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British Collusion in the Irish War on Terror: Analyzing the Legal and Ethical Implications of
Deploying Collusion Tactics to Defeat Terrorism

By

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Between the mid-1960s and 1998, the Provisional Irish Republican Army (PIRA), a radical paramilitary group not affiliated with the government of the Republic of Ireland, sought to liberate Northern Ireland from British rule through force of arms and unify all of Ireland under one independent Irish nation. In response to the PIRA's campaign of violence, British military intelligence adopted counter terrorism measures, which included the recruitment and handling of PIRA informants (collusion) in order to infiltrate the paramilitary group's command network. Collusion, as defined, is a clandestine or illegal cooperation or conspiracy, with the intent to cheat or deceive others.

The counter-terrorism tactics employed by the British Special Air Service (SAS) and the Force Research Unit (FRU), focused specifically on collusion within the PIRA. The legality and ethicality of state-organized collusion has been a difficult topic for discussion both politically and philosophically. By examining the Northern Irish counter-terrorism campaign orchestrated by the British government, it becomes evident that the British government fell into a slippery-slope of state-sponsored terrorism. Both the FRU and the SAS effectively violated the British legal system in their war on terror, the very system they were trying to enforce in Northern Ireland. Collusion, though effective in defeating the PIRA's ability to wage terrorism, proved to be legally and ethically reprehensible but ultimately justifiable.

The Irish Republican Army (IRA) formed in 1919 by Michael Collins, a participant in the Easter Rising and a leading Republican, was a militant nationalist organization that advocated using armed forces to render British rule in Ireland ineffective with the ultimate goal of unifying Ireland under one independent republic. Historian Richard English states in his book *Armed Struggle: The History of the IRA* that during the Anglo-Irish War of 1919-1921, the IRA adopted guerilla tactics such as ambushes, raids, and sabotage with the goal of forcing the British

government to negotiate.¹ The ensuing political settlement reached via negotiations established a Free State in which the new Irish government claimed dominion over 26 counties while six of the nine counties in the province of Ulster formed a new statelet called Northern Ireland which remained part of the United Kingdom. A substantial number of hardline IRA members disagreed with the treaty, refusing to settle for anything less than a 32-county unified Ireland. Consequently, the IRA split into two separate groups: a pro-treaty faction led by Michael Collins that formed the core of the Irish Free State Army and another group, known as the ‘Irregulars’ and led by Eamon de Valera, an Irish politician and Easter Rising participant, organized armed resistance against the new Free State government. However, in the ensuing Irish Civil War (1922-1923), the Irregulars capitulated, without surrendering their arms or disbanding, with the result that during the 1930s and 1940s, they continued to conduct an intermittent campaign of violence under the banner of the IRA.² Their request for aid from Hitler’s Germany consequently caused considerable embarrassment for the neutral Irish Republican government during World War II.

According to historians Paul Bew and Gordon Gillespie, acts of violence perpetrated by the IRA were sporadic during the 1950s and into the early 1960s, as many Catholics in Northern Ireland did not support the paramilitary group.³ However, in the late 1960s, many Northern Irish Catholics supported the fledgling civil rights movement that campaigned against discrimination in employment, voting and housing by the predominantly Protestant government. In Tim Pat Coogan’s book, *The IRA*, he states that protests and counter protests by both Catholic and

¹ English, Richard *Armed Struggle: The History of the IRA*. London: Pan, 2012, 31.

² Coogan, Tim Pat. *The IRA*. London: Harper Collins Publishers, 2006, 17.

³ Bew, Paul, and Gordon Gillespie. *Northern Ireland: A Chronology of the Troubles*. Dublin: Gill and Macmillan, 1993, 19.

Protestants led to further support for the IRA within the Catholic community.⁴ Historians Eamon Collins and Mick McGovern state that beginning in 1970, the IRA conducted bombings, assassinations, ambushes and kidnappings in a campaign declared the 'Long War.'⁵ In 1973, the IRA expanded these attacks to mainland Britain and continental Europe. An estimated 3,600 people were killed between 1969 and 1994 as a direct result of the violence. The British policy of interning individuals suspected of participating in the IRA as well as the events of Bloody Sunday on January 30, 1972, in which 13 Catholic protesters were killed, strengthened Catholic support for the IRA, swelling its ranks and boosting its ability to fundraise. Further evidence of IRA attacks can be seen in the extensive coverage published in contemporary newspaper articles. Headlines such as "Bomb Blast at Belfast Army Post" and "Belfast: Why These Young Soldiers Died" taken from clippings from the *Sunday Times* provide two examples of how the IRA attacks on British military forces in Northern Ireland were reported.⁶ Such documentation provides further media evidence of the terrorist attacks.

The literature concerning the Irish Troubles and more specifically the role British Intelligence played in its attempts to dismantle the Irish Republican Army is relatively recent as much of it was first published in the 1990s and during the first decade of the 21st century. This is due both in part to the fact that the history of the Irish Troubles and its consequences are still being explored but also because the British government continues to withhold classified documents concerning the conflict. Regardless of the inaccessible historical evidence contained

⁴ Coogan, Tim Pat. *The IRA*. 2006, 34.

⁵ Collins, Eamon, and Mick McGovern. *Killing Rage*. London: Granta Books, 1999, 11.

⁶ "Belfast: Why These Young Soldiers Died." *Sunday Times* [London, England], 14 Mar. 1971. *The Sunday Times Digital Archive*. <http://find.galegroup.com.ezproxy-eres.up.edu>.
Jacobs, Eric. "Bomb Blast at Belfast Army Post." *Sunday Times* [London, England], 1 Feb. 1970. *The Sunday Times Digital Archive*. <http://find.galegroup.com.ezproxy-eres.up.edu>

within government archives, many historians have drawn on other sources to explore this period in Northern Irish history. First of all, evidence of British collusion within the PIRA comes from firsthand accounts shared by informants who operated as undercover British intelligence agents. Much of the existing historical debate concerning collusion within the PIRA leans towards the view that collusion was indeed effective in disrupting the PIRA's terrorism campaign as well as the group's command structure. Martin Ingram, a whistleblowing former British intelligence officer and FRU handler, and Greg Harkin, a Belfast journalist notorious for breaking the story of Stakeknife, the codename for a British secret agent within the IRA, both argue in their book *Stakeknife: Britain's Secret Agents In Ireland* that collusion tactics were effective in disrupting the PIRA's operations.⁷ Collusion, they argue, provided the British with valuable inside intelligence as undercover agents infiltrated the organization to the highest levels of command. According to Ingram, this infiltration created considerable problems for the PIRA as active operations became bogged down due to the difficulty of weeding out double agents.

