

## **British Military Policy during the End Game of the conflict.**

### **Implications for women and the present**

Delivered at “Overarching Conspiracy” a Bloody Sunday Weekend event in Derry on 26<sup>th</sup> January 2013 organised by the Pat Finucane Centre and the Bloody Sunday Weekend Committee

### **Introduction**

Anything which is included in this piece is an amalgam of the experience and expertise of the key people within RFJ, in particular its Director Mark Thompson.

This piece will focus on one particular strand of our conflict. It will focus on the use of non-state actors by the state to further British military objectives and policies, the policy that is now referred to as collusion. However there were many hurts and harms by all actors to the conflict. Relatives for Justice acknowledge and support families affected by all actors and wish to make clear that there is no experience of harm created by any policy which we elevate above others.

## **Family Focussed Frame**

RFJ works with families who explain and describe collusion in ways that have yet to be fully recorded and appreciated. For me to try to give value to the enormity of that is almost impossible

We work with people who in all humility say things to us like –

I don't know if you could call it collusion because the killers were caught but when they were sentenced for murder they got really short sentences

Or

I don't know if this was collusion but it was as if no one cared, not even the people who should have cared, the police, the courts. There was a man killed the same age as my daddy by the IRA that week and they had had him on the television and appealing for witnesses and yet no one even came and interviewed my mummy after my daddy was killed.

Or

They were after my daddy. But they got my mummy. Is it collusion if they killed her instead of him? They did target our house. They didn't care who they killed. But if they killed mummy instead of daddy was it collusion really?

The enormity of even phrasing those questions cannot be underestimated. The process of even finding the words to say something that reaches so deeply into the most painful places and emotions is one only those who have experienced such devastation can begin to fully understand.

In RFJ we sit with people who trust us to support them to identify what their questions are. Many times families need to establish what happened before they can be sure they are even asking the right questions and that is long before they can even begin to participate equally in the public debate of collusion.

It is from that experience of support that Relatives for Justice speak about collusion

## **Collusion as a societal issue**

I get frustrated when I hear some people – good honest people say about collusion – sure that’s not surprising, or we shouldn’t be surprised.

We should be surprised by the use of state agents to murder citizens by a government. We should be surprised, angry and motivated to secure accountability

As a society we seemed to have gone from a place where collusion was described as republican propaganda to barely an eyebrow being raised when a prime minister admits that the state was involved in using pseudo gangs to murder people it claimed were its citizens.

How did that happen? What and when was the place in between?

I remember exactly the physical impact of sitting in the Stormont Hotel when Nuala O’Loan delivered her report on activities of Mount Vernon UVF

That full force impact – the impact of a revelation that said yes collusion affected protestants too.

But somehow that societal feeling has diminished.

As did the urgency with which people felt it needed to be addressed

Within days of the publication of the Operation Ballast report in January 2007 I was invited to Derry by Paul to chair a discussion on the policy of collusion

That night we felt that the issue of collusion had reached a tipping point. That the issue was one that had now reached a new place where it not only needed to be dealt with openly and transparently but that it would be.

With an advocate like Nuala O’Loan and the imminent vote on policing by Sinn Féin’s Ard Fheis it felt that there was a huge leap taking place in terms of accountability and a light being shone on the issue.

I will come back to what else happened six years ago.

In the months that followed the Operation Ballast report families from across the community came to RFJ with their plastic bags full of notes, clippings and most importantly testimony.

Those bags and suitcases and carefully put together scrap books and folders span decades. All pointing to a policy of collusion.

I cant do justice to all of those cases or the testimony they contain.

I cant do justice to the humility, dignity, long-sufferance and tenacity of those who continue to campaign for truth and justice

What I do want to try to do though is draw attention to just one strand of what is brought through our doors. That of the end game of the conflict. And collusion as part of the end game.

And I want to additionally highlight a thematic issue within that strand.

