TERRORISM AND THE STATE: INTRA-STATE DYNAMICS AND THE RESPONSE TO NON-STATE TERRORISM

Kieran McConaghy

A Thesis Submitted for the Degree of PhD at the University of St Andrews

2014

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Terrorism and the State: Intra-state Dynamics and the Response to Non-State Terrorism

Kieran McConaghy

This thesis is submitted in partial fulfilment for the degree of PhD
at the
University of St Andrews

Date of Submission
10/7/14
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Abstract

Although there has been a wealth of academic literature which has examined counter-terrorism, both in the general sense and in case study focused approaches, there has seldom been an engagement in terrorism studies literature on the nature of the state itself and how this impacts upon the particular response to terrorism. Existing literature has a tendency to either examine one branch of the state or to treat (explicitly or implicitly) the state as a unitary actor.

This thesis challenges the view of the state as a unitary actor, looking beneath the surface of the state, investigating intra-state dynamics and the consequences for counter-terrorism. I highlight that the state by its nature is ‘peopled’, demonstrating through comparative analysis of case studies from Spain, France, and the United Kingdom, how the individual identities and dispositions of state personnel at all levels from elites to entry level positions determine the nature and characteristics of particular states.

I show that if we accept that the state is peopled, we must pay attention to a series of traits that I argue all states exhibit to understand why campaigns of counter-terrorism take the shape and form that they do. I posit that we must understand the role that emotional and visceral action by state personnel in response to terrorism plays, how the character of particular state organisations can impact upon the trajectory of conflicts, and how issues of intra-state competition and coordination can frustrate even the best laid counter-terrorism strategies. Furthermore, I show how the propensity for sub-state political violence to ‘terrorise’ populations makes the response to terrorism a powerful political tool, and how it has been deployed in the past for political gain rather than purely as an instrument to improve security.

I conclude that future academic analyses of counter-terrorism must take this into consideration, and likewise, state personnel must be mindful of the nature and character of their state should they wish to effectively prevent terrorism and protect human rights and the rule of law.
Acknowledgements

I was told before I embarked on my doctoral studies, that the life of academic researcher can be a solitary one. Thanks to a great number of people along the way, I never once felt like I was facing this task alone. This thesis would never have been completed but for the assistance of a great number of people. I owe them all a debt of gratitude. Firstly, I wish to thank my family. They gave me unwavering support throughout my PhD research and looked after me on my visits. I would particularly like to thank my parents, Adrian and Nuala McConaghy. I am eternally grateful for their support and their encouragement. They reassured me and kept me motivated through the tough times and smiled and celebrated with me through the best times. I dedicate this thesis to them.

I would like to thank my primary supervisor, Professor Richard English for generosity with his time, for his patience, his confidence in me and in this project, and for affording me so many wonderful opportunities over the course of my studies in St Andrews. I really could not have asked for more. I wish to thank too, my secondary supervisor Professor Nicholas Rengger. Nick shared his knowledge on topics which were previously alien to me, gave me career advice and insight into academic life, and as Head of School created a warm and open collegiate atmosphere where PhD students are a central concern. I would also like to thank the staff of CSTPV, particularly Gillian Duncan and Julie Middleton for their regular assistance and advice, and for whom no problem was insurmountable.

Finally, I would like to thank my friends and colleagues. Thank you to all of you for showing an interest in my research, for being my first audience for many sections of this work at various stages, for welcome distractions, for celebrating the landmarks with me along the way, for cheering me on through the final stages of thesis writing, and for turning that beautiful town in north-east Fife into home for three fantastic years. Thanks, all of you. I would do it all again in a heartbeat.
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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>17N</td>
<td>Epanastatiki Organosi Dekaefta Noemvri</td>
</tr>
<tr>
<td>32CSM</td>
<td>32 County Sovereignty Committee</td>
</tr>
<tr>
<td>AAA</td>
<td>Alianza Apostólica Anticomunista</td>
</tr>
<tr>
<td>AIA</td>
<td>Anglo Irish Agreement</td>
</tr>
<tr>
<td>ALN</td>
<td>Armée de Libération Nationale</td>
</tr>
<tr>
<td>AP</td>
<td>Alianza Popular</td>
</tr>
<tr>
<td>ATE</td>
<td>Anti-Terrorismo ETA</td>
</tr>
<tr>
<td>BVE</td>
<td>Batallón Vasco Español</td>
</tr>
<tr>
<td>CIA</td>
<td>Central Intelligence Agency</td>
</tr>
<tr>
<td>CIRA</td>
<td>Continuity Irish Republican Army</td>
</tr>
<tr>
<td>CNT</td>
<td>Confederación Nacional del Trabajo</td>
</tr>
<tr>
<td>CRS</td>
<td>Compagnies Républicaines de Sécurité</td>
</tr>
<tr>
<td>DUP</td>
<td>Democratic Unionist Party</td>
</tr>
<tr>
<td>EA</td>
<td>Eusko Alkartasuna</td>
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<tr>
<td>EE</td>
<td>Euskadiko Ezkerra</td>
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<tr>
<td>EG</td>
<td>Eukzo Gastedi</td>
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<tr>
<td>EGI</td>
<td>Euzko Gaztedi Indarra</td>
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<tr>
<td>EPA</td>
<td>Emergency Provisions (NI) Act</td>
</tr>
<tr>
<td>ETA</td>
<td>Euskadi Ta Askatasuna</td>
</tr>
<tr>
<td>ETA(m)</td>
<td>Euskadi Ta Askatasuna (militar)</td>
</tr>
<tr>
<td>ETA(p-m)</td>
<td>Euskadi Ta Askatasuna (político-militar)</td>
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<tr>
<td>FAF</td>
<td>Front de l'Algérie Française</td>
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<tr>
<td>FLN</td>
<td>Front de Libération Nationale</td>
</tr>
<tr>
<td>FRU</td>
<td>Force Research Unit</td>
</tr>
<tr>
<td>GAA</td>
<td>Gaelic Athletic Association</td>
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<tr>
<td>GAL</td>
<td>Grupos Antiterroristas de Liberación</td>
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<tr>
<td>GFA</td>
<td>Good Friday Agreement/ Belfast Agreement</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>GPRA</td>
<td>Gouvernement Provisoire de la République Algérienne</td>
</tr>
<tr>
<td>GOC</td>
<td>General Officer Commanding</td>
</tr>
<tr>
<td>HB</td>
<td>Herri Batasuna</td>
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<tr>
<td>HMSU</td>
<td>Headquarters Mobile Support Unit</td>
</tr>
<tr>
<td>IET</td>
<td>Intergroup Emotions Theory</td>
</tr>
<tr>
<td>INLA</td>
<td>Irish National Liberation Army</td>
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<tr>
<td>IPP</td>
<td>Irish Parliamentary Party</td>
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<tr>
<td>IRA</td>
<td>Irish Republican Army</td>
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<tr>
<td>IRB</td>
<td>Irish Republican Brotherhood</td>
</tr>
<tr>
<td>KAS</td>
<td>Koordinadora Abertzale Sozialista</td>
</tr>
<tr>
<td>LOPP</td>
<td>Ley Orgánica de Partidos Políticos</td>
</tr>
<tr>
<td>LTTE</td>
<td>Liberation Tigers of Tamil Eelam</td>
</tr>
<tr>
<td>MI5</td>
<td>Security Service</td>
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<tr>
<td>MI6</td>
<td>Secret Intelligence Service</td>
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<tr>
<td>MLNV</td>
<td>Movimiento de Liberación Nacional Vasco</td>
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<tr>
<td>MNA</td>
<td>Mouvement National Algérien</td>
</tr>
<tr>
<td>MPC</td>
<td>Mouvement pour la Communauté / Cooperation</td>
</tr>
<tr>
<td>MRF</td>
<td>Military Reaction Force / Mobile Reconnaissance Force</td>
</tr>
<tr>
<td>NSU</td>
<td>Nationalsozialistischer Untergrund</td>
</tr>
<tr>
<td>NICRA</td>
<td>Northern Ireland Civil Rights Association</td>
</tr>
<tr>
<td>OAS</td>
<td>Organisation de l'Armée Secrète</td>
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<tr>
<td>OIRA</td>
<td>Official Irish Republican Army</td>
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<tr>
<td>PIRA</td>
<td>Provisional Irish Republican Army</td>
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<tr>
<td>PNV</td>
<td>Partido Nacionalista Vasco</td>
</tr>
<tr>
<td>PP</td>
<td>Partido Popular</td>
</tr>
<tr>
<td>PSNI</td>
<td>Police Service of Northern Ireland</td>
</tr>
<tr>
<td>PSOE</td>
<td>Partido Socialista Obrero Español</td>
</tr>
<tr>
<td>PTA</td>
<td>Prevention of Terrorism Act</td>
</tr>
<tr>
<td>PUP</td>
<td>Progressive Unionist Party</td>
</tr>
<tr>
<td>REP</td>
<td>Régiment Étranger de Parachutistes</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>RIRA</td>
<td>Real Irish Republican Army</td>
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<tr>
<td>RUC</td>
<td>Royal Ulster Constabulary</td>
</tr>
<tr>
<td>SAC</td>
<td>Service d’Action Civique</td>
</tr>
<tr>
<td>SAS</td>
<td>Special Air Service</td>
</tr>
<tr>
<td>SDECE</td>
<td>Service de Documentation Extérieure et de Contre-espionnage</td>
</tr>
<tr>
<td>SDLP</td>
<td>Social Democratic and Labour Party</td>
</tr>
<tr>
<td>SECED</td>
<td>Servicio Central de Documentación</td>
</tr>
<tr>
<td>SF</td>
<td>Sinn Féin</td>
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<tr>
<td>UCD</td>
<td>Unión de Centro Democrático,</td>
</tr>
<tr>
<td>UDA</td>
<td>Ulster Defence Association</td>
</tr>
<tr>
<td>UDP</td>
<td>Ulster Democratic Party</td>
</tr>
<tr>
<td>UDR</td>
<td>Ulster Defence Regiment</td>
</tr>
<tr>
<td>UFF</td>
<td>Ulster Freedom Fighters</td>
</tr>
<tr>
<td>UMD</td>
<td>Unión Militar Democrática</td>
</tr>
<tr>
<td>UPN</td>
<td>Unión del Pueblo Navarro</td>
</tr>
<tr>
<td>USC</td>
<td>Ulster Special Constabulary</td>
</tr>
<tr>
<td>UUC</td>
<td>Ulster Unionist Council</td>
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<tr>
<td>UUP</td>
<td>Ulster Unionist Party</td>
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<tr>
<td>UVF</td>
<td>Ulster Volunteer Force</td>
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<tr>
<td>UWC</td>
<td>Ulster Workers Council</td>
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Introduction

Since at least the French Revolution, the concepts of terrorism and the modern state have been intimately linked.\(^1\) Indeed, more often than not, terrorism has been a tool of states, attempting in desperation to control their populations and maintain their control. At other times, the state has been both the direct target of terrorism, with terrorist attacks perpetrated against state personnel and state institutions, and an indirect target, as sub-state actors sought to coerce the actions of the state through violence carried out against non-state targets. And yet, even in cases where the state is a target rather than the perpetrator of terrorism, the actions of the state in response have the propensity to create much more dramatic and long-standing effects, for better or for worse, than the actions of non-state terrorist actors. Paul Wilkinson acknowledged that terrorism perpetrated by the state is ‘far more lethal and large-scale than that of sub-state actors, and it is notoriously difficult for international opinion to alleviate or prevent large-scale violation of human rights by states.’\(^2\)

Despite this acknowledgement of the centrality of the state to terrorism, both as perpetrators and (direct and indirect) targets, there has been a widespread failure on the part of academics to integrate understandings of the state itself into explanations of terrorism. Academic research on terrorism has overwhelmingly been focused in one direction: upon sub-state perpetrators of terrorism, and on taking an instrumental concern with the measures that governments should adopt to deal with it.\(^3\)

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The trend of neglecting the state in discussing terrorism has persisted despite (and perhaps has even been exacerbated by), the surge in interest in terrorism that has occurred since the attacks of 11 September 2001. In the clamour to explain and understand the motivations and ideologies of terrorists and how they can be defeated, most academics have eschewed rigorous examination of the nature and character of the state. This omission becomes all the more pronounced when we consider that, despite the emergence of transatlantic and international cooperation with regards to defending against terrorism, it is still the state which is the primary actor when it comes to countering terrorism from sub-state groups. This thesis will complement the existing literature on terrorism by putting the state under the microscope as our principal focus. It will show how thinking not just about the terrorists themselves, but the states which they seek to coerce or destroy is essential for balanced, reasoned and holistic understandings of terrorism and political violence. I will highlight how understanding the nature of the modern state and the character of particular states faced with challenges from the threat or actuality of terrorist violence, can illuminate and explain more fully the trajectories of conflicts and the effectiveness of responses to terrorism. I will do so through the systematic and rigorous analyses of case studies, and by focusing more than is customary in the terrorism studies literature on the concept of the state. Through this, it will pinpoint factors determining the shape, outcome and effectiveness of counter-terrorism efforts historically, presently, and in the future.

The particular case studies I will address will be, the conflict between the Spanish state and the Basque separatist group Euskadi Ta Askatasuna (ETA), the French state's struggle to subdue the activities of Organisation l'Armée Secrète (OAS) in French Algeria and France, and the engagement of the United Kingdom state in the Northern Ireland conflict, primarily against the Irish Republican Army (IRA). It is not my contention that the terrorist organisations in question, the states that are attempting to defeat them, or the wider historical context into which these conflicts emerge are carbon copies of each other. Rather, these case studies at times share what we might call 'family resemblances'. The ways in which these case studies differ from each other is in many instances just as illuminating as where they are similar. The case studies I will examine have been carefully selected based on
recognition of deficiencies in the literature. It is my hope that in using these cases, my thesis will go some way to addressing other substantial problems in the literature. At first glance, two of these cases, the Northern Ireland and Basque case studies, appear more alike than the case of the French response to the OAS in Algeria. It has however been noted in the past that there are often overlooked differences between the Northern Ireland and Basque conflicts. Complexities of the cases are frequently ignored for the sake of comparative work, but the histories of state development and the political atmosphere in which these two campaigns of political violence were fought mean that they are quite far from being the same conflict transposed into two different settings. While the French state response to the OAS has features that set it apart from the Basque and Northern Ireland cases in terms of the raison d’être of the principal protagonist under examination, all three share similar features. In some respects, we might say that each of these cases represent attempts by violent organisations to undermine the legitimacy of the state and to force their own political agenda in a situation where there has been a partial failure of state building. Whatever the differences between ETA, IRA and OAS, the focus in this instance is the state, and the goal is to examine what we can usefully say about how state’s respond to terrorism in instances such as these.

The importance of a renewed focus on the state

Discussions of terrorism in the terrorism studies literature, as well as in the wider political science and international relations literature often neglect to comment on the state. As stated, this might in part be a symptom of the ‘state centric priorities’ recognised by Jackson, and in the literature post-9/11 it may stem from the eagerness to explain and understand the threat from Islamic fundamentalism and address a threat perceived to be imminent, that the need for analysis and consideration of the state and its impact on terrorism campaigns was spoken about only in an instrumental sense. Furthermore, where counter-terrorism is discussed, scholars appear to fall into the trap of discussing ‘government’ and ‘government policy’ in a way which reveals some assumptions which shape the nature of the

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debate. To talk about counter-terrorism in terms of government alone, reveals the assumption that it is policy as set by those at the upper echelons of the state that is the key to ensuring the success of counter-terrorism efforts. In other cases, studies have investigated the role of other branches of the state, usually the coercive arms of the state in the form of the police and military, but amongst these works, seldom is there a consideration of how these state organisations sit within the wider state. Furthermore, the focus is still overwhelmingly on the policies and protocols that these organisations work with, rather than any meaningful investigation of the character of these organisations and how this might affect the outcome of counter-terrorism efforts. Without a consideration of the entire state apparatus with responsibility for combating terrorism, and an awareness of the roles played by state organisations, how they interact with each other, and an understanding of the overall nature of states, we miss opportunities to gain a more meaningful insight into what drives and shapes counter-terrorism, and crucially, how this impacts upon its effectiveness. As Martin Miller points out, the prevalence of non-state terrorism is predicated upon the presence of both state and terrorists, and to focus solely on one and not the other ‘oblures the fact that both are, however incommensurately, in some way responsible’.  