Historians such as Ed Moloney, author of *A Secret History of the IRA*, and Matthew Teague, author of "Double Blind: The Untold Story of How British Intelligence Infiltrated and Undermined the Irish Republican Army," both discovered in their independent research that British efforts at collusion were arguably illegal and morally unethical.⁸ Both found that the British authorities would go to extreme lengths to maintain undercover agents' identities, even to the extent of allowing agents to kill innocent civilians or other undercover agents in order to remain undercover.⁹ Many members of both the FRU and the SAS claim that before questioning

⁷ Ingram, Martin, and Greg Harkin. *Stakeknife: Britain's Secret Agents in Ireland*. Dublin: O' Brien, 2004, 16.

⁸ Moloney, Ed *A Secret History of the IRA*. London: Penguin Books, 2003, 311.

⁹ Teague, Matthew. "Double Blind: The Untold Story of How British Intelligence Infiltrated and Undermined the Irish Republican Army." *Atlantic Monthly*. 2006.

the morality behind collusion, we must look at whether such actions can be justified because they served a “greater good.”¹⁰ The rationale behind the term “greater good” is that sacrifices must be made in order to benefit the majority of society. Collusion tactics that incurred civilian deaths were rationalized with this “greater good” in mind.

Ingram’s research reveals that collusion was a counter-terrorist tactic that British intelligence used to establish undercover agents within the IRA terrorist organization.¹¹ This tactic, according to Ingram, provided British intelligence with knowledge of the IRA’s command structure, those affiliated with the group, their arms deals, and the group’s potential future targets. According to Ingram, the FRU was a British Army Intelligence Corps unit working in Northern Ireland that recruited and developed the Army’s human intelligence assets in the war on the IRA and was sponsored and directed by the Director of Special Forces (DSF). Operating from 1980 into the early 1990s, the FRU performed intelligence gathering operations against the IRA. Ingram states that British military intelligence used collusion tactics by establishing contact with individuals who were willing to spy on the IRA. According to Ingram, agents that were the most successful in the job were those with a skill set that allowed them to lie to everyone. This included lying to their families, friends, fellow IRA members and even at times to their handlers in the FRU or fellow agents. Possibly the best example of collusion carried out by British intelligence was agent Stakeknife. Stakeknife was the codename for Frederick (Freddy) Scappaticci, a son of an Italian immigrant who grew up in Belfast. Scappaticci joined the IRA in 1974 after having been interned and placed in detention the previous year. However, he

¹⁰ Ingram, Martin, and Greg Harkin. *Stakeknife: Britain’s Secret Agents in Ireland*. 2004, 16.

¹¹ *Ibid.*, 21.

approached British intelligence in 1978 and became a member of the FRU at its inception in 1980.¹²

By 1980, Ingram reports that Scappaticci had also become a lead member of the Internal Security Unit (ISU) for the Irish Republican Army Northern Command. The ISU was tasked with investigating leaks and exposing potential informers and was often referred to as the “nutting squad,” and Ingram reports that Scappaticci’s placement in the ISU provided British intelligence with direct access to IRA intelligence briefings, command structure and future operations.¹³ Due to Scappaticci’s access to the inner workings of the IRA command structure, he quickly became one of the most highly valued agents working in the FRU’s network of collusion. Eamon Collins, a member of the IRA until leaving the group in the late 1980s, states in his book *Killing Rage* that Scappaticci was the IRA’s lead interrogator and executioner and that he was linked to more than 40 murders.¹⁴ Scappaticci’s role in finding and killing informers garnered him a reputation of ruthlessness even within the IRA. Collins notes that Scappaticci executed loyalists, republicans, police officers and innocent bystanders, all under the watchful eye of British intelligence who were paying him £80,000 a year. In order to maintain Scappaticci’s cover in the IRA, British intelligence allowed the murders to go on, occasionally even selecting who Scappaticci should kill. According to Ingram, Scappaticci at times even interrogated other British agents. This inside network and back handling explains why the Irish Troubles is often referred to as the “Dirty War.” As a result of the policy of state-sponsored terrorism, British intelligence through the work of the Force Research Unit had access to information that enabled them to prevent attacks. But because preventing attacks risked exposing

¹² Ibid., 23.

¹³ Ibid., 45.

¹⁴ Collins, Eamon, and Mick McGovern. *Killing Rage*. 1999, 42.

agents, British intelligence would pick and choose when and when not to act. Ingram points out that in order for him to work in British intelligence, he himself had to rationalize that allowing certain attacks to unfold was simply necessary for the greater good. Allowing a person or group to die one day, he argues, could save the lives of more the next.

Ingram and Collins both agree in their independent works that collusion was an effective strategy used by British intelligence to counter the IRA terror campaign. Collins acknowledges that the IRA never suspected members like Scappaticci to be informers.¹⁵ Collins states that while he was a member of the IRA, the group operated under the belief that British agents and informers could not possibly commit murder, which was the very atrocity Scappaticci carried out while in the IRA. Because British intelligence condoned state killings, many double agents were able to maintain their cover within the organization by becoming killers. Because British intelligence orchestrated state terrorism, the tactic of collusion placed the legal system in jeopardy as collusion broke the enforcement laws of Northern Ireland. Though the police and military forces were given extreme powers such as the power to try terrorist cases without a jury, collusion, with its practice of state-organized murder, took the power of the British intelligence community too far. Collusion, as it was implemented during the “Irish Troubles,” was a human rights violation against both British and Irish citizens.

A case in which collusion demonstrated a serious degree of both immoral and illegal activity by British intelligence occurred with the murder of Irishman Tom Oliver. According to Ingram’s personal accounts as a FRU handler, Oliver’s murder by the IRA in 1991 was a sacrifice made by the FRU to maintain the cover of British informant and double-agent,

¹⁵ Ibid.

Scappaticci.¹⁶ In this case, Oliver was an Irish citizen living in the County Louth peninsula of Cooley just over the border in the Republic of Ireland. Ingram states that the FRU “were allowed to murder the citizens of the Irish Republic” as the FRU and other British agencies “did not recognize the border that divides Ireland.”¹⁷ In this case, Oliver himself was a British informer for the FRU. His information, according to Ingram, “over the eight years prior to his death, led to the arrests of at least eight republicans and the recovery of a number of weapons.”¹⁸ But Ingram states that Oliver’s lack of expertise as well as not being a full time, highly paid agent, led to his death. Ingram states that the IRA discovered Oliver was an informer by ‘bugging’ the payphone that Oliver used to contact his FRU handler. Ingram states in his accounts that the IRA member who had volunteered to bug the payphone was also working for the FRU. In this case, according to Ingram, the security forces had to decide whether Oliver would live or die. The Forced Research Unit had an opportunity in the Oliver case to improve Scappaticci’s standing within the IRA. Allowing Scappaticci to murder Oliver would provide him with the standing needed to maintain his own cover, and in the case with Oliver, the FRU decided that Oliver was an expendable asset. Oliver’s body was found “dumped in a field near Belleek, County Armagh, less than forty-eight hours after his abduction” by Scappaticci and the ‘nutting’ squad (IRA interrogation unit).¹⁹ The father of seven had been tortured and shot repeatedly to the head and according to Ingram, Scappaticci confirmed his involvement in the interrogation by informing his handlers that Oliver had confessed to being a British informer during the interrogation.²⁰

¹⁶ Ingram, Martin, and Greg Harkin. *Stakeknife: Britain’s Secret Agents in Ireland*. 2004, 111.