The end game has a gender dimension to it that does not over ride the policy but is a strand which has been overlooked and it is only by drawing attention to it can it be addressed

## **“The End Game”**

A key element of the endgame is about Force Research Unit, the directing of agents and the importation of weaponry from 1987 onwards. When anoraks like me or those working in Relatives for Justice are looking at it we pejoratively refer to Nelson.

The journalist Brian Rowan has quoted from a military briefing in December 1991 before Brian Nelson’s trial.

The Senior Military source said that they were aware of Nelson being run.

They were aware that he – Nelson - was a very important and significant agent.

The overriding concern for this senior British Military figure was “if we (The British military) are not careful it will look like the army is a lot of cowboys.”

He said that the running of Nelson was not freelance. “We don’t do freelance - we are not running a freelance undercover army, I can categorically say that”.

He meant that those running Nelson were not mavericks. Indeed the senior military figure briefing Bran Rowan reiterated that it was absolutely not true that the RUC did not know about Nelson and his role, he insisted that Nelson’s role was known across the military and policing

This was a senior military officer. That comment means much more now than it might have done in 1991.

About a year later just after Brian Nelson was convicted, in an interview with the General Officer Commanding Brian Rowan asked him – “did the military feel shame regarding Brian Nelson?”

The response from the General Officer Commanding was “certainly not shame”.

The BBC and the Irish News carried that as their headline – “Certainly not shame”.

20 years later and a Conservative British Prime Minister stands up in the House of Commons and apologises for the actions surrounding Brian Nelson and the actions and inactions of the British state.

Without lecturing on history it is important to place that statement and these events in context.

This is the relatively short time period before the 1994 ceasefires after it was clear that the Anglo Irish Agreement had failed.

By 1987 the British Government had decided to go back to up their policy of strangling the IRA and Sinn Féin through terror and assassination, using special forces and their proxies.

However in parallel in exactly the same time period the nature of negotiations and ceasefires were tentatively being talked about between interlocutors and governments and the IRA. We now know that these negotiations were real, and no one was shadow boxing.

To some it may seem incongruous but in that time period there was an increase in the ferocity of the conflict. After 1987 the rate of killings dramatically increased and by the end of the conflict the rate of killings by loyalism exceeded that of republicanism.

In the document obtained by the PFC in 2007 regarding Operation Banner the MoD refer to the policy objective of the time as “the destruction of PIRA”.

But filter that statement down and think about that

While some people were beginning to talk about peace the policy objective of the Ministry of Defence of the British Government was the destruction of the IRA.

How did that filter down to our experience?

Confronting and undermining the republican capacity, strangling it militarily and politically was the objective.

Put simply shoot to kill went hand in hand with collusion as British military policies.

Both policies as plain as the nose on our faces, both policies denied by faceless policy makers and frontline policy implementers.

Denial of all policy – overarching or micro was essential to the frame in which it was designed.

Britain's assertion of neutrality between the two communities and asserting law and order over a terrorist conspiracy was key to their policy.

But even at the time those who could hear past the silence of censorship could see the opposite was the case.

In 1992 1993 and 1994 loyalist death squad killings exceeded those by the IRA. Despite this and despite the fact that they were exceptionally active, especially in the Mid Ulster area, special forces were never deployed to prevent or arrest loyalists. Except once - in the case of Brian Robinson in Belfast.

If you doubted collusion maybe you would have a different expectation. You might expect loyalist death squads and those who ran them – whose names were known to all – to be caught, or arrested (well actually ambushed and assassinated if you go by what they were doing to the IRA).

By using loyalist death squads, the Catholic population was from 1987 confronted with an unprecedented killing machine, armed with South African weaponry and at least 85% of all intelligence coming directly from the different arms of the military apparatus.

IRA operatives were shot in shoot to kill operation and Sinn Féin activists and elected officials were targeted by loyalists.

Now this seems very simple indeed.

Loyalists were armed provided with information – after De Silva we begin to get a sense of just how much information they were getting.