The State is notoriously difficult to define, and indeed, we may wonder as Andreas Anter asks whether such a constantly changing, abstract and complex structure can be reduced to one clear concept. The emergence of the modern state through time was a project of centralisation; an attempt to relocate political and social power from the multiple sites and varied relationships that were characteristic of feudal society, to a single site. The impetus for this development was the perceived need to control capital and the activity of populations which would enable states to more effectively wage war against their enemies in the shape of neighbouring and competing states.

However, the need for a more productive population to increase the material wealth of the state required the state to develop agencies to monitor its citizens, with a view

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to promoting and improving their health and education and to regulate their economic activities. As Poggi put it, ‘a bigger, busier, more productive, better educated, happier population would yield greater revenues, and thus indirectly increase the state’s military might’.\(^9\) The expansion of the state in this way in modernity to controlling vast territories, huge populations and executing a wide array of duties required a much deeper penetration by the state into society.\(^{10}\) Furthermore, the state apparatus that was developed was specialised, with division of labour between the institutions, with each one taking on a particular set of competences concerned with the ‘distributive, regulatory, compensatory, and adjudicative activities’.\(^{11}\)

The widening remit of state responsibility and the deeper penetration required for effective state control of capital and ensuring the happiness, healthiness and thus productivity of the population meant that the exercise of power had to be delegated to subsidiary state organisations, with diverse competences as a result of the division of labour.\(^{12}\) Paradoxically, in the pursuit of greater centralisation of power, the state elites found they had to delegate power to subsidiary state organisations. Overall, state leaders may have nominal control over the direction that the state takes, but state power is administered on a daily basis through the range of organisations which constitute the full breadth of the state. Today, each state owes its character and idiosyncrasies to this history of development and emergence. The facets of individual states can be seen as the product of the state’s experience of struggle and bargaining with the range of classes and interests that occurred during the accumulation and concentration of capital, and the power of coercion, \(^{13}\) and indeed, continues to be shaped by this process. The modern state has not reached some pre-determined end point, but rather is in a continual state of flux, and emergence.\(^{14}\) The changing nature of the state over time means that more attention needs to be paid to the historical development of the state as a whole and to each of the state

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\(^{11}\) C. Tilly, *Coercion, Capital and European States*, p.29.


\(^{13}\) Ibid, p.26.

organisations, if we are to understand the dynamics of how the contemporary state approaches counter-terrorism.

It might seem an obvious point to say that all states are ‘human communities’. The state is incomprehensible apart from through the people who fill its offices and carry out state action. It is through state personnel that the citizens of any state will experience it and the associated power on a daily basis.\(^\text{15}\) However, rather than simply a base recognition that the state relies on human endeavour to make it function, interrogating what this means for state action is crucially important. In our context, the focus will be on how this has an impact on and shapes counter-terrorism efforts, but these issues are as cogent for all forms of foreign and domestic activities of the state. That the state is fundamentally an organisation of people, has been called by Rhys Jones, the ‘peopled’ nature of the state.\(^\text{16}\) Jones offers a critique of the traditional Weberian understanding of the state. Max Weber recognised the state as a ‘human community that (successfully) claims the *monopoly of the legitimate use of physical force within a given territory*’.\(^\text{17}\) Furthermore, Weber recognised the importance in some instances of the personal attributes and charisma of the state leader in shaping the state and ensuring its survival and success, through securing the legitimation of the state.\(^\text{18}\) While Weber implicitly acknowledges the plurality of the state, speaking about ‘orders’ rather than ‘order’, which are multiple, ‘heterogeneous, competing orders’,\(^\text{19}\) he pays little attention to the importance of understanding the effect that personal attributes and identities have in shaping the state in its entirety, instead choosing to focus solely on the elite level of the state leader. Weber’s assertion that state personnel are well trained and conditioned to be obedient and carry out their duties, with incentives to ensure their compliance meant that for him any sense of the individual was ‘subsumed within the professional and technical state bureaucracy’.\(^\text{20}\) As such, while Weber recognises the state as a human community, he does so only in a narrow sense. The functionaries of the modern state in Weber’s understanding of the state only demonstrate qualities and

\(^{15}\) C. Pierson, *The Modern State*, p.4

\(^{16}\) R. Jones, *People/States/Territories*, p.44.


\(^{18}\) Ibid, pp. 79- 80.


identities as a group.\textsuperscript{21} While the power holder relies on state apparatus (state organisations or 'estates'), which are wholly or partly' autonomously controlled by the administrative staff within them, they are 'bound by obedience to the power-holder'.\textsuperscript{22} In contrast, Jones' interpretation of the 'peopled' state is much broader. He argues that state personnel 'possess a variety of different identities, subjectivities and prejudices' and that 'state personnel have always played an active role on the continual emergence of the state'.\textsuperscript{23}

The issue is a complex one, which Jones recognises, highlighting how depending on the position within the state, the individual will have a varying capacity to shape the state itself, and reciprocally, the state can shape the identities of state personnel, with some individuals being more inclined than others to become part of the 'habitus of state bureaucracies'.\textsuperscript{24} Jones recognises the importance of state apparatus as the institutionalisation of state power, but highlights that these state organisations are in themselves, 'the product of decisions and priorities of state personnel'.\textsuperscript{25} Indeed, the use of the term \textit{habitus}, by Jones raises an important point. Pierre Bourdieu has described habitus as:

\begin{quote}
structured structures predisposed to function as structuring structures, that is, as principles of the generation and structuring of practices and representations which can be objectively "regulated" and "regular" without in any way being the product of obedience to rules, objectively adapted to their goals without presupposing a conscious aiming at ends of an express mastery of the operations necessary to attain them and, being all this. collectively orchestrated without being the product of the orchestrating action of a conductor.\textsuperscript{26}
\end{quote}

Bourdieu goes on to highlight that habitus means that practice or action lies somewhere between 'mechanical reaction, directly determined by the antecedent

\begin{footnotes}
\item[21] Ibid, p.22.
\item[23] R. Jones, \textit{People/States/Territories}, p. 45.
\item[24] Ibid.
\item[25] Ibid.
\end{footnotes}
conditions’ and ‘creative free will’. He highlights that of course habitus might be accompanied by a ‘strategic calculation’ but that ‘these responses are defined first in relation to a system of objective potentialities, immediately inscribed in the present’ and falls short of deliberation with regards to the future. Thus for Jones, state personnel may be more or less likely, depending on the individual and the circumstances to become enveloped in the state habitus, with action representing the product of something less than creative free will and yet more than simply the automatic action proscribed by antecedent conditions.

This understanding of the modern state, which takes account of the agency, identity, prejudices, and subjectivities of state personnel in an individual and collective sense, is useful for illuminating and explaining state action. If the state as an institution is not immune to being shaped by those who compose it, then it does not logically follow that the state can be a rational actor. It also makes little sense to talk about the state as if it were a unitary actor. Instead, in attempting to understand state action, it is critically important that we recognise the states as an amalgam, or loose coalition of organisations. Furthermore, each state organisation, being composed of people, is both shaped by the individual identities and actions of those personnel, and in turn, shapes the identity and actions of these personnel. If we accept this explanation of the development of the modern state, along with the importance of its peopled nature, then it stands to sense that to view the state as a unitary and rational actor, making only purposive acts is a naive view which obscures potentially more accurate, and at any rate, more fruitful understandings of state action. Relating to sub-state political violence then, the idea that what is required by states is simply to find the right combination of counter-terrorism policies, to increase security measures, and to harden infrastructure and places that might represent attractive targets is misguided. State elites must engage in introspection, examining the state apparatus, and recognise the contingency of terrorism and the potential for state actions to exacerbate rather than quell political violence. The task of putting the entire state’s approach to terrorism is an unwieldy one, perhaps explaining why so few scholars have attempted to put the whole state under the microscope, chosing instead to focus on one particular branch or another. As already noted, the state is

27 Ibid, p. 73.
28 Ibid, p. 76.
composed of a multitude of organisations, and depending on their function, they will have more or less involvement with the practicalities of responding to and dealing with terrorism and political violence. It is my aim in this thesis, to study the state in terms of the organisations that have foremost responsibility for dealing with political violence, (the executive branch of government, the security forces, intelligence community, and prison services, for the most part), the people who comprise these organisations, and the relationships and dynamics between these people and their organisations.

The over focus on Islamic fundamentalism

Given the shock and horror caused in first decade of the 21st century by Islamic fundamentalist terrorism, firstly in the form of the Al Qaeda attacks in September 2001 on targets in the USA, but followed by a raft of attacks in the aftermath of the US led invasions in Afghanistan and Iraq, including the Bali bombings in 2002 and 2005, The Madrid train bomb in 2004 and the London rail and bus bombings in July 2005, the attention of media and academics alike turned towards Islamic inspired terrorism.29 Doubtless, these attacks and their perpetrators need to be understood and explained if we strive for intellectual rigour or indeed the ability to prevent such attacks in the future. However, since 9/11 there has been a disproportionate amount of attention given to Islamic terrorism, perhaps based on the understanding of some that terrorism arrives in ‘waves’ 30, and thus terrorism motivated by ethno-nationalist, ideological or other concerns will eventually become a thing of the past. It is true to say that the last decade has witnessed the end of many terrorist organisations’ campaigns. 17 November Movement, LTTE, ETA and the PIRA amongst others have ceased their hostilities. However, it would be naive to assume that we have


witnessed some new dawn, and that in future, terrorists will not be motivated by the range of grievances that have driven them to violence in the past.

George Kassimeris, highlighting the emergence and continuation of a number of radical left wing terrorist groups in Greece in the last decade noted that, ‘the Greek terrorist landscape, in spite of 17N’s spectacular demise, remains as enduring, complex and unpredictable as ever’.31 Peter Lehr points to the decade long campaign of NSU (Nationalist Socialist Underground), in Germany which went undetected until 2011 despite the murder of ten people.32 Terrorism stemming from the conflict over the constitutional position of Northern Ireland has not disappeared altogether either, with gun and bomb attacks carried out by dissident Republican groups splintered from and inspired by the PIRA continuing to this day.33 Thus, it must not be assumed that the future of terrorism will solely be the violent outgrowths of Islamic fundamentalism. Rather, long standing historical grievances and an ever shifting political and social climate will continue to provide the impetus for normal men and women to use politically violent means in search of recourse.

Indeed, the taxonomic designation of terrorist organisations as religious, ideological, ethno-nationalist, millenarian, and so on is a confusing and unclear business. Often, despite the official rhetoric of a terrorist organisation, they may have implicit aims in addition to their clearly stated objectives. Furthermore, terrorist organisations are collections of people who may have a range of aims and objectives of their own that may diverge from the stated aims of the group they participate in, but still view the group as an effective way to address their concerns. When looking at terrorist

32 P. Lehr, “Still Blind in the Right Eye?: A Comparison of German Responses to Political Violence from the Extreme Left and the Extreme Right”, in M. Taylor, P.M. Currie, and D. Holbrook, (eds), *Extreme Right-Wing Political Violence and Terrorism*, (London: Bloomsbury, 2013), p.187. Indeed, Lehr makes a compelling point in this piece, suggesting that governments are inclined to take terrorism substantially less seriously when it does not represent a direct and existential threat to the state.
organisations which claim to be affiliates or allies of Al Qaeda for example, we would do well to investigate their actions and operations. Such close attention often highlights that in parallel with their religious motivation, these organisations have ethno-nationalist agendas, or may utilise rhetoric more often used by left wing radicals than by devout Muslims. This analysis is accentuated when we take into consideration the UK state’s own perception of terrorist threat. A glance at the MI5 website for example shows that the threat of terrorism in Northern Ireland is usually said to be ‘severe’, meaning a terrorist attack is highly likely, whereas the threat level in Great Britain is usually estimated as ‘moderate’, indicating that a terrorist attack is possible but not likely.\(^3^4\) Even if we were to accept the claims by some about the increased lethality of Islamic fundamentalist terrorism as compared to ethno-nationalist or ideological terrorism, that the threat from terrorism is still consistently higher in Northern Ireland than in Britain tells us something about how terrorist threats are portrayed in the media and perceived by the public at large versus the actual threat as calculated by the UK’s intelligence services.

**The lack of historically grounded research**

Some scholars of terrorism studies have claimed that there exists a difference between more traditional forms of political violence which constitute ‘old terrorism’ and a vastly different trend today which constitutes ‘new terrorism’.\(^3^5\) This analysis is misguided, oversimplifies complex trends, and has some dangerous implications for both the academy and for policy makers. New terrorism has no conceptual coherence. Even among the scholars who declare its existence, there is a failure to draw the demarcation lines between what kind of actors, tactics or weaponry are the hallmarks of new terrorism, vis a vis old terrorism, and no consensus regarding when ‘new’ terrorism emerged. Orla Lynch and Christopher Ryder have highlighted in a systematic study of articles in a leading journal, *Studies in Conflict and Terrorism*, how ‘new terrorism’ lacks conceptual coherence, with there being little agreement on


what demarcates it from the supposed ‘old terrorism’. Furthermore, they examine rigorously the factors which some authors highlight as representing something ‘new’ in terrorism, and highlight how in many instances, the distinctions are not as concrete, nor as new as they have often been presented. As Thomas Mockaitis points out:

...contemporary terrorist organizations developed from past ones, copying their successes, learning from their mistakes, and adapting their methods and approaches to changing circumstances. These groups also make use of resources unavailable to their predecessors. Despite these continuities, however, contemporary terrorism does have features not present in previous movements, but even this “new” dimension has historical roots.

The implications of the misidentification of contemporary terrorist threats as representing some sort of starkly new terrorism are far more serious than simply a mislabelling of terrorist movements. That the present field of terrorism studies works for ‘state centric priorities’ is something contended by those on the more critical wing of terrorism studies. Richard Jackson for example contends that overwhelmingly, terrorism studies research is conducted with a view to informing policy and providing legitimation for the actions of western liberal democratic states in dealing with terrorism. One does not have to accept his view, that academic research centres dedicated to the study of terrorism uncritically endorse government programs and support the status quo in return for research grants. Indeed, even a cursory glance at the range of research being conducted at one such institution, the Centre for the Study of Terrorism and Political Violence (CSTPV) at the University of St Andrews, demonstrates that academics at such institutions can and do conduct research which

37 Ibid.
40 Ibid
41 see for example, J. Horgan, and M. J. Boyle, ‘A Case Against “Critical Terrorism Studies”, Critical Studies on Terrorism, 1/1, (2008), pp. 51-64.
is often critical of states, and which need not feed directly into policy.\textsuperscript{42} But we should recognise that academic discourses on terrorism can have a profound effect on our understanding of political violence and can inform and shape policy debates. As such, declaring some aspect of terrorism faced by states today to be somehow ‘new’ from terrorism past (for whatever reason), runs the risk of negating the importance of the academic research and historical lessons learned from previous analyses and engagements with terrorism. As Martha Crenshaw so eloquently states of some approaches in the post-9/11 world: the accumulated knowledge on terrorism to some adherents of the new terrorism thesis is ‘irrelevant at best, and obsolete and anachronistic, even harmful at worst’.\textsuperscript{43} The danger here is that academics and policy makers will neglect to learn from the mistakes made with regards to earlier manifestations of terrorism, condoning illiberal and repressive action or indeed exacerbating the effect of terrorism.

In order to demonstrate the importance of understanding earlier terrorist movements, the case studies examined here are largely historical ones. The way in which they are presented highlights the importance of understanding the histories of both the state and the milieu from which the terrorist organisation emerges. Within the cases themselves, there is clear identification of the importance of understanding the historical development of the terrorist movements themselves and the states which seek to counter them. It is my hope that this work be seen to join the body of academic studies conducted on terrorism by those who acknowledge the importance of historical long view.