¹⁷ *Ibid.*

¹⁸ *Ibid.*, 112.

¹⁹ *Ibid.*

²⁰ *Ibid.*

Oliver's story provides additional support to the conclusion that the tactic of collusion required unethical action.

In the case of Tom Oliver, the FRU and the British intelligence community made the executive decision to allow the death of an Irish citizen who had been working for British intelligence to take place. In this case, the FRU had the information available to prevent Oliver's death but instead used his murder to advance another agent's standing within the IRA. This case presents the grim and unethical implications that developed alongside the use of collusion as a counter terrorist tactic. In this case, the victim, interrogator and killer were all, according to former FRU handler Martin Ingram, active agents working for British authorities. Collusion as used in Oliver's case as a counter-terrorism strategy, required state-sponsored terrorism, thus reiterating that collusion had both an immoral and illegal quality. What complicated the case further was the post-mortem examination of Tom Oliver's body. According to Ingram, a priest who examined Oliver's body, stated that "it looked like they'd dropped concrete blocks on every bone in his body."²¹ The grizzly torture and execution of Irish citizen and British informant Tom Oliver had been carried out by another British agent, Scappaticci, all under the guidance and direction of the FRU. From this case, it becomes evident that collusion worked in tandem with state on state terrorism.

A BBC documentary program on collusion by Daragh McIntyre and Bronach Walsh, first broadcast in 2015, also details the extent to which collusion led to many hundreds of murders during the Northern Ireland conflict.²² According to the documentary, agents and informers

²¹ Ibid.

²² McIntyre, Daragh, and Bronach Walsh, *BBC Programme on Collusion* BBC News Documentary. September 20, 2016. Accessed 24 Oct. 2017. <https://www.youtube.com/watch?v=7TRgZ-mvQpU&t=1189s>.

played an active role in the murder of hundreds of people, all, according to British authorities, for the “greater good.” The documentary never explicitly names the agents interviewed, even going to the extent of having voice actors for those who were interviewed to protect their identities. However, those interviewed confirm the extent to which collusion was used by British intelligence during the Northern Irish conflict as well as the extent to which colluders were able to continue their terrorist activities while under the guidance of the British intelligence community. One terror case the documentary covers was the death of Colleen McMurray on 27 March, 1992. She was a member of the Royal Ulster Constabulary, the police force operating in Northern Ireland between 1922 and 2001. She was killed by an IRA horizontal mortar attack on her armored patrol car in Merchants Quay, Newry. Though the attack was carried out by the IRA, the BBC’s documentary interview by Daragh McIntyre reveals that “it was a state agent inside the IRA who had helped develop the very particular device used in the attack.”²³ McIntyre’s interview with Peter Keeley, a former agent for the Forced Research Unit, reveals that Keeley had infiltrated the IRA and had worked in a bomb-making facility based in Dundalk, Ireland. Keeley openly admits in the interview that he helped develop IRA explosive devices. When discussing the bomb facility, Keeley states that “They developed bombs, they developed new explosives...everything. I was a part of that team and I was there and I was able to see what developments were going.”²⁴ Keeley does not claim he was directly involved in the murder of Colleen McMurray according to interviewer McIntyre, but he does state that he helped design the technology that fired the rocket remotely. Keeley states that security forces and intelligence knew about this technology because “I had told them.”²⁵ According to Keeley, British

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

intelligence knew the name of the IRA member who had the explosive device, knew that the IRA was preparing to use the device in an attack, but did not know the location or time in which the attack would take place. It was confirmed that Keeley had visited his FRU handlers and had notified them of the device two weeks before the murder of Colleen McMurray, once again demonstrating that British intelligence had ample warning time to prevent the attack as they were aware of the individual with the device.

What further suggests the state had a hand in the murder of Colleen McMurray, as noted in McIntyre and Walsh's BBC documentary is that "all the evidence from the murder scene has disappeared. The police station log book which recorded threats also vanished."²⁶ Keeley states that in order for his work to continue as an agent, he "had to break the law."²⁷ His work as an agent protected him from prosecution. In the interview, McIntyre asked Keeley, "How much impunity did you have?" Keeley's response was "an easy way to describe it was I walked on water."²⁸ In this case the state paid an agent to develop a bomb that killed a police officer. Keeley notes in the interview that he did save lives and that his intelligence put other IRA members in jail, but he was unwilling to say openly during the interview when asked if he had directly murdered innocent people to maintain his own cover. To this day, Phillip McMurray, Colleen McMurray's husband, is attempting to get a full report on the case, but justice has been thwarted as all evidence pertaining to the case is presently missing.²⁹

The documentary provides other instances that suggest the state was suppressing information concerning agent-affiliated IRA attacks. In several cases, the documentary notes that

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

missing weapons in unsolved murder cases mysteriously turned up in military museums. One such case involved an assault rifle that had been used in seven unsolved murders on public and which ended up on display at the Imperial War Museum. Through forensic tests it was discovered that the rifle was the same one used in an attack on a Belfast betting shop in 1992 as well as an attack by a Protestant paramilitary on the Ormeau Road that killed five Catholics, one a 15-year old boy.³⁰ Such discoveries suggest that law enforcement and British intelligence tampered with evidence in unsolved and ongoing investigations in an attempt to cover up the history.

Another BBC documentary, *BBC NI Spotlight Examines the Intelligence War Against the IRA*, follows reporter Jennifer O’Leary’s investigation of collusion and Britain’s secret agents. The documentary claimed that “informers and agents were the state’s most deadly weapon in a secret intelligence war.”³¹ The documentary’s focus concerns the contact made with a man who identifies himself under the alias name of Martin. Martin claims he “brought Special Branch deep within the republican movement.”³² In the documentary, Martin claims to have been an agent of the state who infiltrated the IRA. According to the interview with former Special Branch Officer Raymond White, White states in the documentary interview that “Agents had to be selected and, if possible, placed or manipulated into certain positions and allowed to develop and grow. If you looked upon agents and those, they’re sort of a cancer within, a slow-growing cancer--they can sort of infect other parts of the system.”³³

³⁰ Ibid.

³¹ O’Leary, Jennifer. “BBC NI Spotlight examines the intelligence war against the IRA.” *BBC News Documentary*. 20 Sept. 2016. Accessed 24 Oct. 2017. <http://www.bbc.com/news/uk-northern-ireland-37420460>.

