented with work done by clients of St Michael's House, by Maurice Redmond, Chairman of the Board.

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