Compartmentalisation of the literature

In the wider literature on conflict and political violence, there have been some impressive comparative works. Jeremy Weinstein’s Inside Rebellion is a particularly authoritative and useful example of how comparative work can enrich the study of conflict. As a work of serious academic rigour, it is interesting firstly as a paragon of the kind of impact that comparative work can have. Weinstein’s book compares the activities of three unrelated and rarely compared rebel groups from conflicts in Uganda, Mozambique and Peru. The insight Weinstein gives into why rebel groups in the way that they do, speaks in some ways to the arguments that I will develop here, in attempting to understand why state response takes particular shapes.\textsuperscript{44} Chenoweth and Stephan have used comparative approaches to support their claim and non-violent resistance has been more successful in securing regime change and the shift to democracy than campaigns of political violence.\textsuperscript{45} Comparative literature on the particular conflicts I will look at here, has been illuminating, though the focus has been somewhat different to mine. Bew, Frampton and Gurruchaga have used a comparative study of the Basque and Northern Ireland conflicts to examine the approaches to political violence which have helped secure settlement to the conflicts in each case.\textsuperscript{46} Ian Lustick has examined the Algerian and Irish cases comparatively, viewing the conflicts there as the product of the failure of effective state building, which he highlights in detail.\textsuperscript{47} While Lustick’s treatment of the conflicts is interesting and the case he builds is compelling, his focus is on the root causes of the conflict in itself rather than on the actions of the state during the conflict. Furthermore, his focus in the Algerian case is primarily on the Algerian nationalists and their conflict with the state, rather than on the OAS. However, generally there is a dearth of comparative studies in the terrorism studies literature. While the use of the empirical works to explain general trends or facets of terrorism and counter-terrorism can be

\textsuperscript{44} see for example J.M. Weinstein, Inside Rebellion: The Politics of Insurgent Violence, (Cambridge; Cambridge University Press, 2006).
\textsuperscript{47} I. Lustick, State Building Failure in British Ireland and French Algeria (Berkeley: Institute of International Studies, University of California, 1985), and also I. Lustick, Unsettled States, Disrupted Lands: Britain and Ireland, France and Algeria, Israel and the West Bank-Gaza (London: Cornell University Press, 1993).
useful, again we run the risk of missing the complexities that can be uncovered through an attention to historical and comparative accounts, which can uncover detail and explain facets of terrorism that the wider surveys in the discipline might miss. As such, rather than surveying the breadth of historical cases of terrorism and counter-terrorism, this thesis seeks to engage meaningfully in close analysis of the campaigns of terrorism in question, analysing how their similarities but also the differences, make important and seldom commented upon points about the nature and character of the state and its impact on the response to terrorism and the trajectory of terrorist campaigns.

**The question of a definition**

Terrorism may be added to the long list of terms in the social sciences and humanities about whose definition there remains no consensus. Arriving at an agreed definition of terrorism has proved elusive thus far and given the vehemence with which scholars in the field defend their own approaches, it is extremely unlikely in the future. Attempts in the past to survey the definitions in use and highlight a workable single definition have been carried out. Despite these efforts, there is still substantial disagreement over definitions, which is unlikely to subside. Indeed, it is ironic that those who have conducted broad surveys of the literature in search of a unifying definition, have instead had the effect of adding yet another definition to the list. Nevertheless, debate and disagreement in this area has ensured that academics have been forced to think critically about when they deploy particular terminology, and to defend their position.

Disagreement over the definition of terrorism does not preclude fruitful discussion and analysis of terrorism and its associated phenomena. Those studying terrorism are not the first, nor are they likely to be the last group of scholars to be frustrated in their search for a definitional consensus. There are serious works of great value which cover topics such as civil war, insurgency, violence, non-violence, democracy and the state, despite debate being sustained over where the demarcation lines lie.

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with reference to these topics. While the definition and conceptual clarity of terrorism is important, it should not become the central focus of the discipline and thus prevent scholars from engaging with other substantive issues. However, while there may be little in the way of consistency between scholars, it is of the utmost importance when conducting research on terrorism to make clear one’s own parameters and to be consistent. Failure to make clear what constitutes terrorism and what does not in the eyes of the researcher, makes it extremely difficult for the audience to interpret the work and difficult for other academics to engage with it.

In this piece, I will adopt the definition given by Richard English in *Terrorism: How to Respond*:

>Terrorism involves heterogeneous violence used or threatened with a political aim; it can involve a variety of acts, of targets, and of actors; it possesses an important psychological dimension, producing terror or fear among a directly threatened group and also a wider implied audience in the hope of maximizing political communication and achievement; it embodies the exerting and implementing of power, and the attempted redressing of power relations; it represents a subspecies of warfare, and as such it can form part of a wider campaign of violent and non-violent attempts at political leverage.

Aim of this thesis

This thesis aims to highlight the ways in which the nature and character of the state shapes counter-terrorism policy and drives political conflicts in particular directions in ways that are seldom analysed in the wider literature on terrorism. I argue that these factors can be separated into four strands. Firstly, what I refer to as ‘emotional responses’; how the identities and outlook of individual state personnel at each level from the entry level to state elite both shapes and is shaped by the state, and thus how state action towards terrorism is commonly driven (at least in part) by visceral and emotive response as much as it is by well reasoned policy towards an

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overarching goal. Secondly, the effect that the particular character of state organisations tasked with counter-terrorism responsibility can have on the course of the conflict. Thirdly, I argue that issues of coordination and competition between state organisations whose competences sometimes overlap and whose aims and objectives are often mutually clashing can result in unintended consequences in the course of counter-terrorism efforts. Fourthly, I highlight how counter-terrorism itself is frequently used as ‘propaganda of the deed’ in itself, in attempts to send unambiguous messages to those using or considering political violence, to silence political opponents within and out-with the state apparatus, and for partisan electioneering purposes. Furthermore, I contend that going forward, academics and policy makers alike must take these factors into consideration if they hope to understand state action and to find ways to combat particular campaigns of terrorism without encroaching on the civil liberties and human rights of populations, and without exacerbating the level and threat from political violence.\textsuperscript{50}
Chapter One
The Spanish State and the Basque Problem:
Countering ETA Terrorism

*The sacred mission of the armies of a nation is that of maintaining order, and that is what we do.*
Francisco Franco.¹

*It is not ETA that had bred violence. It is violence that has bred ETA.*
Telesforzo Monzón 1997 (Herri Batasuna member)²

In order to understand comprehensively the counter-terrorism efforts of the state in tackling the violent campaign by ETA from their emergence to the present day, it is necessary to discuss the historical emergence of the contemporary Spanish state, and the parallel and interlinked development of Basque nationalism on the whole and its more virulent and radical strains.

**The historical development of the Spanish state**

The nation-state of Spain was born out of the unification of the crowns of Aragon and Castile in the 15th century. As an amalgam of a number of forerunner entities, Spain has thus from its inception been somewhat defined by its fractious nature and the contrast and tension between the multiplicity of identities existing within the Spanish borders. The regions of Spain, because of their separate histories and their geographical and cultural differences maintained separate identities despite their incorporation into the state of Spain. Spain was no different in this respect to many

other continental countries. It was however the inability of the Spanish state to ‘generate and diffuse to the masses a coherent national project’ and the ‘confrontation between different visions of Spain that impeded Spanish nation building’ and allowed Basque national sentiment to solidify. 3 The tension between those in favour of a centralisation of Spain and a greater degree of autonomy for the constituent regions has been a principal concern of the Spanish state since at least the 19th century, and continues to influence politics and society in Spain today, manifested in the nationalist independence movements in the Basque Country and Catalonia, and to a lesser degree in Galicia.

Though the Carlist Wars of the 19th century were primarily wars fought concerning the succession to the Spanish throne, and the associated political approaches of liberalism and traditionalism, the issue of regional identity and autonomy played out as something as a subtext in these bloody conflicts. 4 The issue of regional identity and control was taken seriously across Spain, and was seen as an instrumental factor in the collapse of the Federal Republic of 1873-4. 5 The regions of Spain had operated a fueros or foral system of local statutes and charters, under which each province exercised a separate administration. 6 With the integration of these entities into the Spanish state, the Spanish crown had codified these rights, allowing for a high degree of autonomy with formal control by the Spanish state itself limited to taxation, and being represented in each region by a viceroy. 7 As André Lecours notes, so long as the foral system remained in place, its division of the Basque country into smaller administrative provinces made mobilisation beyond these borders on the idea of Basque identity difficult in practical terms, and also prevented Basque and Spanish identities from being directly oppositional. 8 The Third Carlist War eventually saw the abolition of these rights in 1876. The fight to retain the foral system by the Carlists had won them a great deal of support in the Basque Country,

8 A. Lecours, Basque Nationalism and the Spanish State, p. 40.
and the removal of this system represented a ‘watershed in relations between the Basques and Madrid’. In addition to the importance of the foral system, there was little to create a sense of allegiance to Madrid. In the pre-Civil War days of the early 20th century, there were no ‘integrative mechanisms that fostered a sense of national belonging’, something which was lamented by Spanish nationalists who were critical of the lack of nation-building which might have allowed a strong Spanish identity to flourish.

The frequent bloody outbursts in the 19th and 20th century were to be important formative events for both the remarkably resilient characteristics of the Spanish state and for its relationship with the general population. In many ways, the political upheaval within the state and within wider Spanish society was to impact decisively on how the Spanish state viewed and responded to the political violence of Basque nationalists. The Carlist Wars could perhaps be seen as a foreshadowing of the cleavages in Spanish society, between traditional, religious factions and liberal tendencies which would play out throughout the 19th and 20th century.

The political instability of the 18th and 19th centuries led to a situation where the army were inherently distrustful of politicians. With the officer class swollen to between 11,000 and 12,000 by 1814, the military began to represent a significant threat to political stability in itself. In reaction to attempts by King Ferdinand VII in 1814 to introduce military reforms, elements within the army rebelled, beginning a long tradition of *pronunciamiento*, whereby the rebellious army factions would register their disapproval of particular measures, essentially presenting the government with a situation which required a compromise or risk open coup. That the crude tool of *pronunciamiento* was relied upon so frequently by the military in the 19th century, is testament not only to the political activism of the army, but of the lack of consensus within the state and wider Spanish society, cleavages which would continue to shape

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the politics and society of Spain well into the 20th century.\textsuperscript{14} The pronunciamento by progressive forces to their allies in the military that commenced the ‘Glorious Revolution’ of September 1868 would set the precedent for how serious political change would be effected in Spain over the next century.\textsuperscript{15} Indeed the military were to establish themselves as a dominant force within the apparatus of the State early in the twentieth century. Frequently in the late nineteenth and early twentieth century, there was friction between the military and successive governmental regimes.\textsuperscript{16} No event worked to widen this developing chasm between military and political branches of the state more than the defeat of Spain in the Spanish-American War, resulting in the final loss of empire in 1898.\textsuperscript{17} The government of the day blamed the military, feeling it had not fought hard enough to defend the empire, whilst the military blamed the government, feeling that they had had their hands tied by ‘political corruption and incapacity’.\textsuperscript{18} Preston notes that in the aftermath, the army came to believe that they ‘held the monopoly on patriotism and were the executors of “national truth” which they could impose on the nation whenever the need arose’.\textsuperscript{19} Indeed, the army had seen itself as the only strand of Spanish society which had protected Spain from the Carlist and cantonist revolts of the 19th century.\textsuperscript{20} But with the loss of Cuba in the Spanish American War, the Spanish Empire had been reduced to some small tracts in North Africa. The campaign in north Africa opened cleavages in the military however, between those units mostly based in the Iberian peninsula, known as the Juntas de Defensa, and those mostly based in Morocco, known as the Africanistas. For the Africanistas, who in the main were more politically motivated and ideological than the Junteros, the task of pacifying parts of Morocco represented as a chance to restore the prestige of the military and of Spain.\textsuperscript{21} The perceived gravity of their task

\textsuperscript{14} Ibid, p. 68.
\textsuperscript{15} R. Carr, Modern Spain, p. 3.
\textsuperscript{17} G. Jackson, A Concise History of the Spanish Civil War (London: Thames & Hudson Ltd, 1974) p. 12.
\textsuperscript{19} Ibid.
\textsuperscript{21} Ibid, p. 312.
and the camaraderie galvanised by engagement in conflict in north Africa led the Africanistas to develop a strong espirit de corps.22

In July 1909, popular protests against military conscription culminated in the Semana Trágica (Tragic Week), a week of civil unrest inspired by radical Republicanism.23 This saw the death of 120 people in Barcelona as anarchists movements and the working class clashed with Guardia Civil.24 Again in 1917, political violence broke out in Barcelona from the anarcho-syndacalist CNT. Their actions were to be sharply countered first by private vigilantes at the behest of employers, and later by state repression under martial law.25 In these early days of the twentieth century it was becoming apparent that political violence was the weapon of choice for both radical movements hoping to effect change. The state itself responded customarily with violent repression and declarations of martial law. Dangerous precedents were being set. Indeed the state was overthrown several times in the early twentieth century, first by military coup, backed by King Alfonso XIII which installed the dictatorship of General Miguel Primo de Rivera in 1923.26 Primo de Rivera had not intended to be a long-term dictator, instead hoping to rid the Spanish political system of its flaws before stepping down when he had solved the problems. He stated:

Our aim... is to open a brief parenthesis in the constitutional life of Spain and to re-establish it as soon as the country offers us men uncontaminated with the vices of political organization. We will then hasten to present these men to Your Majesty so that normality can be established as soon as possible.27

Predictably, the amateur politician was unable to achieve what his professional predecessors had not managed. De Rivera’s regime faced opposition from former politicians, intellectuals and students, and when he alienated the military and the

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24 Ibid.
25 S.G. Payne, Spain’s First Democracy, p. 17.
King, it sealed his fate. De Rivera stepped down in January 1929, having failed to carry out his intended clean up of Spanish politics. His caretaker successor, General Berenguer was also unable to prevent the rising tide of Republicanism. King Alfonso XIII fled for exile in 1931 and Spain became a Republic in April of that year.