³² Ibid.

³³ Ibid.

White's main claim in the interview focuses on collusion as a useful counter-terrorist strategy that provided British intelligence with a means to gather intelligence on the IRA as well as disrupt and "infect" the organization's ability to wage a terror campaign. The problem is that collusion required British intelligence to actively participate in acts of terror to ensure that collusion worked. One part of the documentary covers Denis Bradley, a member of the Consultative Group on the Past. Bradley's examination of the London archive of classified documents concerning the Troubles found that at any one time, the security services were running about 800 informers throughout the Troubles. As Bradley observes, "Now that's a lot of people within a very small community of people."³⁴ This suggests that the number of informers and double agents working within the organization was significant as the IRA as a whole was believed to only have 30,000 members or affiliates throughout the entire period of the Troubles (1970-1997). In his interview with reporter Jennifer O'Leary, Denis Bradley concludes, "I think we won the intelligence war" but adds that "the war we lost was the propaganda war."³⁵

As collusion became public knowledge, the notion to name the Irish war a 'dirty' war developed, especially in wake of the peace agreement established in 1998. More and more evidence began to emerge that suspected informers had been working for British intelligence and had lived double lives within the IRA. One such agent was Denis Donaldson. In 2005, long after the peace process was signed in 1998, the Sinn Fein president Gerry Adams openly declared that Donaldson had been working as a double agent planted inside Sinn Fein.³⁶ Sinn Fein is a left-wing Irish Republican party originally founded in 1905 but which rose to recent prominence in 1970 and was notorious for being associated with the IRA.³⁷ Donaldson openly admitted to

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Richard, English. *Armed Struggle: The History of the IRA*. London: Pan, 2012, 42.

being an agent shortly after Adams' declaration. Martin, the anonymous agent interviewed in the BBC documentary, states that "as soon as he [Donaldson uttered the words I knew he would be killed because that is the only sentence or penalty you could get for traitors."³⁸ Donaldson's outing as a British agent, according to the BBC special documentary, greatly angered the IRA, especially Sinn Fein groups in South Armagh, which Donaldson had helped establish. He was also an intermediary between IRA leaders in Armagh and Republican leaders in Belfast.³⁹ His high rank and role within the IRA network ensured he would be targeted by the IRA. Donaldson was found shot dead in his cottage on April 4, 2006. The anonymous agent 'Martin' confirmed that the IRA had killed Donaldson and also claims that the president of Sinn Fein, Gerry Adams, had sanctioned the death of Donaldson. The case of Donaldson provides support to the claim that collusion was a strategy which evolved in the shadows and that many prominent IRA members could have been participants in collusion.⁴⁰

However, many previous British officials in the intelligence community that have come forward, like Ingram, argue that though collusion was a dirty strategy, it was an effective strategy and ultimately saved lives. One example of how British collusion within the IRA ranks worked to prevent deaths was illustrated when British intelligence stepped in to prevent an IRA bombing in Gibraltar. The event became known as the Gibraltar Incident/Flavius Operation. The incident involved the killing of three members of the IRA on March 6, 1988, in Gibraltar. The three IRA members, Seán Savage, Daniel McCann, and Mairéad Farrell, were believed to be mounting a

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

bombing attack. The three were unarmed when Special Air Service (SAS) members dressed in plain clothes opened fire in the streets, killing all three.⁴¹

The Gibraltar Incident brought considerable media attention to British intelligence's use of collusion and excessive force. Witnesses stated the three IRA members appeared to be surrendering. Newspaper records of the event bore headlines such as "Gibraltar bombers killed trying to give up," "Mystery IRA girl knew of ambush," "SAS Told to Shoot to Kill Says Ex-Soldier" and "IRA hunts for top-level mole." Patrick Hill reported that a new witness of the Gibraltar Incident, a translator named Carmen, claimed that IRA bombers Mairéad Farrell and Danny McCann were shot while holding their hands in the air.⁴² Hill reported that this new witness was the first person who claimed to have seen how the shooting started and had sworn an affidavit confirming her evidence. Carmen's claim, notes Hill, was that she witnessed Farrell and McCann being "finished off with gunshots as they lay on the ground" near the petrol stations where the incident happened. According to the witness, she watched from her apartment as three SAS men got out of a police car and jumped over a barrier with guns drawn. She then alleged that the SAS members opened fire on two of the IRA bombers who were walking in front of the petrol station. When the IRA members saw the SAS men with guns drawn, the witness claims she saw the IRA members put their hands up as if to surrender, but were immediately gunned down.⁴³ The allegations made by the witness Carmen sparked considerable debate over the SAS and its use of excessive force. Hill's article provides evidence that the British intelligence community and the forces they operated took considerable legal and ethical liberties in their operations to prevent the IRA from pursuing terrorist attacks.

⁴¹ Hill, Patrick. "Gibraltar Bombers killed trying to give up." *Daily Mail*, 28 Mar. 1988.

⁴² Ibid.

⁴³ Ibid.

This use of excessive force is further reinforced by Jim Campbell's article ("SAS Told to Shoot to Kill Says Ex-Soldier").⁴⁴ In the article, Campbell reported on his interview with a former SAS soldier who withheld his name. According to the interview, the SAS ex-soldier stated that "it wouldn't have made any difference whether the suspects had guns or not since the SAS never waited to find out." He further claimed that "The SAS can shoot first and let someone else ask the questions later. SAS soldiers know the British Government will always cover for them and clear up the mess afterwards and that they will never be called to public account."⁴⁵ According to written regulations, members of the elite anti-terrorist regiment could only fire if they thought a terrorist act had just been committed or was about to be committed, but the ex-member of the SAS claims in Campbell's article that those orders were "window-dressing" and not meant to be taken seriously. He stated that "you're not expected to take prisoners. You're told to kill or be killed and that if you only wound someone they could live long enough to get in one fatal shot."⁴⁶ Campbell's interview with this ex-SAS soldier reinforces the notion that British police and special forces orchestrated a counter-terrorist campaign that necessitated the use of force, a strategy that clearly ignored and ran afoul of legal and ethical boundaries.

The Gibraltar Incident attracted the attention of media outlets due to the questionable use of excessive force employed by the SAS members against the three unarmed IRA members. Because the incident garnered attention from the media and public, it also began to shed light on the extent of British collusion within the IRA as the media and public alike sought to understand how the SAS soldiers knew of the impending IRA bombing attack in Gibraltar. In the subsequent investigation of the incident, the media and public alike began to uncover the details behind the

⁴⁴ Campbell, Jim. "SAS Told Shoot to Kill Says Ex-Soldier." *Sunday World*, 13 Mar. 1988.

⁴⁵ Ibid.

⁴⁶ Ibid.