This is just one quote from De Silva

“UDA members received accurate and sensitive targeting information on republicans; information about the identity of informers; advance notice of arrests and operations; and on occasions weapons. In MOST cases it was simply not possible for the UDA to receive such accurate information or equipment from any source other than members of the security forces.”

It should be noted from the De Silva report that he only looked at the period from start of 1987 until September 1989. People remember the savagery of loyalism in 1990, 91, 92, 93, 94 and onwards. They remember what it meant. Dead bodies day after day after day.

Not just the big incidents – the Sean Grahams, the Loughinislands, the Castlerocks, the Greysteels. What they really remember is the terror of people being killed, especially in Belfast day after day. The terror that meant that parents did not let their children out to play in Ardoyne or near the Springfield Road. They remember when you went to a bar you waited outside a cage until you were buzzed into “safety” behind a full metal door, and you questioned any place that did not have grills or security of that scale.

These gangs that created that terror were given safe passage because they were operating as an arm of the British state.

However this operation kept the British narrative of the conflict intact. The British were still the peace keepers. Holding the line of law and order

A Law and order that operated while the “Pan Nationalist” front, as the UDA called it was targeted. It is worth noting that the UDA was still legal when they issued that statement.

The “Pan Nationalist Front”, a code for making GAA clubs and their players legitimate targets; Irish language speakers legitimate targets; Catholic taxi drivers legitimate targets. All written in statements written by British Government agents, paid with tax payers’ money

Statements which said things like

"The UFF takes this opportunity to warn the pan-nationalist front of the SDLP the Dublin Government and the cutting edge' of the Provisional IRA that our active service units across Ulster are now fully armed and equipped to intensify and widen our campaign in 1993 to a ferocity never imagined."

And all with the constant direction of state handlers, all to strike terror and strangle the republican movement, all to hold the line



And they held the line alright. They held a line which allowed a campaign of terror to occur for seven years.

Brian Nelson was one part of the story of that period. His activities and subsequent prosecution is merely a lens through which we might get some understanding and make sense of what was at play as loyalism exorcised its barbarity.

Indeed as evidence of Brian Nelson being just one cog in the wider machine it is worth looking at January 1992.

As the truth threatened to emerge in a court in Belfast in January 1992 against Brian Nelson, Col Gordon Kerr got up, having secured a deal with the British Attorney General later Secretary of State, Sir Patrick Mayhew and Prime Minister John Major, to secure silence about the full extent of what was occurring.

In that month we should be reminded of what was happened on the streets.

Kevin and Jack McKearney were killed in a butchers shop in the Moy killed by the UVF in mid-Ulster, within a fortnight another 6 people were lying dead in a bookmakers on the Ormeau Road killed by the UDA in Belfast

In that year, just like the year before, terror struck the nationalist and Catholic population and republican families in particular. Brian Nelson's arrest and conviction made little difference if any.

It was during this time that the UFF changed its language which points to the political direction at play.

Statements no longer implicitly targeted all Catholics. ALL Catholics were explicitly targeted in statements issues before and after the ever increasing spiral of murders.

After the murder of Catholic Taxi driver Paddy Clarke the UFF referred to the "entire pan-nationalist electorate". After the Shankill bombing the UFF's statement was that "John Hume Gerry Adams and all those who voted for any nationalist party should expect to pay a heavy price". It was a language that changed, developed and responded to political events. Some commentators

said they were statements well beyond the intellectual capacity of those who were seemingly behind them.

## **Gender as a part of the End Game**

It is here I would like to raise a gender dimension to the issue of collusion

If women are targeted for assassination as part of a policy and those women are mothers and wives of activists, rather than activists themselves, then there are not only issues for international human right and international humanitarian law, there are issues which require specific attention under the international security council of which the British government is one of the permanent members.

In April 1992 the UFF murdered Philomena Hanna a 26 year old mother of two young girls. Philomena was working in a chemist on the Springfield Road.