It soon became apparent however that the Spanish Second Republic was not to be the utopia that many of its advocates had hoped. Despite the heralding of a new dawn, beneath the rhetoric of Republicanism and the veneer of radical change, the Spanish Second Republic proved to be no less bloody or repressive a regime than its predecessors. Miguel Maura, the new Minister of Interior had pointed out that the use of the army and Guardia Civil for keeping the peace was counter-productive, with neither force being particularly well equipped for the job. Indeed, Payne points to the Guardia Civil as instrumental for alienating the civilian population from the state. He described them as ‘a paramilitary force whose brutal tactics had earned them the hatred of the leftist groups. Untrained in effective methods of crowd dispersal, the Guards often resorted to bloodshed, thus exciting more violence and resentment’. Despite the organisation of a new Republican police force, armed only with pistols and clubs, the upsurge in violence in the succeeding years showed that heavy handed and violent action by the Guardia Civil and army was still a feature of the Spanish state, even under the Republic. Attempts to reform the Guardia Civil and army proved to be problematic. The Guardia Civil had been established in 1844 as a means of strengthening the authority of the civil administration and to encourage centralisation, and had been shaped into a militarised organisation early in its life, with its quasi-military status being formalised in 1878. At first, Prime Minister Azaña’s military reforms, intended to streamline the army through offering officers incentives to retire appeared to be working, but the military became suspicious of Azaña and his advisors’ motives, particularly when he closed the Academia General Militar, (a military institution closely associated with the Africanistas and directed by

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30 Ibid.
31 Ibid, p. 279.
32 see for example, S.G Payne, Politics and the Military in Modern Spain, p. 282 on breaking up strikes and anarcho-syndicalist violence near Barcelona in 1931.
Francisco Franco\textsuperscript{34} and were accused of disrupting ‘the harmony of the military family’. \textsuperscript{35}

The Second Republic from the outset declared itself a \textit{régimen de plenos poderes}, suspending legal rights and allowing censorship, the breaking up of public meetings and taking whatever steps it felt necessary to ensure order.\textsuperscript{36} Indeed the first legislative action of the new Republic was to pass the Law for the Defence of the Republic.\textsuperscript{37} In addition to the existence of the old grievances and political adversities that existed in the towns and cities, Carr points to the Second Republic as instrumental in a ‘process of mass politicization’.\textsuperscript{38} The hopes of the underprivileged which had been raised with the advent of the Second Republic however went unfulfilled. The ambitious aspirations of the governments of the Second Republic never came close to being fulfilled.\textsuperscript{39} There was more continuity and replication of the old habits of political patronage, albeit with a new twist. The radical aims of the Second Republic were to be implemented by the institutions of the state that had been inherited from previous monarchist regimes, and crucially, with the vast majority of the same personnel occupying the key positions.\textsuperscript{40} Corruption and heavy handedness from the state security forces soon dashed any hopes that the Second Republic would achieve a more equitable, liberal or truly democratic Spain. Graham notes that whilst the Republican victory had brought an end to the old \textit{cacique} system whereby local politics was dominated by political ‘bosses’ or ‘fixers’, highly dependent on electoral fraud with the idea that traditional political elites would always be maintained in their strong positions, the networks of power and influence that had underpinned the system had not been killed.\textsuperscript{41}

\textsuperscript{35} R. Carr, \textit{Modern Spain: 1875-1980}, p.120.
\textsuperscript{36} S.G. Payne, ‘Political Violence During the Spanish Second Republic’, p. 272.
\textsuperscript{37} S.G. Payne, \textit{Spain's First Democracy}, p. 73.
\textsuperscript{38} R. Carr, Modern Spain, p.117.
\textsuperscript{39} Due in part to wide-scale reforms which would be expensive at the very time when the world was facing depression.
\textsuperscript{40} H. Graham, \textit{The Spanish Republic at War 1936-1939}, p. 25.
\textsuperscript{41} Ibid, p. 20.
When the Spanish Civil War came in 1936, it began in the familiar way of a military coup; ‘an old instrument being used to a new end’. The military rebellion, this time, as with the coup that brought Primo de Rivera to power announced not a contrary ideological position to the government of the day but rather stated its intentions of ‘saving Spain from anarchy’. Society became polarised, with loose coalitions of disparate factions joining the Republican side, with anarchists, and socialists joining republicans in a Popular Front, and Nationalists, with most Carlists and the Falangists supporting the right wing military coup. Carlists in the Basque country however bucked the general trend, joining the Republican side on account of the higher degree of autonomy that the Second Republic had afforded the Basque country, which had culminated in a Statute of Autonomy in 1935. Carlists however were still the subject of much suspicion in the Basque country amongst the Republican forces, with actions being carried out against prominent Carlists in San Sebastian during the Civil War as symptomatic of the suspicion reserved for these traditionalists. General Francisco Franco rose to become Head of State in October 1936, a position he would hold until his death in 1975.

After the Civil War, the authoritarian regime was shaped greatly by the personal leadership of General Franco. While he delegated power to his ministers, allowing them a free reign to create and implement policy, he retained direct control over what he deemed to be the most important policy areas, and played the role of final arbiter between the factions that constituted his government and the wider authoritarian regime. Under the Franco dictatorship, the Basque population were to suffer state terror of unparalleled levels. All symbols of Basque identity and culture were subjected to ‘suspicion, inquiry, and proscription’. The Basque language Euskera, was targeted specifically, and the use of the language in public, in schools and in publication were outlawed. Decrees were passed ordering the translation into

44 D. Conversi, The Basques, the Catalans, and Spain, p. 76.
Spanish of all Basque names in civil registries and official documentation.\(^{48}\)

Politically motivated imprisonments and executions took place of those the Franco regime deemed to have promoted ‘separatism’\(^{49}\). As Cameron Watson notes, Bizkaia and Gipuzkoa were officially named as traitorous provinces in 1937 as punishment for their open opposition to Franco during the Civil War, and for the attempt to ‘deny their Spanish national identity’.\(^{50}\) Preston recounts that the Spanish military under Franco, from the early days of the regime until the death of Franco himself were trained, prepared and organised as if Spain was a country under occupation. He states that these measures were to prepare the army to conduct action, not against occupation or invading army, but towards the native population instead.\(^{51}\) Indeed it was not only the Basque population that were to suffer, though they undoubtedly were reviled more than other perceived enemies by the Franco regime. Acts of revenge in the form of executions, often by garrotte, sometimes with press coverage, were officially conducted from 1937 until 1963, although politically motivated attacks against Republicans and perceived enemies of the regime remained a feature of Spanish life until the death of Franco in 1975.\(^{52}\) The exceptional treatment of the Basque provinces and the clear message from the Franco regime regarding the expression of Basque identity fomented the sense of alienation amongst Basques towards both the Spanish state and Spanish identity which was to be key in the emergence and sustained support for ETA under the Franco regime.

Whilst officially neutral during World War II, Spain was viewed with suspicion by the Allies throughout the war period for the fascist overtones of the Franco regime and their close relationship with Nazi Germany in the years before the onset of the war. However, the cloak of neutrality worked in Franco’s favour and the international community now faced with the emerging Cold War, normalised relationships with

\(^{48}\) Ibid.

\(^{49}\) Ibid.


\(^{51}\) P. Preston, *The Politics of Revenge*, p. 42. However, while this was a characteristic of the military that served Franco’s purposes, it was not a situation entirely of his own creation. The military had since the mid nineteenth centuries, regarded the ‘internal enemies’ of Basques and Catalans with suspicion. See D. Muro, *Ethnicity and Violence*, pp. 43-4.

Franco’s Spain and the junta was afforded legitimacy by the United Nations and the World Health Organisation in the early part of the 1950s. Conversi and Clark remark:

the failure of Western democracies, especially Britain and the United States, to isolate and exert pressures on the regime “led the Basques to conclude that they could not depend on outside assistance”... This is one of the crucial features which helps to explain the birth of ETA less than ten years later.53

Basque nationalism had taken its modern form from the political thought and writing of Sabino de Arana y Goiri in the latter half of the 19th century. Arana awakened a generation of Basques to the ideas of nationalism, manifesting itself in the formation of a new party, Partido Nacionalista Vasco (PNV) founded by Arana in 1895 As ‘the political vehicle by which Basque autonomy was to be achieved”54. As stated previously, Basque nationalists had thrown their weight behind the Republican cause in the Civil War because of the regional autonomy it had afforded the Basque Country. In the early 1950’s, some students from the university of Bilbao, disaffected with the PNV and the lack of any meaningful nationalist action or representation formed the organisation Ekin (meaning ‘to begin’ in Euskera). Around the same time, the youth wing of the PNV, known as Eukzo Gastedi (EG, later EGI) began to become more active. Ekin was eventually drawn towards the PNV as their positions differed little, rather they were born out of frustration about the latter’s lack of activism. Eventually Ekin and EG merged, with the resulting group breaking from the PNV over ideas about the direction the Basque nationalist movement needed to take. As Sullivan notes, the former Ekin members within the EGI felt that violent methods against the Franco regime must be employed, whilst the PNV leadership felt the Basque festivals and cultural events were political enough activities.55 The resulting group, born on 31 July 1959 called themselves Euskadi ta Askatasuna, (Basque Homeland and Freedom), ETA for short. A statement by one founding member of ETA in the early days of the organisation stated:

53 D. Conversi, The Basques, the Catalans, and Spain, p. 83.
We, Basque nationalists of this generation, have only known the farcical ‘vertical trade union’ of Franco, his northern policy, his ‘organic democracy’, the claws of Eymar [a much hated military prosecutor] and his henchmen, the monstrous confabulation of the bishops with the most abject and reactionary regime on earth and the quiet wait for the Yankees to impose free elections in the Spanish state... We now think that we have understood. And, contrary to what our elders do, we have decided to change course.56

From the Emergence of ETA Violence to the Death of Franco

From the moment of the first claimed ETA attack in 1961 to the death of Franco in 1975, the Spanish state response to terrorism took a predictable form for the violent, muscular and repressive regime. 57 The attempts by the Spanish state under Franco to counter terrorism from ETA was largely uncoordinated with no overarching plan. The state reacted to each terrorist attack on an ad-hoc basis.

The first claimed ETA attack came somewhat out of the blue for the Franco regime. The attempt on July 18, 1961 to derail trainloads of Falangist Civil War veterans on their way to services commemorating the 25th anniversary of the military coup that spawned the Civil War in the Basque city of Donostia-San Sebastián was unsuccessful. Nevertheless, the state response was harsh and unequivocal and appeared to be designed to punish not just those suspected of the attack but Basque nationalists and sympathisers of ETA more generally. The security forces arrested and tortured 100 Basques with 30 of these being sent to the infamous Carabanchel prison in Madrid for further interrogation and torture. Stiff penalties were handed out with most of those arrested being sent into exile or given prison sentences of 15 to 20 years.58 Confrontations between ETA and the security forces in the mid 1960s were scarce, with the internally split ETA focusing on fund raising robberies rather than

57 It is claimed by some that the first death that ETA caused was actually a 22 month old baby after a bomb was detonated in San Sebastián train station in June 1960, although ETA have never claimed responsibility for the attack. See J. Bew, M. Frampton, and I. Gurruchaga, Talking to Terrorists, p.178.
overt violent action for most of the period\textsuperscript{59}. The terrorist group seemed to be aware that they were not yet ready and thus sought not to provoke ‘excessive and disastrous countermeasures by the Spanish government’.\textsuperscript{60}

When confrontation between the state and ETA did occur, the state seemed keen to send a clear message to the militants that terrorist actions were not to be tolerated. The result was that the repressive and over-zealous response often had the effect of producing more harm than good, ultimately being counter-productive to the countenance of terrorism. For example, the shooting in cold blood of ETA member Txubi Etxebarrieta at a roadblock by the Guardia Civil as Etxebarrieta attempted to flee from a bank robbery. The attack caused widespread unrest in the Basque country and drove many Basques into the ranks of ETA.\textsuperscript{61} This action started a spiral of violence that fitted with the ETA strategy of ‘action-repression-action’; a strategy inspired by Frantz Fanon’s \textit{The Wretched of the Earth},\textsuperscript{62} whose writings on the Algerian struggle for independence had become a ‘textbook’ for radical Basques in the 1960s.\textsuperscript{63} This particular spiral of violence culminated in the Burgos trial, which proved to be an unmitigated disaster for the Spanish state, embarrassing them internationally, leading to a loss of face domestically and helping cement the idea that ETA were bastions of opposition to the oppressive Franco regime, not just for Basque nationalists, but indeed for left leaning organisations and individuals across Spain.\textsuperscript{64}

Similarly, the regime implemented ‘state of exception’ decrees on a number of occasions from 1961 to 1975. These decrees, which were sometimes limited to Basque provinces and other times extended across the whole of Spain, depending on the particular crisis and levels of unrest, meant that certain guarantees of rights

\textsuperscript{59}A close examination of these internal splits and politicking by the various incarnations of ETA is somewhat beyond the remit of this work. However for further reading on this topic see R.P. Clark, \textit{The Basques}, pp. 160-4.
\textsuperscript{60}R.P. Clark, \textit{The Basques}, p. 160.
\textsuperscript{64}P. Preston, \textit{The Triumph of Democracy in Spain}, p.42.
under the Francoist *Fuero de los Españoles* (Charter of the Spanish People) which had been produced in 1945 and only allowed for rather flimsy and superficial freedoms in the first place, were suspended. 65 Most frequently suspended were Articles 18, ensuring the right to habeas corpus and those guaranteeing inviolability of the home, Articles 14 and 15. 66 Whilst the imposition of States of Exception allowed the regime to quell protests and civil disobedience, round up ETA suspects and indeed on a number of occasions damaged the structure of the group, the violent manner in which searches were conducted and ordinary Basque nationalists were mistreated during these spells meant that support for ETA often rose in the aftermath and the credibility of the Franco regime was further damaged as result.

The manner in which the regime dealt with ETA members who were apprehended and arrested also saw them come under fire from human rights groups globally as well as Basques and the wider Spanish population. Carrero Blanco who had been promoted to the position of Prime Minister the year before was keen to make his presence felt and in the first nine months of 1970, to September, the regime tried 1101 people for political offences, with a disproportionate number of these being Basques. 67 More crucially in 1970, the Burgos trial, the arrest and trial of 16 ETA suspects for a range of crimes, the most serious of which being murder of security force personnel, caused widespread protest of unprecedented levels. The Burgos trial was perhaps the most important moment for ETA in helping them cement their legitimacy as armed opponents to the brutal Franco regime. 68 The death penalties passed by the military court at the Burgos trial and the harsh sentences meted out to the other suspects received global media coverage, caused protests and violence across Spain and beyond, and opened up foreign media channels for ETA to publicise their plight. ETA kidnapped the West German consul in San Sebastián, threatening to kill him if the sentences were not reduced. As a result of this threat, the international pressure, and a call from the Vatican for clemency for those sentenced to death, Franco eventually commuted the death penalties, but not before

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68 J. Sullivan, *ETA and Basque Nationalism*, p. 92.
the regime lost a considerable amount of face and the relationship between the regime and the church, which had been crucial during the Civil War and the solidification of Franco’s rule had been irreparably damaged.\(^{69}\)

The worsening health of Franco throughout the late 1960s and 1970s caused problems for the regime as it attempted to face down attacks from ETA. The \textit{movimiento} which constituted Franco’s support base and was built of a coalition of various right wing movements began to fragment. In 1969, Don Juan Carlos, who would become King Juan Carlos was named as the successor to Franco. Luis Carrero Blanco was promoted to Prime Minister in 1969 and was keen to show that the \textit{aperturismo} (‘openness’) faction within the \textit{movimiento} (The National Movement which controlled all aspects of public life in Spain during the Franco regime) had been silenced and a continued hard line on dissent would be taken. As a result, repressive actions by the state rose in response to ETA attacks and wide scale protests in the aftermath of repressive state actions and the killing of ETA etarras worsened. The regime was struggling to maintain legitimacy. ETA assassinated Carrero Blanco in a breathtaking attack in 1973 as he left morning Mass in Madrid. The attack was an attempt to destabilise the regime and throw the continuation of Francoism beyond Franco’s death into doubt and as a reprisal for the assassination of one of their leaders, Txikia. The assassination of such a high profile person, a man who was close to Franco personally, and who represented the future of his ideology beyond the General’s death was a massive coup for ETA, and indeed for opponents of the regime across Spain. As Paul Preston notes ‘the death of Carrero Blanco smashed the myth of Francoist invulnerability, ignited the squabbles within the walls and roused the opposition to seek the unity that had always eluded it.’\(^{70}\) Franco himself was deeply disturbed by the attack, commenting during the memorial service: ‘They have cut my last link with the world’.\(^{71}\) Furthermore, it demonstrated


\(^{70}\) P. Preston, \textit{The Triumph of Democracy in Spain}, p. 91.

\(^{71}\) Francisco Franco, cited in D. Muros, \textit{Ethnicity and Violence}, p. 106.
ETA’s ability to bring the fight for Basque independence to the heart of the Spanish regime.  

The announcement by Carrero Blanco’s successor, Arias Navarro, that he planned to make some reforms and move towards greater levels of democracy was viewed with both hope and suspicion by Basque nationalists. The side effect of the official line taken by Arias Navarro and the regime however was to upset the ultra-right faction in the *movimiento*. The result of this was the creation of ultra gangs, comprised mostly of off-duty security force personnel who conducted gun and bomb attacks on prominent nationalist bars, businesses and homes in the Basque country. Officially these ultra gangs were illegal and their effect was certainly counter-productive, undermining for certain any sense of hope that the regime might be liberalising and changing. There were never any convictions or arrests for the actions carried out by these organisations, who masqueraded behind names such as Batallon Vasco Español (BVE). In response to heightened levels of ETA violence in 1974 and 1975, the regime under Arias Navarro seemed to revert back to the robust and brutal counter terrorism approach it had been known for throughout the Carrero Blanco premiership, with security forces mistreating ETA suspects in detention and intimidating their families during raids under one State of Exception in 1975.