Gibraltar Incident and how British collusion tactics played a role. In the article “IRA hunts for top-level mole,” Holland reported that the IRA launched a top-level investigation into how the British intelligence services breached its security that ended in the death of the IRA unit operating in Gibraltar.⁴⁷ Another article titled “Mystery IRA girl knew of ambush,” Chester Stern and Peter Dobbie stated that new information regarding the Gibraltar Incident suggests a member of the IRA under the alias name of Mary Parkin tipped off British intelligence services of the impending terror bombing, allowing the British to prevent the IRA attack. According to Stern and Dobbie, Parkin was providing the police with clues to the Gibraltar target by crossing the border from Spain into Gibraltar every Tuesday and visiting the location of the target of the bombing, a guard-changing ceremony.⁴⁸ Parkin’s tipoff indicates that British intelligence maintained informants within the IRA in order to gather intelligence and prevent future terrorist operations.

The aforementioned newspaper articles provide further evidence that suggests British intelligence used tactics, such as collusion, to prepare the SAS team for the interception of an IRA bomber unit in the Gibraltar Incident. Mary Holland’s article, “IRA hunts for top-level mole,” reveals that the IRA had “launched a top-level inquiry into how Britain’s intelligence services,” such as the Force Research Unit (FRU) and the Special Air Service (SAS), “were able to breach its security and shoot dead one of its units in Gibraltar.”⁴⁹ Holland’s article goes on to report that the IRA became aware of the level of infiltration by British intelligence of top-level information as there was growing media attention towards British infiltration of the IRA. The Gibraltar Incident highlighted the level of infiltration as British special forces demonstrated that

⁴⁷ Holland, Mary. “IRA Hunts for Top-Level Mole.” *Observer*, 13 Mar. 1988.

⁴⁸ Stern, Chester. “Mystery IRA Girl Knew of Ambush.” *The Mail*, 13 Mar. 1988.

⁴⁹ Holland, Mary. “IRA Hunts for Top-Level Mole.” *The Observer*, 12 Mar. 1988.

highly secret information, such as the plan for a bombing attack in Gibraltar, was leaked to British authorities. By preventing the IRA bombing in Gibraltar, the British intelligence community effectively demonstrated the degree to which they had infiltrated the IRA's ranks. This greatly weakened the position of the IRA, as further terrorist operations were likely to fail in a similar fashion as the Gibraltar Incident. The incident also produced internal investigations within the IRA, greatly reducing the organization's operational capacity as well as the group's morale and thus supporting the view that collusion was justifiable as it was producing effective results.

In the wake of the Gibraltar Incident, the IRA was forced to investigate how British intelligence had infiltrated and established informers within the organization. They had to determine the extent of information leaked as well as how the British had employed such an intelligence system within the organization without being discovered. Ultimately, the incident placed future operations on hold out of fear that such operations would be compromised like the Gibraltar Incident. Because of this, many loyalists and individuals affiliated with the counter-terrorism tactics, including Martin Ingram, claim that infiltration by British intelligence through the use of such tactics as planting moles and attempting to switch a member's allegiance, proved effective as a counter-terrorist strategy as the FRU greatly reduced the IRA's capacity to wage a terrorist campaign by diverting the group's resources towards internal investigations as well as weakening morale.⁵⁰

The Gibraltar Incident not only caused internal damage for the IRA but it also garnered considerable media attention in both Northern Ireland as well as the rest of the United Kingdom. In the beginning, media attention focused on the brutality of the incident, largely due to the

⁵⁰ Ingram, Martin and Greg Harkin. *Stakeknife: Britain's Secret Agents in Ireland*. 2004, 21.

nature of the killings as all three IRA members were unarmed. But the media also began asking questions about how the SAS acquired intel about the specifications of the IRA bombing operation. Holland notes that the “IRA admit that they now face a serious dilemma. In the past, an incident like Gibraltar would have brought a rush of new recruits. It is much less likely to do that now when educated young men and women can see that involvement in the IRA carries little prospect of victory.”⁵¹ The media attention surrounding the success of British infiltration of the IRA further persuaded potential IRA recruits that the organization was failing to prevent leaks, thus producing considerable distrust among those affiliated with the group. Other aforementioned newspaper articles brought infiltration tactics employed by British intelligence to the public’s attention.^{52, 53} Media reports surrounding the leak of secret information effectively destabilized the IRA’s ties with the nationalist community in Northern Ireland which had supported the group. Collusion was proving effective as it dissuaded those who had or were aiding the group. Those who had previously aided the group by hiding members, smuggling weapons, providing safe houses, or providing intelligence were now less inclined to do so out of fear that the IRA members they were helping were truly British undercover agents. When these tactics of collusion became public knowledge, they had a profound effect on the part of society that was aiding the group, making collusion, though an ugly tactic, a justifiable one because of how significantly it limited the IRA. The Gibraltar Incident was just another event involving senseless killings in the greater terror war, but because it generated considerable media coverage, specifically coverage concerning how the SAS had prior knowledge of the IRA’s plans, it not

⁵¹ Holland, Mary. “IRA Hunts for Top-Level Mole.” *The Observer*, 12 Mar. 1988.

⁵² McGory, Daniel. “How anti-terror squad tracked down bombers.” *Daily Express*, 10 Mar. 1988.

⁵³ Barns, John. “Death Squads Hunt the Mole.” *Daily Express*, 8 Mar. 1988.

only weakened the IRA's ability to carry out further attacks, it also raised questions of the legality with regards to how British intelligence had acquired its information.

During the Northern Irish terror war, or the Troubles, the British military responded to the IRA's terror campaign by implementing Operation Banner. Operation Banner was the operation name given to British forces in Northern Ireland starting in August 1969 and ending in July 2007. The operation was the longest continuous deployment in British military history and involved the initial deployment of British troops in response to the 1969 riots. During the operation's peak, as many as 21,000 British troops were deployed in Northern Ireland. Following the deployment of British troops in Operation Banner, the Parliament of the United Kingdom issued a series of acts, named the Prevention of Terrorism Acts, which began in 1974 and ended in 1989. Designed to confer emergency powers to police forces to help them combat terrorism in the United Kingdom, the Acts were specifically used for the province of Northern Ireland.⁵⁴ The Acts provided temporary powers to the security forces enabling them to question and detain if necessary persons traveling between Northern Ireland and Great Britain. The Acts made membership of suspected terrorist organizations, specifically membership within the Provisional Irish Republican Army, illegal and an arrestable offense. Membership included displaying signs of public support or attending meetings by a listed proscribed group. The Acts also included a provision section which criminalized any act including contributing to, receiving from, and soliciting financial support for proscribed groups. Any other resource that assisted terrorist organizations in any way, was declared an arrestable offense under these emergency powers.⁵⁵

⁵⁴ Geraghty, Tony. *The Irish War*. London: HarperCollins, 2000, 31.