In a statement within hours of her murder the UFF said that “the UFF acting on high grade intelligence carried out this morning’s assassination of female PIRA member Philomena Hanna, sister of SF PIRA member Richard MacAuley, the UFF and the loyalist people have seen as recently as last week the central role that females are playing within the republican war machine. The UFF wish to state that we make no distinction between male and female members of PIRA. The government and NIO should take note that no amount of failed security force policies will deter us from ridding Ulster of the cancer of republicanism once and for all.”

Note the phrase High Grade Intelligence – After De Silva we know – we know what that means. If we are looking at FRU and the phrase “high grade intelligence” whether it was Pat Finucane Gerard Slane or Terence McDaid they were targets of the British state. The UDA in statements after these murders said that these men were members of the IRA – none of them were. Philomena Hanna was neither a member of the IRA nor Richard MacAuley’s sister. But it is also clear that the policy to explicitly target women had been given the type of “high grade intelligence” that gave it cover.

The same source of intelligence, the same direction to kill. Within weeks of the trial of Brian Nelson Philomena Hanna was murdered. The policy was clearly still intact and active.

In March 1991 19 yr old Eileen Duffy and 16 yr old Katrina Rennie were killed with Brian Frizzell by the UVF in a mobile shop in the Drumbeg estate in Craigavon.

In September 1992 Teresa Fox was murdered with her husband in the Moy, a mother of an IRA prisoner.

In October 1992 Sheena Campbell was a partner and mother and was deliberately targeted as a key Sinn Fein strategist.

July 1993 the home of Sinn Féin Councillor Annie Armstrong was attacked. Annie and her three young children had to run for their lives as their home was shot up.

On April 14 1994 Teresa Clinton the wife of a Sinn Fein election candidate was killed in her living room.

On May 8<sup>th</sup> 1994 76yr old Roseanne Mallon was killed in Tyrone.

The murder of Roseanne Mallon is a case that serves as an illustration of this dimension of collusion

This elderly single woman lived with her sister and her sister's son Martin and his wife and family. Martin is an ex-prisoner and was the target of significant British army and RUC special branch harassment in the months leading up to the attack on his home.

Three weeks before the attack Martin Mallon was accosted by two identifiable members of RUC Special Branch and detained for one hour, during which time well known UVF killer Billy Wright arrived with another known loyalist and they made direct threats to kill Martin's family. Martin was told that while he may well be unafraid for his own life his family however would be targeted.

On the night of the attack Martin and his brother Christy fought to get through the security lines to get to his home. He was told by members of the RUC laughing in his face that his wife Ruth was dead. Martin and Ruth are convinced that she was indeed the target of the attack. Martin's aunt Roseanne lay dead and his mother Bridgit was seriously injured in that attack.

Kathleen O'Hagan was 7 months pregnant and at home with her four young boys in Tyrone when she was shot dead.

Her husband Paddy was an ex-republican prisoner and again was the subject of sustained harassment. Paddy was at a function that night – it was well known he would be at this function. No one was under any illusion that this attack was on Kathleen herself. Kathleen was targeted amongst her children and murdered. Paddy came home to find her and her unborn baby dead being cradled by their sons. It is a case that screams for truth and accountability.

It was an attack that bore the hallmarks of special forces attacks and killings of the National HBlock and Armagh Committee members between 1979 and 1981, which involved the shooting of Suzanne Bunting, the murder of Miriam Daly and the shooting of Bernadette McAliskey,

And there were other women killed as part of this dimension of this strand of this policy. I have not named them all. But I do want to acknowledge them.

Additionally if we are to look through a gender perspective on that end game we must also take into account the impact on so many women that the overwhelming victims of this policy were male.

This is important, as the lives of families left behind were impacted forever.

We now know the women who were forced to assume the roles of advocates for truth and justice – while they balanced the burden of sole parenting, surviving economically and managing their own as well as their families' trauma. And we know the names of some of those women including Theresa Slane and Geraldine Finucane. And it must be acknowledged that Geraldine was also shot when her husband Pat Finucane was murdered. Teresa and Geraldine are heroes from our community. The word victim is the most inappropriate way to describe them.