Later that year the death penalty was passed on two ETA members, including senior ETA(p-m) militant Juan Paredes Manot (Txiki), who was convicted of the murder of two state officials. Sentenced to death under the retroactive Decreto Ley 10/1975, the decision was deeply unpopular across the Basque country yet despite the penalty being carried out and a massive push by ETA(p-m) to have their member saved, the press coverage nor the protests were as pronounced for Juan Paredes Manot (Txiki) as they had been for those convicted in the Burgos trial five years earlier. The lack of justice and due process in the trial was commented upon by media outside of Spain. *The Times* seemed to recognise the counter-productivity of the trial and the effect that it would have on sentiment in the Basque country and across Spain, declaring in an article headline on the case that ‘Franco must take the blame for

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72 See also P. Preston, *Franco*, p.761, for details of the tremendous effect that the death of Carrero Blanco had on Franco personally.
73 J. Sullivan, *ETA and Basque Nationalism*, p. 151.
74 Ibid, p. 165.
Spain’s growing violence.’ Franco died in November 1975 marking an end to this repressive era, yet it would be a further three years before the transition to democracy was complete. Nevertheless, the counter-terrorism approach of the state changed immeasurably in the aftermath of Franco’s death.

Democratic State Responses to ETA

Juan Carlos, who had been named as the successor to Franco was crowned on 22 November 1975. Almost immediately, the king initiated a series of reforms designed to placate Basque nationalists and soften Basque opposition to the Spanish government. The most substantial measures were three general amnesties which covered nearly all of Spain’s political prisoners. Those who remained in prison benefitted from reductions to their sentences. In addition, the conciliatory moves included the legalisation of flying the Basque flags, relaxation of censorship laws, and senior personnel changes in the Guardia Civil and the armed forces, designed to give the security forces a less Francoist image. Crucially too, in 1976, the Cortes approved new labour legislation that allowed for the forming of trade unions, strike activity and legalised political parties, including the PNV. These steps were extremely important as the Spanish state now permitted organisations which allowed open and active protest and opposition to the Spanish government and its policies. Despite these moves, and the elections in June 1977 which created the first democratically elected Spanish Cortes since 1936 and the promulgation of the new constitution in mid 1978 by Juan Carlos, there was still widespread opposition to the government in the Basque country. Clark notes that despite the widespread reforms, many Basques felt that King Juan Carlos had not gone far enough. No longer faced with the Franco regime and the possibility of its characteristically brutal response, Basques seemed less afraid to protest, demonstrate and call strikes.

Juan Carlos occupied a precarious position. The military was divided along several axes, between ‘recalcitrant Francoists’, ‘those in favour of limited reforms’ and a more

75 The Times, (London; England) Fri 26 Sept 1975, p. 16. ‘Franco must take the blame for Spain’s growing violence’
76 R.P. Clark, The Basque Insurgents, p. 89.
77 Ibid, p. 88-89.
78 Ibid, p. 90.
‘progressive minded’ faction who favoured an evolution to a European-style democracy. Thus, to push through rapid and radical reforms would provoke the ire of hard-liners in the military, endangering the democratic experiment before it had a chance to solidify. The paranoia of the ultras in the military leadership was also becoming apparent as they suppressed the green shoots of liberalism in the form of the Union Militar Democrática (UMD), a secret association of the officer classes who sought to work to keep the military apolitical in the post Franco era. Sentences of up to eight years were given to nine officers who were subject to a military trial, and denied access to civilian lawyers for the UMD involvement. The trial was seen as a ‘symptom of the continuing strength of right wing feeling within the armed forces’. It is hardly surprising that Juan Carlos and latterly the democratic Prime Ministers were unable to completely overhaul the outlook and character of the Spanish state. The way in which Franco strove to change the character of the Spanish state to ensure the loyalty of state operatives meant that the task of de-Francoising the state was a massive undertaking. Franco’s consolidation of power owed much to the repressive measures he meted out in the 1930s and 1940s, post-Civil War, which Julius Ruiz explains comprehensively. As such, Franco’s consolidation of power and the cementing of the position of the movimento was only possible because it came in the wake of the civil war, and because it was enforced using the characteristically repressive measures employed by authoritarian regimes. For the newly emergent democratic regime, such reform would be unthinkable as well as technically impossible. Even without the problems posed by internal cleavages in the state and the resistance of many elements of the state apparatus to the democratic

80 R.P. Clark, The Basque Insurgents, p. 90.
82 As we have seen, many of the traits of the state pre-existed Franco, his skill was primarily in managing the characters of various instruments of the state apparatus to his own ends.
84 However, it should be noted that the movimento from which Franco depended for his legitimacy was often in conflict with itself with the various factions vying to see their own particular political agendas carried out. Franco during the early years was able to arbitrate between these factions and ensure his own personal stability, and that of the regime against outside opposition. Franco handled this on an ad-hoc basis, avoiding the institutionalisation of the regime, which would have required measures which would have created tension between the factions, opting for managing ambiguity surrounding the position of the government and movimento rather than forcing a show-down. However, with the worsening health of Franco throughout the 1960s and 1970s, as the effects of Parkinson’s disease took their toll, contributing to the political uncertainty which characterised the latter years of the Franco regime. See for example, J. Tussell, Spain From Dictatorship to Democracy, particularly, pp.143-4.
reform, changing the outward appearance of the Spanish state to make it more acceptable to those within Spain who expressed other identities, and to the international system was a massive undertaking. As Lecours notes, the Spanish national identity was one heavily associated (for obvious reasons) with authoritarianism, Catholic traditionalism, militarism and hyper-centralism.\textsuperscript{85} Even if rapid reform of the state apparatus had been possible, changing the accepted image of the Spanish nation in the eyes of Basques and in the eyes of the international community would be a slow process, and one that would only occur through the ‘normalisation’ of Spain to fit the Western liberal democratic model. This was something that Spain eventually achieved, but which took decades.\textsuperscript{86} It should be noted however, that the transition to democracy was a swifter and smoother process than many might have expected given the fractures in the state apparatus and the absence of Franco’s centripetal influence which had ensured at least the illusion of unity in the past.

One effect of the moves towards liberalisation was that it caused the fomentation of disputes between and within rival factions of ETA, ETA(m), ETA(p-m) which had split apart in 1974. The late 1970s for ETA was to bring much turmoil as the unfamiliar political climate left the groups struggling to decide on the best approach. The byproduct of this strife was that ETA became much more violent in the post-Franco era than they had been previously. ETA(p-m)’s leader Eduardo Moreno Bergareche, ‘Pertur’ was assassinated in mysterious circumstances in January 1982 with both internal ETA(p-m) rivals and the Alianza Apostólica Anticommunista (AAA) suspected of the murder. ETA(p-m) suffered a split with its military unit, the Berezi commando under Miguel Angel Apalategui Ayerbe “Apala” splintering from the group over ETA(p-m)’s desire to form a new political party from mid 1976\textsuperscript{87}. In the aftermath of this split, Apala’s group and ETA(m) under José Miguel Beñarán Ordeñana ‘Argala’ attempted to impress rank and file members of ETA with daring attacks hoping to win them over to their faction,\textsuperscript{88} contributing to the spike in fatalities from ETA attacks in

\textsuperscript{85} A. Lecours, \textit{Basque Nationalism and the Spanish State}, p.142.
\textsuperscript{86} Ibid.
\textsuperscript{87} R.P. Clark, \textit{The Basque Insurgents}, p. 89.
\textsuperscript{88} Ibid, p. 93.
the latter half of the 1970s.\footnote{See I. Sánchez -Cuenca, ‘The Dynamics of Nationalist Terrorism: ETA and the IRA’, \textit{Terrorism and Political Violence}, 19/3, (2007) p. 291 table 1.1.} For the \textit{políti-co-militar} faction of ETA, the utility of political violence had waned with the death of Franco and the shift from the authoritarian regime to the beginnings of the democratic system. The instrumentality of the action-repression-action strategy perhaps no longer made as much sense as participation in the post-Franco democratic process,\footnote{F.J Llera, J.M. Mata, and C.L. Irvin, ‘ETA: From Secret Army to Social Movement - the Post-Franco Schism of the Basque Nationalist Movement’, \textit{Terrorism and Political Violence}, 5/3, (1993), p.117.} but for the militarists of ETA(m), they recognised that the volatility of the political atmosphere during the transition to democracy meant that perhaps with increased pressure on the state that Basque independence could be achieved.\footnote{A. Lecours, ‘Violence as Politics: ETA and Basque Nationalism’, in S.M. Saideman and M.J. Zahar (eds.) \textit{Intra-state Conflict, Governments and Security: Dilemmas of Deterrence and Assurance} (Oxford: Routledge, 2008), p.123.} Additionally, there was the sense that with restrictions on political organisations and demonstrations being lifted, empowering leftist organisations across Spain, that ETA would have to fight to maintain relevance, ‘ETA was no longer the reference point and a plethora of political groups and social movements were able to represent the plurality of political views. By waging a war of attrition, ETA made its presence visible and forced all political parties to take a stand with regard to nationalist violence.\footnote{D. Muro, ‘The Basque Experience of the Transition to Democracy’, in G. Alonso, and D. Muro, (eds.) \textit{The Politics and Memory of Democratic Transition: The Spanish Model} (New York; Oxford: Routledge, 2011), p.175.} As such, those factions of ETA still committed to armed struggle opportunistically ratcheted up the level of violence, killing 240 people between 1977 and 1980, where previously there had been around only 20 deaths a year.\footnote{L. Mees, cited by A. Lecours, ‘Violence as Politics: ETA and Basque Nationalism’, p. 123.}

In June 1977, Adolfo Suarez, who had been appointed as Prime Minister by King Juan Carlos the previous year, became the first democratically elected Prime Minister of post Franco-Spain and formed the government with his party the UCD. The newly elected \textit{Cortes} set to work formulating the new constitution, which was promulgated in mid 1978. The constitution’s final text, after much wrangling and debate between the more conservative and \textit{Franquista} politicians on one hand and the socialists and nationalists on the other included in Article 2 stated:
the Constitution is based on the indissoluble unity of the Spanish Nation, the common and indivisible homeland of all Spaniards, and recognizes and guarantees the right to autonomy of the nationalities and regions which compose it.\textsuperscript{94}

Article 3 recognised Castilian as the official language of Spain but held that in the autonomous regions, the local language would also be official, while Article 4 called for the flying of both local and national flags on public buildings and at official occasions.\textsuperscript{95} While in general, when the Constitution was put to the people in a referendum, it received overwhelming support at around 87.9 percent of the vote, the Basque country was a notable exception for such support. In the Basque country, less than half of the eligible electorate turned out and almost one-fifth of those who did voted against the Constitution\textsuperscript{96}, with abstention rates reaching 56 percent in Gipuzkoa and Bizkaia\textsuperscript{97}.

However, despite the conciliatory gestures from the democratic government in the form of the recognition of regional language and identity in the constitution, and the Basque Autonomy Statute which was ratified in 1979, there was obvious disenchantment amongst Basque nationalists. ETA had scaled up their campaign of violence in 1978, claiming the lives of 68 people.\textsuperscript{98} The following year, a political party with heavy links to ETA(m), Herri Batasuna (Popular Unity) made their first foray into democratic politics in the Cortes elections, collecting 15 per cent of the Basque poll. The nature of the party as a vehicle for Basque discontent with the political reforms was clear. Gilmour states that ‘apart from its demand for independence, Herri Batasuna did not have a political programme. It was simply opposed to every measure which the government had taken: anti the constitution, anti the statute, anti the Basque government’.\textsuperscript{99} This is a sentiment echoed by others too, who highlight that Herri Batasuna existed primarily to mobilize popular support for ETA and its objectives, contrasted perhaps with Euskadiko Ezkerra (EE), the

\textsuperscript{94} D. Gilmour, \textit{The Transformation of Spain}, p. 200.
\textsuperscript{95} Ibid.
\textsuperscript{96} Ibid, p. 201-2.
\textsuperscript{97} D. Conversi, \textit{The Basques, The Catalans, and Spain}, p. 145.
\textsuperscript{98} D. Gilmour, \textit{The Transformation of Spain}, p.203.
\textsuperscript{99} Ibid, p. 224.
party which had grown out of ETA(p-m) whose commitment to parliamentary politics and engagement in the democratic process was more expansive and sincere.\textsuperscript{100} However, while Batasuna was very much a product of the conflict between ETA and the Spanish state, with the \textit{abertzale} (Basque nationalist, literally meaning ‘patriot’) agenda of independence for the Basque country as its central aim, it was more than just a mouthpiece for ETA. Herri Batasuna played a key role in mobilising broad support behind the broad front of Basque nationalist organisations that ETA had created in 1975, the \textit{Movimento de Liberacion Nacional Vasco} (MLNV) of which it became an integral part.\textsuperscript{101} While the party may have been close to being a single issue party at the time of its foundation in 1978, by the mid 1980s, it had become the main political player in the \textit{izquerda abertzale} (patriotic left), forging links with working class organisations, and changing its symbols to represent its commitment to workers, women, antimilitarists, and environmentalists.\textsuperscript{102} As a result, the party’s support was drawn predominantly from the young, the working class, and the unemployed, contrasting with the older, more middle class electoral base of the PNV.\textsuperscript{103}

Parallel to the new conciliatory tone of the new constitutional arrangements, the Spanish government introduced a raft of robust counter-terrorism legislation. The legislation shared many of the same characteristics of the Francoist measures. The special 1978 Decree-Law on Antiterrorism existed for around two and a half years in various forms and was replaced eventually in mid-October 1980 by legislation which was democratically passed in the Spanish Cortes. It allowed for the suspension of important constitutional guarantees against preventive detention, search without warrant, protection of privacy of mail and telecoms and allowed for 10 day \textit{incommunicado} detention without charge\textsuperscript{104}.

In 1980, perhaps born out of the frustration that the constitutional arrangements did not go far enough, ETA claimed their most bloody year. The PNV began to take a

\textsuperscript{101} D. Muro, \textit{Ethnicity and Violence}, pp. 128-9.
\textsuperscript{102} Ibid, p. 130.
\textsuperscript{103} Ibid, pp. 130-1.
\textsuperscript{104} R.P. Clark, \textit{The Basque Insurgents}, p. 257.
more unequivocal stance towards ETA violence, condemning their attacks and joining anti-ETA demonstrations after the assassination of two local UCD leaders in San Sebastian. In the aftermath of the attacks, the leader of the PNV at the time, Jesuit priest Xabier Arzallus commented ‘We want no tyrants, not even Basque ones’. However the unreformed nature of the Guardia Civil, and their abuse of Basques sometimes entirely unconnected to ETA whilst in detention made total condemnation of ETA a difficult sentiment to articulate. However as ETA scrambled to retain some of the sense of legitimacy they had had during the Franco regime, they attacked a wider range of targets and alienated former allies and sympathisers in the process. Under this set of measures, the number of ETA members in detention began to rise from 1978 and by 1981, there were 265 etarras (ETA members) in prison.

The UCD government had inherited the problem of knee-jerk reaction too. Following the assassination by ETA of José María Portell, a Spanish journalist, the Spanish Minister of the Interior made the decision to move ETA prisoners from their current prisons to other parts of Spain, away from the Basque Country where security provisions were better. Most of the ETA prisoners were moved to a maximum security prison in Soria where they were controlled by special antiterrorist army troops instead of regular prison officers. The move prompted widespread protests around the Basque country. Whilst Franco was gone and the government was now democratic, the state had not lost its muscular edge in the early days after the transition. Amnesty International found in 1979 that ‘maltreatment amounting to torture has occurred in police stations in Madrid, Barcelona and Bilbao between September 1978 and June 1979’. In addition to this embarrassment, a body created by the Cortes to investigate allegations of mistreatment in police and Guardia Civil custody was refused entrance to a number of sites in July 1980.