⁵⁵ Prevention of Terrorism Acts No. 487. Date Accessed, 13 Oct. 2017, <http://www.legislation.gov.uk/uksi/1978/487/contents/made>.

The Prevention of Terrorism Acts raised the question of whether the operations of the Forced Research Unit (FRU), specifically those operations related to the counter-terrorist strategy of collusion, were illegal as they violated the emergency laws established within the Prevention of Terrorism Acts. Collusion, because it involved state-paid informers working within the IRA's ranks, broke the laws concerning provision of funds and attendance of organizations stated within the Prevention of Terrorism Acts. Collusion involved British intelligence paying agents such as Scappaticci, Martin and Donaldson to attend IRA meetings and inform upon the terrorist group. But by paying IRA members for information about the organization, the FRU and British Intelligence at large broke the provision law, as funding an informer indirectly funded the organization as a whole. The opposing side to this argument claim that collusion did not break the laws set in the Prevention of Terrorism Acts as colluders would be working in compliance with British intelligence and under British authority in the attempt to disrupt and ultimately defeat terrorism. The problem collusion faced was that not only did collusion require agents to participate in IRA meetings and involve the British intelligence community funding agents within the IRA, but it also had agents and informers maintaining their position in the IRA by continuing their independent roles within the organization. For many, this involvement required contributing to the IRA's violent campaign as witnessed in Scappaticci's role as an interrogator and murderer as well as Keeley's admission to making explosive devices. And Martin Ingram notes in his experience as a FRU handler that the FRU would go to extreme lengths to protect their undercover informers.⁵⁶

Scappaticci is a good example of the lengths to which British intelligence was willing to go in order to conceal the identity of its informants within the IRA's ranks. For example,

⁵⁶ Ingram, Martin, and Greg Harkin. *Stakeknife: Britain's Secret Agents in Ireland*, 2004.

Scappaticci, according to whistleblower and previous FRU handler Ingram, killed as many as forty people throughout his service in British intelligence. Scappaticci's handlers in the FRU even dictated in many cases who Scappaticci was meant to kill and who he was meant to keep alive. Because the FRU handlers had a direct hand in Scappaticci's murders, had critical intelligence that could prevent said murders but chose not to prevent the murders to protect Scappaticci from being revealed as an informer, they ultimately placed British intelligence with the dilemma of sponsoring terrorism to prevent terrorism.⁵⁷ In this event, the state was sponsoring, to a degree, state terrorism in order to maintain an informer who had access to critical information coming from the IRA's top command network. Legally, collusion violated the rights of the citizens of the United Kingdom as it violated the right to life. The UK, in times of emergency, has been known to violate citizen rights, and because of this, the Irish Troubles had a significant impact on the future establishment of the Human Rights Act of 1998--a measure which was a direct response to the number of instances in which human rights violations had occurred throughout the 1970s to early 1990s.⁵⁸

Freddie Scappaticci is the perfect example of an agent who was provided too much power by the state. Eamon Collins notes in his book *Killing Rage* that the IRA never suspected Scappaticci of being a double agent because of the amount of murders he orchestrated for the IRA. The terrorist group had suspected that informers infiltrated even some of the group's high command, and Scappaticci's role as interrogator was to root out any possible informers. Collins states that Scappaticci's ruthless nature was what kept him from drawing attention to himself. Collins recalls a meeting he had with Scappaticci during his time in the IRA when he heard

⁵⁷ Ibid., 24.

⁵⁸ English, Richard. *Armed Struggle: The History of the IRA*. London: Pan, 2012, 91.

Scappaticci recall one of his murders. Scappaticci “started joking about one informer who had confessed after being offered an amnesty.” According to Collins,

Scap told the man that he would take him home...Scap had told him to keep the blindfold on for security reasons as they walked away from the car. ‘It was funny,’ he said, ‘watching the bastard stumbling and falling, asking me as he felt his way along the railings and walls, ‘Is this my house now?’ and I’d say, ‘No, not yet, walk on some more...’ ‘...and then you shot the fucker in the back of the head,’ said John Joe (another member of the IRA), and both of them burst out laughing.⁵⁹

From Collins’ personal account, it can be deduced that the secretly employed British double agent Scappaticci, far from showing any remorse for his actions, actually enjoyed murdering other people accused by the IRA of being informers. Many of these people were innocent of any crime, and some were even agents working for the FRU, but were determined as expendable, as seen with Tom Oliver. Scappaticci’s murder campaign had been monitored by FRU handlers and the British intelligence community, meaning that a state-funded organization participated in actions that violated citizens’ rights to life.

It has been discussed how collusion functioned outside the law in cases in which evidence went missing from unsolved and ongoing investigations. Not surprisingly, this missing evidence involves cases bearing British intelligence’s fingerprints--cases that include the killings of innocent civilians, police, and British agents. But British intelligence and specifically the FRU have been accused of even sabotaging the efforts of police investigations in attempts to prevent the spy rings from being uncovered. According to *The Irish Times* article “Secrecy and Northern Ireland’s Dirty War: the murder of Pat Finucane,” reporter Ian Cobain argues that the Forced Research Unit may have sought to destroy incriminating information concerning cases that could

⁵⁹ Collins, Eammon, and Mick McGovern. *Killing Rage*. 1999, 121.

uncover undercover spy rings.⁶⁰ According to Cobain, the murders of Pat Finucane, Loughlin Maginn and a string of others were under investigation by a team led by British detective John Stevens. The building that they were conducting each inquiry in was known as Seapark, one of the most secured policing buildings in the world. The detective unit kept documents pertaining to each case in a room named the “incident room.” On the night of January 8, 1990, the detectives entered the building to discover the incident room was entirely ablaze. Stevens reported that the fire alarms were pulled but did not sound and the heat sensitivity alarm had also failed. The documents within the room along with the computers were incinerated in the fire.⁶¹

Though in the subsequent investigation, the Royal Ulster Constabulary concluded the fire was an accident, Stevens believes members in the FRU agency may have started the fire in an attempt to destroy incriminating evidence. There is little doubting the belief that both the FRU and the Special Branch had something to gain from the fire. According to Stevens, the investigation would have eventually stumbled upon the true nature of the British government’s role in Northern Ireland as his team had been due to arrest one of the men they believed to be behind the killing of Finucane and Maginn.⁶² According to the article, Stevens states that his team were about to arrest a former British soldier named Brian Nelson, who was really Agent 6137 for the Forced Research Unit. Nelson had been on payroll and inserted by FRU into the Ulster Defense Association, which was a loyalist paramilitary group. The article states that Collins had already, by his own account, “been involved in eight murders, two attempted

⁶⁰ Cobain, Ian. “Secrecy and Northern Ireland’s Dirty War: the murder of Pat Finucane.” *The Irish Times*. 12 Sept. 2016. Date Accessed: 13 Oct. 2017. <https://www.irishtimes.com/culture/books/secrecy-and-northern-ireland-s-dirty-war-the-murder-of-pat-finucane-1.2796750>.