This part of the collusion story is not written about and explored. What happened when the cameras went away? How did a family cope in between the killing and the inquest and the call for public inquiry. How did multiple trauma over prolonged periods affect families and what learning is there in this for any transitional process?

When women's experience of conflict is written about internationally it is often women as victims of sexual abuse. The reality here was different. It is a prolonged story that involves the experience of coping and not coping. That is a story of quiet desperation and exceptionally rare courage.

No truth recovery process will properly address the experiences of those who survived without including these dimensions.

## **Lessons for our Present and our Future**

We understand now that collusion was a policy that while denied at the time, and is now acknowledged was in place. We have a prime minister who acknowledges that yes collusion took place.

We can now see the official public frame in which collusion was set, British neutrality holding the line against a criminal terrorist conspiracy. We now know the backdrop to which internal policy collusion was set – the defeat of the IRA through overt and covert means. We know that there was a clear targeting of civilians and women.

Are we honestly going to accept that as a subject of historic interest?

Or are we going to address it as we should – as a current matter of international human rights law; international humanitarian law and for consideration by the UN Security Council.

Are we going to accept the constant insult of a government that tries to wriggle and squirm its way out of facing its actions – through placing quislings in charge of sham independent investigation; through getting coroners to raise national security in the pretence of upholding the sanctity of law ; through debating the real definition of collusion; through pretending that the absence of a piece of paper that says over arching conspiracy means that there was none.

Our national intelligence and our national dignity should be insulted. Collusion was a policy that was designed to terrify a population into suffocating the IRA. But there were no restrictions on who might become its victim.

Catholic, Protestant, Dissenter, Republican activist, civilian, state actor, loyalist actor. All targeted as when convenient.

I sit with people every day – every day – who tell me it is like yesterday.

I have sat with people who cannot even phrase how that burning sense of injustice that this policy which destroyed lives, diminished society and begets our peace process is accepted with a shrug of – “we shouldn’t be surprised”.

The struggle that families face is one that no one would choose.

No one would choose a life that combines coming to terms with trauma and campaigning for truth and justice

But there must also be a comprehensive societal official process for families.

In 2007, the year of Operation Ballast, the year when Sinn Féin voted to take a chance on new policing, the then Secretary of State Peter Hain announced a new initiative to consult on a way to deal with the past.

Clearly society had built a demand that was far exceeding the capacity of the existing mechanisms.

Eames Bradley was to find a new way forward, except it was fundamentally flawed in its construction

It did not involve the Dublin Government. It did not ensure cross community support for its construction, leaving a gap that could be exploited later on.

It was feared by many of us that the British Government were attempting to wipe our eye – to build a box, a container, for the past. Rather than be held truly to account.

But the Eames Bradley process was interesting – it actually did consult. It actually did listen. The individuals concerned had integrity.

It heard that there is no one size to fit all and it heard that there is a need to deal with the past

They built a frame of a process that could begin a conversation to which we could all contribute.

But the Irish government looked south and did not engage.

And exploitable gaps became caverns of no confidence

And the gaps were exploited to the full by vested interests who did not want to see the past dealt with. The re-emergence of a hierarchy of victimhood, a hierarchy which in 1998 RFJ named and challenged and indeed was defeated, defeated by those who promoted human rights, equality and most of all compassion, was a cynical and sordid vehicle by which to scupper mature and appropriate debate on the Eames Bradley recommendations.



And while it was imperfect. Nothing – no talks and no serious discussions have taken place to build on what is there.

If what we have all said tonight is to not be a mere note of historical interest, if it is to be a lesson for and inform a positive future – then society is obligated to knuckle down and get real about our past. We must stop talking about dealing with the past and actually deal with the past.

Undoubtedly it is uncomfortable, challenging and indeed painful yes.

But nothing is more painful than the experiences that Paul, John and I share tonight. Nothing – and we owe to those who were victims and those who survived – to take some courage and address it.