106 D. Gilmour, The Transformation of Spain, p.227. See also D. Muro, Ethnicity and Violence, pp. 8-9 on the effect of state repression and the difficulty for members of the Basque community to disavow violence as a result.
108 Ibid, p. 261. See also pp. 261-2, for further discussion of the range and extent of the alleged torture.
There were other clear signs that the state was in disarray during the transition to democracy. The largely unreformed military had been suspicious of the democratic project from the outset. The clear cleavages between the new democratically elected government and the military manifested themselves twice under the initial period of UCD rule in the form of attempted coups in 1978 and 1981. While the spike in ETA violence during the transition period enraged military hardliners, ‘sharpening hostility towards the process of democratization’\textsuperscript{110}, it was the recognition of the autonomies and of the regional systems of government in the Constitution of 1978 that caused the military hardliners the most dismay.\textsuperscript{111} The sense of discontent in the military was palpable, as ‘attitudes of indiscipline and even of rebellion from the extreme right were treated lightly and covered up’, while military courts and disciplinary procedures were enforced to punish those who supported democracy.\textsuperscript{112} After the initial coup attempt which was short lived and abortive, the government failed to take the opportunity to punish severely those who had been involved, handing out lenient punishments for misconduct. Similarly, the October 1981 coup attempt led by Guardia Civil Lieutenant-Colonel Tejero which was much more threatening, but was still quickly controlled by units of the military which had remained loyal to the king. Whilst the new UCD Prime Minister, Calvo Sotelo ensured that the Tejero coup conspirators received heavy prison sentences, the government did not seize on the opportunity to redress the amount of independence and power held by the military at this point.\textsuperscript{113} In the aftermath, the government felt the need to negotiate changes of personnel or shifts in policy with senior military commanders.\textsuperscript{114} Calvo Sotelo’s Defence Minister commented told \textit{El País}, ‘I remember Raymond Carr, the historian, asking me a stupid question: “Why didn’t you clean up the army?” “Because if I clean up the army on the basis of people’s ideas, I’ll be left with twenty soldiers”’.\textsuperscript{115}

\textsuperscript{111} Ibid, p. 116.
\textsuperscript{112} Ibid, p. 144.
Spain under the PSOE

The PSOE came to power at the October 1982 Spanish general election. Right wing opponents criticisms during the election campaign and in the early days of the administration under Felipe Gonzáles centred around the idea that the Socialists would be soft on terrorism. This was despite the fact that the UCD had themselves been orchestrating negotiations with ETA(p-m) whereby etarras abandoning the armed struggle would be ‘socially reinserted’ into normal Spanish society, and integrated into normal democratic politics through the ETA(p-m) linked party Euskadiko Ezkerra. It was primarily this policy which led ETA(p-m) to abandon armed struggle altogether in 1982, with a rump of their members disaffected with the process continuing to conduct attacks for a further year before defecting to ETA(m). To answer the critics, the Socialist government steadily toughened their policy, making it more coercive throughout their tenure. Legislation was passed in 1983 and early 1984 which regulated the right of accused persons to legal assistance and the use of habeas corpus in legal proceedings. In reaction to a spate of ETA murders, including the assassination of an army captain in 1983, more legislation was quickly introduced by the government, becoming law in December 1984, creating what one Basque politician called a ‘semipermanent state of exception in the Basque country’. Clark notes that the immediate consequences of these policies were felt by the media, as the state arrested prominent journalists and editors of Basque nationalist leaning newspapers for a variety of offences under the new legislation such as ‘publishing articles that insulted the Spanish government and the king’. Arrest rates rose in this period from under 100 to over 150 per month, and the number of Basque political prisoners held in Spanish prisons jumped from 300 to 400 in 1984. Allegations and evidence of torture of Basques in Spanish prisons began to emerge in 1983 and 1984 which were strenuously denied by the government despite the frequency of the complains and several reports by Amnesty International.

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117 P. Woodworth, Dirty Wars, Clean Hands, p. 64.
118 R.P. Clark, Negotiating with ETA, p. 53.
119 Ibid.
120 Ibid.
throughout the period that asserted the claims of torture and mistreatment of ETA prisoners.\textsuperscript{121} This hard line approach, born out of the perceived need to be seen to be tough on terror to quiet right wing critics and the anger created by ETA assassinations of military personnel and the very human sense that they must do something, ‘produced widespread anger and resentment among large affected sectors of the Basque population, facilitating the reproduction of effective adhesion and even a significant amount of popular support of ETA’.\textsuperscript{122}

The failure to constrain the power and independence of the military had other deadly consequences in the 1980s. From 1975 until around 1981, there had been a number of attacks carried out against ETA personnel and the wider Basque population on both sides of the Spanish French border by groups opposed to ETA violence. These organisations used a variety of names, including \textit{Alianza Apolóstica Anticomunista} (AAA), \textit{Ante-Terrorismo ETA} (ATE), and \textit{Comandos Anti-Marxistas} but most attacks were carried out under the name of \textit{Batallón Vasco Español} (BVE) or the Basque Spanish Battalion.\textsuperscript{123} It appeared that these organisations were illegal offshoots of the state, having been formed by SECED, Carrero Blanco’s newly established intelligence agency, and being composed mostly of Spanish military officers and mercenaries.\textsuperscript{124} Over the period of 1975 to 1981, these groups claimed the lives of five ETA members and injured over two dozen civilians with no links to terrorism.\textsuperscript{125}

The continuation of such repressive measures under the elected government of the UCD can be seen as emblematic of the discontent of some elements of the state with the democratic project, who perhaps feared the direction that the fight against ETA would take under democracy,\textsuperscript{126} and the failure or unwillingness of the state to root out the elements of the security services and military who continued to take the law into their own hands. Decisions on how to respond to ETA during this crucial period thus had a difficult balance to strike: too lenient and the state risked provoking more state operatives to go rogue and take illegal action themselves in the aforementioned

\textsuperscript{121} Ibid.


\textsuperscript{124} O.G. Encarnación, Democracy and Dirty Wars in Spain’, p. 961.

\textsuperscript{125} Ibid.

\textsuperscript{126} Ibid.
shadowy organisations, or perhaps even putting the entire democratic project at risk, whereas too harsh a response risked consolidating Basques behind ETA and giving the impression that the Spanish state, with or without democracy would continue to violently repress the Basques.

By 1983, the PSOE were in power and were failing to make inroads in their efforts to quell terrorist violence from ETA, only serving to ratchet up the cycle of ‘action-repression-action’ which suited the continuation of ETA’s campaign. Furthermore, the Spanish government had made attempts to secure cooperation on cross-border security issues from France, but to no avail, despite the continued operation of ETA from their ‘French sanctuary’, with numerous attacks being launched from the French Basque country, with cell members often escaping back across the border to safety afterwards. The French government appeared to be unconvinced of Spain’s democratic credentials.\(^{127}\) Spurred on by the frustration of continued ETA attacks, and the obduracy of France on security cooperation, the Spanish state embarked on a ‘dirty war’ against ETA. The question of at what level there was knowledge and approval of the previous dirty war against ETA waged by the BVE and other remains unanswered. However, the emergence of *Grupos Antiterroristas de Liberación* (GAL) in 1983 can be traced directly to the highest levels of the PSOE government.\(^{128}\) The GAL were financed through the use of secret funds by the Interior Ministry, who protected the organisation. Its personnel were recruited by the Spanish police, and it is thought that some of those active in the BVE and previous ‘contra’ terrorist groups were also members.\(^{129}\)

The decision to revert to illegal death squads in an attempt to counter ETA appears to have been spurred on in part by the kidnap and eventual execution in October 1983 of an army medical officer, Captain Alberto Martín Barrios by the remnant of ETA(p-m) that would later dissolve into ETA(m) or the social reinsertion programme.\(^{130}\) When the GAL did strike first on 16 October 1983, abducting low

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\(^{127}\) P. Woodworth, *Dirty Wars, Clean Hands*, p. 68.


\(^{129}\) S. Martí, P. Domingo, and P. Ibarra, ‘Democracy, Civil Liberties, and Counterterrorist Measures in Spain’, p.124

\(^{130}\) P. Woodworth, *Dirty Wars, Clean Hands*, p. 69.
level ETA operatives Joxean Lasa and Joxi Zalaba in Bayonne, France with their bodies being found two years later in Alicante in a quicklime grave, it caused a wave of panic amongst Basque refugees living in the French Basque Country. Two days later, Segundo Marey was kidnapped in Hendaye, released on the 14 December 1983. Marey’s abduction was a case of mistaken identity but the GAL mercenaries nevertheless exploited the situation, issuing their first public statement. The statement explained that the GAL had been established to counter ETA attacks launched from French territory. It stated that each murder by ETA would have a ‘necessary reply’ and that French interests in Europe would be attacked as the French government was responsible for permitting ETA terrorists to act with impunity in their territory.\footnote{Ibid, p.83.}

The link to the upper echelons of the Spanish state might have been presumed by those critical and suspicious of the Spanish state, and its failure to overhaul the state apparatus after the transition to democracy, but it was officially proven in the 1990s. In July 1998, Jose Barrionuevo, former secretary of state for security, Rafael Vera, former Minister of the Interior, and Julian Sancristóbal, former Governor of Viscaya region were found guilty of kidnapping Segundo Marey and of embezzlement; an indication of just how high in the PSOE administration complicity with GAL operations went.\footnote{O.G Encarnación, ‘Democracy and Dirty Wars in Spain’, p. 954. Senior police officers were also convicted of murder and kidnapping in a case in 1995. The former Prime Minister Felipe Gonzales was however cleared of all involvement with the GAL.} In total, the GAL were responsible for around 40 attacks between 1983 and 1987. A spate of attacks against high ranking ETA members living in the French Basque country might have been effective in rattling ETA’s cage and disrupting its organisational structure. However, whilst the GAL were for a time at least militarily effective, the political fall out of their actions was clear to be seen. Despite going some way to securing cooperation with the French government, who in 1984 began to take a more proactive approach towards ETA, with French police conducting raids and arrests, deporting several arrestees to Guadeloupe and then Panama, and eventually beginning to extradite suspects to Spain, support for ETA was galvanised due to GAL attacks. Woodworth notes that GAL activities added ‘fuel to ETA’s cooling fires’ \footnote{P. Woodworth, Dirty Wars, Clean Hands, p. 105.}, pointing to the increased vote for Herri Batasuna at the February
1984 Basque Parliament elections to 14.5 percent, reversing their decline at the municipal elections the year before. Indeed there was the feeling that with the assassination of Santiago Brouard on November 20 1984, known as Tío Santi, and a public representative for Herri Batasuna, that even moderate Basques would no longer condemn the actions of ETA. Woodworth again comments that the actions of the GAL had perhaps killed off a representative who might have been able to bring about a peaceful conclusion to ETA’s armed campaign at that stage in the mid-1980s. He states also that, ‘In killing Brouard, the GAL did not bring ETA to its knees; on the contrary, the shooting had brought ETA supporters, in their hundreds of thousands, to their feet’.

Attacks by the GAL appeared to end by 1987, perhaps because of the greater levels of cooperation from the newly elected French Prime Minister Jacques Chirac and his centre right government, or perhaps because of the ever increasing speculation that the GAL was a government-led and funded organisation or some combination of the two. Nevertheless, the public trials and attempts by sympathetic judges to protect state personnel and state secrets throughout the 1990s were a clear indication, at least for many Basques, that the state was heavily involved, whatever the actual organisational structure.

**Negotiating with ETA**

Running parallel at various stages to the secret ‘dirty war’ being waged by the Socialist government, were attempts at negotiating with ETA. There had been some abortive attempts made under the UCD government previously to engage with ETA(m) which had largely fallen at the first hurdle when ETA(m) demanded that the talks be held in the open and that the KAS Alternative, a set of basic points which ETA(m) had published in February 1978, offering a ceasefire in return for the granting of these five demands. They were as follows:

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135 Ibid, p. 137.
1. Total amnesty.

2. Legalization of all political parties, including those whose program includes the creation of an independent Basque state without having to reduce their statutes.

3. Expulsion from Euskadi of the Guardia Civil, the Policía Armada and the General Police Corps.

4. Improvement of the living and working conditions for the popular classes and especially for the working class, satisfaction of their immediate social and economic aspirations as expressed by their representative associations.

5. An autonomy statute that, as a minimum, recognizes the national sovereignty of Euskadi, authorizes Euskera as the principal official language of the country, provides for Basque government control over all law enforcement authorities and all military units garrisoned in the Basque country, and endows the Basque people with adequate power to adopt whatever political, economic or social structures they deem appropriate for their own progress and welfare.\(^{138}\)

Whilst the initial efforts to negotiate with ETA (m) failed at this point, the UCD government had some success in establishing the ‘social reinsertion’ system, which was the product of tentative talks with ETA(p-m) at this point.\(^{139}\) Clark notes too that despite public statements from the government to the contrary, channels for dialogue with ETA(m) remained open. Detail however about the nature of these channels is hard to come by, both because they are officially denied by the State, and those involved on the ETA side have either died or become unwilling to provide information on the matter.\(^ {140}\) Initial attempts by the PSOE government to negotiate with ETA(m) were no more successful.

\(^{138}\) R.P. Clark, *Negotiating with ETA*, p. 82.

\(^{139}\) However, some elements of ETA(m) were clearly unhappy with the weakening of their organisation that the social reinsertion measures were causing. In September 1986, a former ETA(m) etarra, Dolores Gonzáles Catarain ‘Yoyes’ was gunned down by an ETA commando for abandoning the struggle. A clear attempt to send a message to other etarras who might have been considering the programme.

\(^{140}\) R.P. Clark, *Negotiating with ETA*, p. 83.
However as the 1980s continued ETA were becoming more desperate. ETA units had been dismantled in Madrid and Barcelona, and the head of ETA’s military office was arrested in the town of Angelet in France, with the security forces there uncovering a cache of documents, leading to the handing over of 58 people to the Spanish authorities. The desperation that ETA were feeling was borne out in a change in attack style. The shift was tangible as they moved from highly discriminate assassinations to indiscriminate car bombs claiming the lives of many civilians, such as the supermarket bomb in Barcelona in June 1987, and an attack on a Guardia Civil barracks in December of that year that killed family members and children of security forces as well as the intended targets.\(^\text{141}\) In this atmosphere, the PSOE government felt compelled to reopen negotiations via a previously set up channel to ETA leadership living in exile in Algeria. The culmination of several months of efforts was a two week ceasefire announced in January 1989 by ETA which was eventually extended until 26 March. In a series of talks which strayed far past the Spanish government’s stated position of discussing only technical issues, it became apparent that no arrangement could be met, owing to ETA leader Eugenio Etxebeste Arizkuren’s demand that the Spanish constitution would have to be amended, something the Spanish negotiators were unwilling to agree to\(^\text{142}\). ETA renewed their violent campaign at this point and sought particularly to cause havoc in 1992, seen as a crucially important year for Spain, who were hosting the Summer Olympic Games in Barcelona and the International Expo in Seville. However, Spanish and French police conducted arrests in May 1992, two months before the Olympic Games were due to start and arrested the three man Supreme Council of ETA, decapitating the organisation.\(^\text{143}\) For several years after, ETA violence would shrink to new lows.

**ETA’s waning fortunes**

The new approach appeared to reap rewards for the Spanish state. Despite the decline in the number of arrests, 60 per cent of those arrested were formally prosecuted by the judiciary between 1988 and 1997, up from around 33 per cent


\(^{142}\) Ibid, p. 213

\(^{143}\) Ibid, p. 215.
between 1977 and 1987. For Alonso and Reinares, this change in policing style was of paramount importance for splitting ETA from their support base. Indeed, without brutal repression from Guardia Civil officers, stories of torture and mistreatment in detention and the dark spectre of the GAL and the ‘dirty war’, it became clear that the violence now found most objectionable to the ordinary Basque population was that of ETA itself.