⁶¹ Ibid.

⁶² Ibid.

murders, thirty-four conspiracies to murder and several other serious offences.”⁶³ Stevens states that his unit was about to uncover “something extremely dangerous and difficult.” The unit was about to uncover evidence that the British state had been operating a death squad in Northern Ireland. Cobain states that though the FRU wasn’t “pulling the triggers of that squad’s guns, through Nelson and others, it was pulling the strings of those who did.”⁶⁴ The nature of collusion meant the British state was actively participating in the mass murder of both its own UK and Irish citizens. The accusations that the FRU attempted to destroy evidence to prevent a police investigation is still maintained today by Stevens. Brian Nelson had been living in hiding in England up until his death from a brain haemorrhage on April 1, 2003, at age 55.

Having determined that collusion, as a counter-terrorist strategy, was ultimately an illegal strategy conducted by British intelligence, due to its failure to respect the citizens’ right to life, further discussion concerning the ethicality of collusion can now be pursued. The British intelligence community argue, including Ingram, that collusion as a strategy ultimately was for the “greater good” as the tactic served to disrupt the IRA’s terrorist campaign by dissuading new recruits from joining the organization. This created distrust among members within the terrorist group, and at times, prevented terrorist acts like the Gibraltar Incident. The participants within the British intelligence community reasoned, according to Ingram, that their work with collusion allowed the British intelligence community to infiltrate and cause disorganization among the IRA. The strategy of collusion was effective in providing British intelligence with vital information to prevent future terrorist acts as well as create a degree of confusion within the IRA’s command structure, as internal investigations plagued the group.

⁶³ Ibid.

⁶⁴ Ibid.

Examples in which collusion tactics paid off are best observed in Scappaticci's role in providing information to British intelligence regarding the kidnappings of the wealthy Irish supermarket magnate Ben Dunne in 1981, the attempted kidnapping of Galen Weston, a Canadian business tycoon in 1983, and the kidnapping of supermarket boss Don Tidey in 1983.⁶⁵ Scappaticci's position within the IRA allowed him access to information of those involved in the kidnapping, providing British intelligence with the means to rescue the kidnapped or even prevent the kidnapping from occurring. This information that Scappaticci supplied prevented the IRA from brokering a ransom deal that could provide the group with future funds to further their terrorist operations. Collusion also prevented the Gibraltar IRA bombing and created confusion amongst the IRA as members found it increasingly difficult to determine who was loyal and who was an informant.

Because of the muddled morals and legality surrounding collusion as a counter-terrorist strategy due to it being effective in saving lives and causing confusion within the IRA but at the expense of innocent lives lost to ensure the cover of double agents within the IRA, the question concerning the authority of the state or in this case, the British intelligence community, must be approached to determine if collusion was ultimately a justifiable counter-terrorist strategy. The authority of the state has been a question that many political philosophers have attempted to answer. Political ethics and the question concerning the authority of the state has been heavily discussed by such notable political thinkers as Niccolo Machiavelli in his work *The Prince* and Thomas Hobbes' *Leviathan*. In *The Prince*, Machiavelli's advice to the ruler or state in how it should govern its peoples, at times, conflicts with itself. Machiavelli argues that a strong ruler is one who is both ruthless to the degree that the ruler will use any means necessary to achieve

⁶⁵ Ingram, Martin, and Greg Harkin. *Stakeknife: Britain's Secret Agents in Ireland*. 2004, 25.

control over a population, but also is a ruler who can achieve the support and love of the people to dissuade further revolution.⁶⁶

Machiavelli's view of collusion, taken from the advice he supplied in his book, suggests that he would likely see collusion as a short-term solution by a ruler to re-stabilize the state, but also as a tactic that could potentially backfire and turn the population against the ruler or state, because the strategy produces distrust amongst the subjects and also violates the law enforced by the ruler or state. Machiavelli would have viewed collusion as a short-term means to defeating an enemy, but with implications that could produce disadvantages for the ruler or state in the future, as collusion would arguably precipitate long-term problems because it turns the population against the ruler and undermines the very laws imposed by the ruler. Former Special Branch Officer Raymond White, as mentioned in the BBC documentary *BBC NI Spotlight Examines the Intelligence War Against the IRA*, as well as former FRU handler Martin Ingram would both agree that collusion, though effective in defeating the IRA's ability to wage terrorism and ultimately providing British special services with a victory in the intelligence war, ultimately meant a defeat in the propaganda war as collusion greatly damaged the population's ability to trust its own law enforcement and justice system.⁶⁷

In Hobbes' *Leviathan*, he makes mention of a "state of nature" in which in the natural world humans are in constant war with each other. Hobbes argues that through reason, humans discovered that in order to escape the state of nature and achieve security, they had to form an authority (government) with the power to stabilize humanity and enforce laws to allow for the

⁶⁶ Machiavelli, Niccolo. *The Prince*. New York: Race Point Publishing, 2017, 16.

⁶⁷ O'Leary, Jennifer. "BBC NI Spotlight examines the intelligence war against the IRA." BBC News Documentary. 20 Sept. 2016. Accessed 24 Oct. 2017. <http://www.bbc.com/news/uk-northern-ireland-37420460>.

establishment of civilized society. Hobbes argues that by providing government with power, government can ensure human society does not fall back into a 'state of nature' in which neighbors fight with each other for their own personal benefit or out of fear of each other.⁶⁸

Because collusion was a counter-terrorist strategy implemented by British intelligence and armed forces to defeat the terrorist operations of the IRA, operations that targeted society as a whole and not specific groups, Hobbes would have accepted the use of collusion by the British government because it was a tactic that proved effective in defeating a radical paramilitary group enacting violence.

It is reasonable to suggest that Hobbes' view of collusion would be that collusion is an ultimately justifiable war tactic, as it is a strategy attempting to combat a group, he would deem, acting in a state of nature. The British government's use of collusion, as interpreted by Hobbes' political advice provided in his work *Leviathan*, would be acceptable because it would be a strategy in which the state is exercising its powers to prevent the return of the state of nature. Hobbes even argues in his work that the state's decisions and actions represent the people's decisions and actions, even to the extent that if the state must kill its own people to prevent a return of a state of nature, it could do so because such an action would truly reflect the decision made by society as a whole. A government cannot be guilty of state-sponsored killing because the state's actions, Hobbes argues, represent the actions of the people, as the people provided the state with the power to maintain and secure civilization.⁶⁹ In this sense, even the most brutal acts of collusion, such as the events in which British undercover agents were forced to kill innocent civilians to ensure the security of their own identity within the IRA, were ultimately justifiable because such actions were but a feature of the ultimate goal of preventing further violence being

⁶⁸ Thomas, Hobbes. *Leviathan*. London: Continuum, 2005, 22.