This became most apparent when in July 1997, under the new Partidad Popular government, which depended on support from the PNV and other marginal parties, ETA kidnapped a PP councillor in the Basque country, demanding the return of all its prisoners to prisons in the Basque country. Estimates say that 100,000 people marched in demonstrations in Bilbao alone against ETA’s kidnapping, which eventually ended in the death of the young PP activist. The following year, ETA assassinated five PP members across Spain.

There were signs too that the Basques were looking towards Northern Ireland for ideas as to how to bring the conflict to a peaceful conclusion. Talks between the radical nationalist and leftist groups produced the Lizarra Declaration, sometimes known as the ‘Estella Agreement’ in 1998. The document, apparently heavily modelled on the Northern Ireland peace process, asked for a negotiated settlement to the Basque conflict that was to involve representatives of the Basque people as well as the French and Spanish governments. It incorporated language similar to that of the Belfast Agreement, asking for multilateral dialogue ‘without exclusion of those involved’. The idea was that once full negotiations were realised, that violent action would be a thing of the past. However, as Rogelio Alonso has pointed out, the Lizarra Declaration whilst outlining what those attending the talks felt ‘propitiated the Peace Agreement in the north of Ireland’, also conveniently ignored the realities that Sinn Féin and the IRA had to make massive concessions, and accept that their

146 J. Bew, M. Frampton, and I. Gurruchaga, Talking to Terrorists, p. 221.
147 Ibid, p. 223.
political aspirations were not guaranteed for the peace process to become workable.\textsuperscript{148}

Shortly after the announcement of the Lizarra Declaration, ETA called a ‘general and indefinite’ ceasefire.\textsuperscript{149} Meetings were eventually held in June 1999 between representatives of Prime Minister Aznar’s PP government and representatives of Herri Batasuna which were this time announced openly, a landmark occasion marking the U-turn on the government’s policy of not engaging openly with ETA.\textsuperscript{150} However, the peace process broke down among controversy between ETA and the PNV. The PNV who had agreed to negotiations under the Lizarra Declaration had become unhappy with their waning electoral success and also later refused to withdraw from the Spanish general elections in favour of establishing an illegal pan-Basque assembly, as ETA suggested in the Declaration, a move that would have constituted ‘political suicide’.\textsuperscript{151} There was also controversy about perceived breaches of the ceasefire. The Spanish government claimed that the kale borroka, or ‘street violence’, that continued to be perpetrated by Basque nationalist youths during the ETA ceasefire represented a violation of the ceasefire.\textsuperscript{152} Feeling the pressure from a number of fronts and frustrated at the lack of progress, ETA announced the end to their cessation on 28 November 1999.

Aznar’s government countered the Estella Agreement in December 2000 with the ‘Pact for Freedom and Against Terrorism’ (\textit{Pacto por las Libertades y contra el Terrorismo}), which called for Basque nationalist parties to abandon the Estella Agreement and its institutions prior to any agreement on the Basque countries. The pact was designed to foster a consensus amongst the PSOE and the PP on countering ETA violence and move towards bipartisanship on the issue. The sense of bipartisanship was eventually to be shattered by in 2004 with the acknowledgement by the PSOE government that negotiations with ETA might be

\textsuperscript{149} J. Bew, M. Frampton, and I. Gurruchaga, \textit{Talking to Terrorists}, p. 224.
\textsuperscript{150} Ibid, p. 225.
\textsuperscript{151} Ibid, p. 226.
necessary. Again in June 2002, Aznar’s government passed the Ley Orgánica de Partidos Políticos (Political Parties Act, from here on referred to as LOPP). The law was conceived to make illegal the political wing of ETA; Batasuna. The law also made provisions to prohibit any party which might reconstitute itself with a similar name or with personnel who had been convicted of terrorist offences. The effect was felt in March 2003 when the Supreme Court banned Batasuna. In addition, the PP government introduced measures to extend the maximum period of custody for terrorist offences from 20 to 40 years, and tightened rights of remission and parole. The return to power of the PSOE after the 2004 elections, under the new Prime Minister, José Luis Rodríguez Zapatero had to face difficulty from Basque nationalists from the outset, countering the plans by nationalists in the Basque parliament to hold a referendum on a new Autonomy Statute which would declare that the Basque Autonomous Community existed in ‘free association’ within Spain. However, the capacity of ETA seemed to have been reduced. The early 2000s, especially in the aftermath of the Madrid train bombing, carried out by an Al Qaeda inspired group had been a quiet spell for ETA. Media pundits claimed that the international revulsion in the aftermath of the indiscriminate attack by Islamic fundamentalist terrorists meant that ETA felt they were unable to carry out large scale attacks. The leader of the Basque police trade union Erne, Roberto Seijo is quoted by London’s Financial Times, as stating in October 2005 that, ‘the massacre provoked such revulsion that ETA has not dared stage a big attack since then’.

There is little doubt that the Basque and Spanish sympathisers’ tolerance for attacks in the aftermath of such an atrocity would have been considerably weaker. However, ETA at this point were already struggling with high numbers of their members imprisoned and their political mouthpiece Batasuna unable to operate openly since its proscription. The revulsion and public backlash that ETA faced, and their reduced capacity to operate was of

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155 Herri Batasuna was founded in 1978, but was reincarnated in 1998 as Euskal Herritarrok, and in 2001 as Batasuna, in attempts to sidestep the ban on the organisation. See D. Muro, Ethnicity and Violence, p. 4.
156 J. Bew, M. Frampton, and I. Gurruchaga, Talking to Terrorists, p. 231.
fundamental importance to the trajectory that the conflict was to take over the next few years.

A rally held at the Anoeta Velodrome by the now banned party Batasuna called for peace as a priority and offered a new option, a two track approach in which political parties and trade unions would focus on political negotiations, whilst ETA talks with both the French and Spanish states would centre on what were to be called ‘technical issues’ dealing with matters such as demilitarisation, prisoners and victims. The move was a significant departure for ETA, who confirmed the substance of the speech given by Batasuna leader Otegi in a letter in January 2005.

In reaction, the PSOE government under Zapatero passed a motion in the Cortes to begin peace talks on the basis that, ‘political questions should be solved only be legitimate representatives of the popular will’ and the acknowledgement that ‘violence can have no political price’.\(^\text{158}\) The move angered the PP who voted against it but it passed nevertheless. As a result of the motion, meetings between ETA representatives and a representative of the Basque branch of the PSOE secured a ‘permanent’ ETA ceasefire in March 2006. However, in December 2006, frustrated at the lack of talks between political parties, ETA broke their ceasefire with a bomb at Madrid Airport which killed two civilians. Renewed talks, observed by representatives of Sinn Féin as well as Tony Blair in 2007 also faltered as the PSOE supported the minority government in the Navarre parliament of the PP linked Union of the Navarran People (UPN). When the ceasefire was eventually called off in June 2007, the Spanish State resumed their robust actions against ETA operatives in the courts, arresting the leadership of Batasuna, including Otegi and the entire party executive. Whilst ETA attacks still occurred infrequently, the security forces carried out successful operations in the aftermath of prominent attacks in 2008, arresting key Batasuna and ETA personnel.\(^\text{159}\) By late 2008, the future looked bleak for ETA.

In September 2010, a conference between the radical leftwing party EA (Eusko Alkartasuna) and a grouping of ex-ETA personnel known simply as the ‘nationalist left’ led to the signing of an agreement in which they declared their intent to protect


\(^{159}\) Ibid, p. 238.
the sovereignty of the Basque country against the Spanish and French governments. More important in this agreement however was the calling for an end to Basque nationalist violence, without explicit reference to ETA. The agreement was followed shortly by an explicit call by EA on ETA to renounce violent means. Just two days later, on September 5 2010, ETA held a press conference with the British Broadcasting Corporation and announced a ceasefire, stating that it was prepared to engage in a democratic process if the will existed from the Spanish state.\textsuperscript{160} Just over a year later, the peace process was internationalised with the meeting of what was to be known as the ‘Donostia-San Sebastián International Peace Conference’ in mid October 2011. Delegates included former UN Secretary General Kofi Annan, former Prime Minister of Norway and Gro Harlem Brundtland, former Interior Minister of France, Pierre Joxe. Importantly, representatives who had played significant roles in the Northern Ireland peace process were also present, including former Taoiseach of Ireland, Bertie Ahern, President of Sinn Féin, Gerry Adams, and former Downing Street Chief of Staff and British Diplomat, Jonathan Powell. The symbolic importance of the somewhat successful peace process in Northern Ireland was clear to be seen, with Ahern stating ‘We believe it is possible today to end more than 50 years of violence and reach a fair and lasting peace...we know from our own experience that when there is a real opportunity to reach peace, it must be used’.\textsuperscript{161} The final declaration of the conference amongst other subsidiary points, called for an announcement by ETA of a permanent cessation of armed violence in Spain and France and a process of dialogue to be established by political representatives and nonviolent actors in consultation with the general population. This message was echoed by former ETA leader Rufion Etxeberria Arbelaitz, who by this stage was a prominent member of the Basque nationalist left and a signatory to the agreement signed in September 2010.\textsuperscript{162} In response, ETA announced their permanent


cessation just two days later, appearing to conclude an armed campaign that had lasted for 50 years.\textsuperscript{163} The ETA statement announced:

\begin{quote}
Eta calls upon the Spanish and French governments to open a process of direct dialogue with the aim of addressing the resolution of the consequences of the conflict and, thus, to overcome the armed confrontation. Thorough this historical declaration, Eta shows its clear, solid and definitive commitment. Lastly, Eta calls upon the Basque society to commit to this process until freedom and peace are achieved.\textsuperscript{164}
\end{quote}

Since then, the announcement of the permanent cessation by one of the most durable and resilient terrorist organisations in European history and the peace appears to have held. In January 2013, Batasuna announced their dissolution and support for the Basque separatist coalition, Euskal Herria Bildu. Whilst the process is tentative and it would be foolish to say that ETA terrorism has disappeared forever, precluding the emergence of ‘dissident’ reincarnations of the former organisation, such an event looks unlikely. With the dissolution of Batasuna and with the peaceful and democratic Catalan nationalist movement making steps towards holding a controversial independence poll, Basque separatist violence makes less sense today than it ever did in the past.

**Conclusions**

Having examined the trajectory of the conflict between the Spanish state and radical Basque nationalists, it seems apt that some final points might be elucidated by way of conclusion.

Barbara Walter highlights in her book *Reputation and Civil War*, the importance of reputation in responding to separatist challenges to the state, particularly where a number of ethnic minority groups concentrated in geographical regions may attempt


to secede in the future. She posits that it is rational for states faced with numerous potential challenges to build a reputation of not conceding to such challenges so as to avoid future challenges.\textsuperscript{165} It is possible to view the robust action taken in response to the violent challenge to the Spanish state from ETA in the Franco years as an indicative of Spain’s attempt to make an example of the Basques in an attempt to prevent Catalanian and Galician nationalists from resorting to similar tactics, and perhaps even violence from radical leftist organisations that opposed the authoritarian regime. Thus, in some respects, the extremely forthright and uncompromising measures taken by the Franco regime in response to ETA violence, particularly in the early years of their violence, could be seen to represent ‘propaganda of the deed’ by the state, making an example of Basques, and sending a clear and unequivocal message to potential challengers in other regions of Spain that any attempts to mobilise nationalist sentiment in a similar manner would be met with harsh and brutal repression.

The Spanish state under Franco lacked ideological coherence of the sort often seen in other European authoritarian regimes. Instead, the movimento that underpinned the Franco regime, acted as his support base, and from which the state elites were drawn was a broad church of socially conservative factions which had banded together at the time of the civil war. A central theme of the image of Spain under Franco was the indivisibility of the Spanish nation, and the importance of centralism. The branding of the Basque provinces as ‘enemy’ provinces provided an adversary which was internal to Spain, but external to the factions which composed the movimento. Thus, opposition to radical Basque nationalism was something that the factions could coalesce behind, and the strident rhetoric and action taken helped Franco to remain in power. Counter-terrorism was used to set the tone by Spanish state elites on a number of other occasions. Notably, Carrero Blanco upon becoming Premier, took a particularly harsh approach to dealing with ETA, attempting to show that he would steer the regime on a steady course, and that there was little chance of a softening of the state post-Franco. As reviled as he already was by the radical Basque milieu, there is little doubt that his rise to become Prime Minister and his posturing on ETA at that time were instrumental in the decision taken by ETA to

assassinate him. Later, after Spain had transitioned to democracy, the PSOE took a hard line on terrorism too, in their attempt to allay the fears of the electorate, and to silence their critics who presumed they would be weak and noncommittal.

Although Franco worked hard to consolidate his power and shape Spain in his image, the character of the state apparatus was not entirely all his own making. He had inherited a Guardia Civil which had been routinely used for the quelling of civil disobedience and for dealing harshly with subversives and undesirables. So too, the character of the military, seeing itself as the embodiment of the Spanish nation, was a trait which preceded the Franco era, but one which the General used well to maintain his hold on political power.

The military was fragmented and fractured, however, and when softer approaches to countering ETA violence were taken, the result was illegal and secretive death squads in the shape of the BVE and AAA, as frustrated soldiers and civil guards made retributive attacks as members of these organisations, perhaps even with the acquiescence or tacit approval of state elites. The power held by the military and the danger that they might launch a coup d'état, as had been seen so many times in the past in Spain, meant that when democratic transition came, Juan Carlos and Alfonso Suarez had to tread carefully in their reforms. A fine balance had to be struck between granting concessions to Basques which might drive a wedge between the Basque nationalist population and ETA, and ensuring that these measures and the attempts at military reform did not provoke a pronunciamiento or outright putsch which would have destroyed the democratic experiment in its infancy. The task was complicated further by ETA(m)’s ratcheting up of violence during the transition to democracy as it attempted to destabilise the Spanish state at its most vulnerable, and demonstrate that it would continue to be relevant in a Spain without Franco.

Frustration and anger played a role in determining how the state responded to ETA violence too. The emergence of the GAL under the PSOE government can partly be explained by the failure of the PSOE to secure cooperation from France on counter-terrorism issues. France remained unconvinced by the democratic credentials of Spain post-Franco and ETA’s continued use of French Basque safe havens became
a thorn in the side of the Spanish state, which hampered their ability to root out ETA operatives and the support network they relied on. The GAL, established and paid for by the Ministry of the Interior through secret funds attacked ETA across the border in France, as well as attacking the wider Basque population. While these attacks were tactically successful in disrupting the ETA hierarchy, the backlash in the aftermath destroyed trust in the Spanish state which had begun to emerge in some quarters with the reforms introduced during transition, and made it difficult for more moderate voices within the Basque nationalist movement to criticise ETA openly.

While the response of the state in later years was not perfect by any means, often stirring up unrest in the wake of controversial measures such as the proscription of Batasuna and the fall out in the 1990s over the financing by the state of the GAL. However, it was the reduction of aggressive and muscular state action, both overt and covert, as well as the cooperation with France that allowed Spain to chip away effectively at ETA’s capacity to continue their operations. In the absence of the robust and repressive measures adopted by the state during the Franco regime and in the early days of the new democracy, ETA struggled to retain relevance. Hampered by negative public reaction to some of their attacks, and deprived of effective political representation after the banning of Batasuna, the Basque nationalist population drifted away from ETA as they struggled in the propaganda war, and it became clear that their continued war on the Spanish state was abortive.
Chapter Two
The French State, French Algeria, and the Response to the OAS

In the theatre of peacetime, it is the statesman who plays the chief rôle. Whether the masses greet him with applause or boos, it is for him first of all that they have eyes and ears. Then suddenly war calls another actor from the wings, pushes him to the middle of the stage, and trains the limelight on him: the military chief appears. A drama is about to begin which will be played by statesman and soldier in concert. No matter how great the crowd of extras, how noisy the audience, it is on these two performers that attention will be centred. So closely interwoven is their dialogue that nothing said by either has any relevance, point or effect except with reference to the other. If one of them misses his cue, then disaster overwhelms them both.