⁶⁹ *Ibid.*, 98.

enacted upon society by a group that Hobbes would have argued, was acting in a state of nature outside of society.

Collusion as implemented by the British intelligence forces and more specifically by the FRU in Northern Ireland was an anti-terror strategy that ultimately succeeded in crippling the Irish Republican Army's ability to continue its terror campaign. Collusion had a significant impact on the 1990s' progress towards peace as British collusion within the IRA's ranks began to reach the media and get exposed.⁷⁰ The exposure of the extent to which the British intelligence had infiltrated the IRA greatly weakened the group's recruitment and terrorist operations as IRA leaks indicated the group was unable to discover the British agents working within the organization. Because of this, the public began to view the IRA as a group that was collapsing in on itself. This collapse in the early 1990s brought together the eventual negotiations towards peace. The first ceasefire agreement was established for a three-day period between April 6-8, 1994, providing a starting point for further diplomacy. According to historian Tony Geraghty, author of *The Irish War*, what convinced much of the population to seek peace were the social initiatives that had begun in the late 1980s and into the 1990s.⁷¹ These social initiatives were designed to secure equal opportunity for both Protestant and Catholic citizens in employment, voting, and access to housing. The initiatives allowed both sides to take steps towards further political agreements. Historians David McKittrick and David McVea in their book *Making Sense of the Troubles: A History of the Northern Ireland Conflict*, state that disputes about the permanence of agreed ceasefires was an issue throughout the peace process as paramilitary cells continued bombings and murders during this period.⁷² Foreign leaders also

⁷⁰ Collins, Eamon, and Mick McGovern. *Killing Rage*. 1999, 42.

⁷¹ Geraghty, Tony. *The Irish War*. London: HarperCollins, 2000, 102.

⁷² McKittrick, David, and David McVea. *Making Sense of the Troubles: A History of the Northern Ireland Conflict*. London: Viking, 2012, 131.

encouraged de-escalation, as then US President Bill Clinton spoke in favor of the peace process on 30 Nov. 1995 to huge crowds in Belfast. The Good Friday Agreement of 10 April, 1998, aided by the political intervention of Bill Clinton, who reached out with several telephone calls to party leaders encouraging the agreement, brought the peace process to final terms. According to McKittrick and McVea, the agreement involved prisoner release, targets for paramilitary decommissioning, troop reductions, provisions for polls on Irish reunification, and further civil rights measures.⁷³

But the influence of British collusion had a serious impact on the peace process, as close to half of the IRA leadership worked for the security forces according to British intelligence whistleblowers Martin Ingram and Ian Hurst. The degree of British infiltration of the IRA greatly diminished the organization's ability to continue terrorist operations, as the IRA could not distinguish which members were legitimate and which were moles and informants. This made recruiting new members difficult, as the media publicly exposed British collusion. Effectively, the organization was beginning to fall apart by the late 1980s and early 90s, with disparate acts of terror being perpetrated by independent operatives or small IRA cells.

In understanding whether collusion as a war time strategy was ethical, legal and ultimately justifiable, it can be concluded that the lengths to which British intelligence went to ensure agents maintained their identities clearly stepped past the boundaries permitted by the law. Those directly involved such as Freddie Scappaticci, Martin Ingram, Eamon Collins, the anonymous individual under the alias name "Martin," Denis Donaldson, Peter Keeley, and Brian Nelson all confirm that collusion required agents to break the law in order for the strategy to work with any success and ensure that each agent maintained their cover. The ethicality of the

⁷³ Ibid.

strategy was also overstepped as it became clear that the British state was willing to sacrifice both its own UK citizens, policemen and agents as well as that of the Irish in order for collusion to function. It is demonstrated in the cases of Scappaticci and Nelson that the British state was not only willing to pay such mass murderers of innocent civilians in order to have informants within the IRA but also hide such individuals once their cover became public. Though Nelson died due to complications with a brain hemorrhage in 2005, he had been hidden by British intelligence. To this day, Scappaticci is still being hidden, with a last confirmed sighting in Italy in 2007.⁷⁴

The extent to which collusion was actively used at the expense of innocent lives lost as well as the extent to which the state participated in acts of terror confirms with little doubt that the tactic gravely violated human rights and human ethics. British intelligence disagrees, arguing that the lives sacrificed were ultimately done so for the greater good of society in an attempt to defeat a terrorist organization. But many of the cases in which collusion sacrificed innocent lives demonstrated that British intelligence could have prevented the loss of lives but chose not to in order to protect their own agents. This appeared especially strong when the individuals that were sacrificed were either Catholic or citizens of the Irish Republic, thus demonstrating a clear bias. In the case of Brian Nelson, the agent actively killed Catholics under the guidance of British Intelligence. In terms of ethics, collusion without a doubt overstepped legal boundaries and the British intelligence community ultimately lost track of the enemy, becoming the very terror, they were attempting to destroy.

Though it is quite clear that collusion violated both legal and ethical boundaries during the Northern Irish conflict, it did have a lasting impact on the IRA's ability to wage its terror

⁷⁴ Ingram, Martin, and Greg Harkin. *Stakeknife: Britain's Secret Agents in Ireland*. 2004, 81.

campaign. The tactic clearly demonstrated cases in which it saved lives and provided intelligence for British forces to prevent major attacks. But the greatest impact collusion had was encouraging the leaders of the IRA to begin searching for a new strategy outside terrorism. This strategy was negotiation, and ultimately led to the Good Friday Agreement of 1998 and the cessation of the Irish Dirty War.⁷⁵ In this sense, collusion as a tactic, convinced the leaders of the IRA as well as the Republican population in Northern Ireland that the British state was willing to go to extreme lengths to ensure victory. The very ugliness and unethical nature of collusion brought the IRA and Irish people to negotiate. Ultimately, negotiation served the IRA as both sides benefited from the peace process. Collusion, though an illegal and unethical strategy, ultimately became justifiable as it tipped the scales to bring both opposing sides of the conflict together to secure peace. The damage collusion caused in Northern Ireland is still seen today as the nature of the tactic greatly fractured society at the time and continues to do so. Today, many of the families of those who were killed by British informants still seek justice for their loved ones. The British government continues to keep all mention of state-organized collusion from the public, withholding significant confidential files concerning cases and denying any involvement in double agent spy rings. If Northern Ireland intends to fully mend the division within its society, the British government must be willing to accept collusion as a part of its history in the Irish terror war, while attempting to proffer a meaningful explanation of the forces that led to the need of such drastic counter-terrorism tactics.

⁷⁵ Geraghty, Tony. *The Irish War*. London: HarperCollins, 2000, 102.

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