Charles de Gaulle, 1932

The French – when they deign to deal with politics – never stop turning these questions over in their heads without ever – and for good reason – finding an answer to them. Nothing demonstrates better the depth of their abdication. They wonder about the possible attitude of the active officers, their loyalty and the links that unite them with fascism, pieds-noirs, and the former putschists as if the Army alone, independent and sovereign, decided our destiny. It is wrong: the Army must obey the people. When it does not obey, it is the fault of the nation itself. And when all is said and done, one always has the army one deserves.

Jean Paul Sartre, 1962

This chapter will focus on the nature, development, and character of the French state, and its responses to the terrorist efforts of the group known as ‘Organisation de l’armée secrète’, the Secret Army Organisation, or OAS from 1961 to 1962. The OAS were an organisation born largely out of the French military and headed by former senior officers of the French Army. The OAS emerged at the height of the Algerian War, as the Algerian Front de Libération Nationale, or FLN struggled against the French state for Algerian independence. The OAS sought to prevent at all costs the disengagement of France from Algeria, preventing independence and ensuring the maintenance of French Algeria. Supporting the senior former military officers in the OAS were a ragged band of ‘ultras’ from the political right of the pieds noirs, the European community in Algeria. They were joined by disenfranchised former legionnaires unwilling to accept the defeat of their Algerian campaign and orders to stand down, and Jews and Muslims fearful of a future independent Algeria under what they feared would be the rigidly Islamic regime of the FLN.

Juxtaposing state responses to the OAS with responses to violence from ETA and the IRA might seem like a strange comparison to make, given the vast differences between the OAS and the other two organisations in question. In addition, the geographical position of Algeria, unquestionably outside Europe might make it a curious case study in what is essentially a study of European approaches to terrorism and political violence. However, whilst the differences are, undeniably pronounced, there is merit in the comparison. France’s dealing with the Algerian crisis is an example of the state struggling with the effects of partial failure of state building, caused, as Ian Lustick highlights, by the failure of state elites to establish a hegemonic ideology of the nation beyond the metropole. In many ways, the conflicts in the Basque country and in Northern Ireland take place against a similar backdrop, though it is perhaps uncommon to describe them in such a manner.

Though the OAS were indeed primarily active in Algeria, and thus outside Europe, they also carried out attacks in metropolitan France. Indeed, the OAS was largely

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composed of Europeans who either hailed directly from the European continent or were pied noirs settlers in North Africa, of clear European origin, and the struggle of the OAS and the target of their terrorism, was French. They sought to affect French policy on Algeria, and at times even to overthrow the government. They also sought to appeal to elements of the French military and win their support. Crucially, they attempted to sway public opinion among European settlers in Algeria and in metropolitan France. While Algeria is geographically situated outside Europe, politically it had been viewed as an integral part of France, sending representatives to the National Assembly in a way which other French colonies did not; giving rise to the old phrase of ‘France from Dunkirk to Tamanrasset’. Also, the responses to terrorism emanating from the OAS in Algeria shortly before and after Algerian independence came from the French state and as we will see, was tempered by the history of the French state and its involvement in Algeria.

Given that the OAS was the brainchild of former and serving state personnel, it is a particularly interesting case for examination. In the previous chapter, the disunity of the state has been examined and its effects on terrorism and counter-terrorist campaigns has been elucidated. In Spain, we saw how the disunity of the state gave rise to the Franco regime with its particularly staunch opposition to independence, owing to the predominance of the Africanista element in the regime. We also saw how this resolute refusal to part with part of the ‘national territory’ was in some ways responsible for the blunt nature of counter terrorism techniques adopted by the state security forces. As has been discussed previously, the attitude of the Franco regime towards regional identity was in part responsible for the flourishing of Basque nationalist sentiment and the levels of support for ETA violence throughout Spain until the dismantlement of the dictatorship and the move towards democracy. With the OAS we have an example of how the disunity of the state not only tempered the response to an existing terrorist campaign, but in this case, also gave rise to it. Given the substantial involvement of former state personnel in the OAS, and the sympathy for their cause amongst some still firmly embedded in the state apparatus, the response to the OAS had to be substantially different.

In addition, the French state found itself battling against the OAS, an organisation which represented a rigid adherence to the idea of maintaining Algérie française which state elites had once considered inalienable. This situation sets the OAS apart from revolutionary separatist organisations such as ETA and the IRA. Similarly, the OAS differs from so called ‘pro-state’ terrorist groups like the UVF and UDA in Northern Ireland. Steve Bruce, says of ‘pro-state’ terrorist organisations that they ‘may use force to stiffen the resolve of the legitimate defenders of the state and they may try to do the state’s job for it by challenging its monopoly of the legitimate use of force’. At the outset, the OAS may have shared with the state the goal of maintaining the political status quo insofar as French Algeria was concerned, that their violence was so often an attempt to coerce the state itself, and even included efforts to stir up a military coup against the government, sets it apart from the more traditional ‘pro-state’ terrorism that Bruce discusses. A further important consideration is that many of the senior members of the OAS were not from some extrinsic region or province of their nation like loyalist leaders were in Northern Ireland, but rather they were largely of metropolitan France. Where they perhaps do bear similarities to Northern Ireland’s loyalists is in the general aims and outlook of their membership, though the demographic makeup is quite different. Drake, in his 1996 article in Terrorism and Political Violence places the OAS in the bracket of ‘Conservative Terrorism’ alongside Northern Ireland’s Ulster Defence Association (UDA), the Ulster Volunteer Force (UVF), and 19th century political vigilantes in the USA. Drake summarises ‘conservative terrorists’ as

...see[ing] their aim as the preservation of the existing political and social order or, if necessary, the restoration of an order which has gone, and they facilitate this by the elimination of those people or institutions which they believe constitute a threat.

In order to fully understand the rationale and position of the OAS and the response of the French state to their violent campaign, it is essential that we first look at the

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7 Ibid, p. 30.
background to the Algerian war and the immediate history of the French state and its state apparatus.

**History of French Algeria**

The Algerian War has been well studied elsewhere, thus it is not my intention to expend time and resources on recovering old ground. However, for the purposes of clarity and to provide context for the lesser known struggle, that of OAS, it is necessary to give a brief précis of the events leading up to the Algerian War.

The French colonial presence in Algeria began with the invasion of June 1830. A brief series of battles ensued against the occupying Ottoman Empire and by the end of that month, the Ottoman Sultan had declared that they would no longer defend Algeria, and French forces had established a base in Algiers. On 26 August 1881, the French government announced that Algeria was to be governed as if it was an integral part of France. Algeria was to be viewed as if it was French ‘in the same way as Normandy, Brittany or the Savoy. To leave would be to dismember the essence of the nation state, an unthinkable scenario for any future government’ - an arrangement which was to haunt the Fourth and Fifth Republics, and one which Alistair Horne described evocatively as successive governments being ‘lumbered with the albatross round its neck of Algeria being, not a colony, but an inseparable part of France herself’. French citizenship was extended to the European settlers of Algeria in 1865 but notably not to the native Arab and Berber populations which they had colonised. It became clear that the extension of such citizenship rights to the masses was incompatible with the establishment of a sort of Home Rule for Algeria in

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11 Ibid.


1898. The clear divide in Algerian society was along ethnic lines. Alexander Harrison comments on how despite class differences and a class system being apparent from the dawning of French Algeria:

Ethnic links produced a solidarity that overrode social barriers. All Europeans, from the dirt-poor *gitan* to the wealthy landowner, were agreed on the bottom line of Algerian politics - survival. 

Thus despite the differences in their countries of origin, with many hailing from other southern Mediterranean states, and the social class divides, the *pied noirs* separated themselves from the Muslims on an ethnic basis.

Anti-French and anti-colonial sentiment had boiled over in Algeria from the Arab and Berber population at various intervals since the French invasion. This was somewhat catalysed by World War II and the hardship they had faced during it, as well as the spurned attempts to create some moderate reform granting piecemeal rights to Muslims. Algerian nationalists were growing discontented. It culminated in 1945, when Muslims clashed with French forces in Sétif during a parade on V.E Day in which the nationalists chanted ‘For the Liberation of the People, Long Live Free and Independent Algeria!’ Shots were exchanged between some within the demonstration and the gendarmes. By the time the revolt had been crushed, the death toll amongst the Algerians numbered somewhere between 5,000 and 45,000. This incident in Sétif and a similar incident on 23 May in the town of Guelma near the Tunisian border which saw the death of 1,500 Algerian Muslims, this time at the hands not of the French forces but of a *pied noir* militia, caused strained relations between the European and Algerian Muslim communities. Following these incidents, many Algerian nationalist leaders were arrested and imprisoned and the

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14 Ibid.
memory of these crises remained in the collective memory of both communities for years to come.\textsuperscript{19}

Relations between \textit{pieds noirs} and Algerian Muslims continued to be strained throughout the late 1940s and early 1950s, with electoral rigging to ensure the strong position held by \textit{pieds noirs} would be maintained.\textsuperscript{20} Simultaneously, Algerian nationalism was growing and once more came to a head on 1 November 1954. All Saint’s Day had been chosen as the day for the debut attacks of the newly formed FLN. A series of attacks were carried out across Algeria, first upon French Army outposts in the Aurès mountains, then in the Department of Constantine, into Kabylia, and across Algeria.\textsuperscript{21} Political pamphlets left in their wake announced the arrival and aims of the hitherto unheard of organisation. Their major aims were declared to be the independence of Algeria and internationalisation of the Algerian problem by every means until their goals were realised.\textsuperscript{22} The attacks of 1 November 1954 by the FLN marked the first strike in what was to become known as the Algerian War, which lasted until Algeria was granted independence in March 1962. That it was a war at all that the French state had been engaged in, was something that went unrecognised by French authorities until 1999.

\textbf{Historical Development of the French State}

To understand the position of the French state and the responses taken towards to the OAS and its violence, it is important to look at the features of the state’s history which might have influenced the decisions taken in countering the terrorist violence from the OAS. France has a troubled history socially and economically but particularly politically. The state has seen in no more than 250 years; constitutional monarchy, revolution, five republics, more than seventeen constitutions, two world wars and the loss of an empire. As Philip M. Williams pointed out, ‘Frenchmen are used to changes not merely of government but of the whole political regime’.\textsuperscript{23} Thus

\begin{flushleft}
\textsuperscript{19} M. Kettle, \textit{De Gaulle and Algeria 1940-1960}, p. 31.
\textsuperscript{20} A. Horne, \textit{A Savage War of Peace}, pp. 70-1.
\textsuperscript{22} See, M. Kettle, \textit{De Gaulle and Algeria 1940-1960}, p.116, for further details of the minutiae of the FLN’s stated aims at the outset of their struggle.
\end{flushleft}
the experience of the turbulent political history is something which is shared by the Spanish and French states. By 1954 and the outbreak of the Algerian War, France had suffered great turmoil at the hands of two world wars, an interwar period that was riven with political division and difficulty, and the struggle post World War Two to reassert its national identity.

The French army had been known prior to World War Two as ‘la Grande Muette’ or ‘The Great Mute’. Menard explains:

> The Great Mute was an army that had no politics; its function was to execute the orders of the government without reflection. To obey was the duty of the soldier, and the chain of command ultimately reached the civilian Chief of State.\(^{24}\)

Indeed the military had been under civilian control since 1815, after the reign of Napoleon I, and continued as such until 1939.\(^{25}\) Contrasted with the Spanish army which were noted for their activism and rhetorical patriotism, the French army were noted for their passivity, even in the midst of political strife, and it is noted that the revolutions of 1830 and 1848 were political rather than military, both ‘in inspiration and execution’.\(^{26}\)

The greatest departure from the idea of the army as ‘the great mute’ in French society came in 1940. Though obedience had hitherto been counted on a given, the professionalism and ability of the French army had suffered in the aftermath of World War One given the detrimental economic situation and a sense of war weariness that crept over French state and society.\(^{27}\) As a result, when Nazi Germany invaded France in 1940, the army was ill prepared and suffered massive losses. The terms of the armistice with Germany stated that the French army would be passively obedient to the new premier of the puppet regime, Marshal Philippe Pétain.\(^{28}\) However,

\(^{26}\) Ibid, p. 5.  
\(^{27}\) O.D Menard, *The Army and the Fifth Republic*, p. 25.  
\(^{28}\) Ibid, p. 29.
General Charles de Gaulle was unwilling to obey orders and accept capitulation. He escaped from Bordeaux to London on 17 June 1940 and called over BBC radio for the army to join him in his disobedience. De Gaulle states of his decision:

I thought, in fact, that it would be the end of honour, unity, and independence if it were to be admitted that, in this world war, only France had capitulated and that she had let the matter rest there. For in that case, whatever might be the issue of the conflict - whether the country, after decisive defeat, would one day be rid of the invader by foreign arms, or would remain enslaved - its self-disgust and the disgust would inspire in others would poison its soul and its life for many generations.

With this call to stand up against the collaborationist Pétain and his Vichy regime, General de Gaulle established a precedent that was to be the cause of much controversy and unrest little over a decade later. De Gaulle, through his rallying cry to like-minded officers and enlisted men and the establishment of the Free France Army chose honour before obedience. It was the same prioritisation chosen by General Raoul Salan and others some years later when they decided that the defence of Algérie française should trump unthinking loyalty to their military superiors and to the civilian government of France.

In the aftermath of World War Two, the army was obviously in a precarious position as it struggled to come to terms with the defeat at the hands of the Germans in 1940, the split between Pétainists and Free France. Kelly states that in the army, post Second World War:

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29 Ibid.
31 De Gaulle certainly understood the gravity of his decision and did not take it lightly but it is apparent from his memoirs that the choice he made was one he firmly and clearly believed to be the right one from the outset (see C De Gaulle, The Complete War Memoirs of Charles de Gaulle, especially pp. 53-80. It must be remembered however, that as with all autobiographical and memoir material, the outcome and eventual consequences of important decisions often tempers how these decisions are remembered and represented.
One now had any number of dichotomies operating: old versus new, socially liberal versus socially retrograde, metropolitan versus colonial, total war versus guerrilla war strategists, nationalists versus Europeans, Gaullists versus anti-Gaullists, and so on.\textsuperscript{33}

As in Spain, with the loss of empire, civilian politicians and military leaders exchanged accusations that the other was responsible for their defeat.\textsuperscript{34} The army had lost its position of prestige in French society. Additionally, their experiences in World War II and its backwash as well as the ensuing First Indochina War from 1946 to 1954 created in the military mentality an alienation from continental France, who came to regard their presence in the colonies as a symbol of their greatness. Again, here we can see the similarities with the disposition of the Spanish Army after the loss of their colonies, the infighting that the Spanish state suffered between executive and military branches over who should shoulder the blame for their defeats, and the centring of national identity among the military on territorial integrity, as described in the previous chapter. Kelly also highlights that the Indochina conflict created an activist segment of the French Army, ‘disillusioned, technical ultras, susceptible to dangerous political intervention but essentially uninterested in the political process as such’.\textsuperscript{35} This group of ‘ultras’ were to form a sizeable percentage of those who made their way into the ranks of the OAS.

Having briefly discussed how French Algeria came about, how the Algerian War began, and the character of the French state and its military, let us now turn to discuss the emergence of the OAS. It is not my intention to discuss all political developments from the beginning of the war until the emergence of the OAS, but rather to highlight the important events which were instrumental in the organisation’s development.

\textsuperscript{34} O.D. Menard, \textit{The Army and the Fifth Republic}, p. 30.
The Algerian War and Pied Noir Discontent

Against the background of the growing dissatisfaction with the Fourth Republic and the government under the premiership of Pierre Pflimlin and the continuing Algerian War, rumours were circulating in Algiers in May 1958 that French diplomats were planning to negotiate with the leadership of the FLN. With tensions at a high point, demonstrations were called for the 13 May in both Paris and Algiers, but it was in Algiers that the protests reached fever pitch. Thousands of Algerians, both Muslim and European flocked to the city centre and around the Forum, the centre of government administration in the city with chants of ‘Algérie française’. The protests were met with half-hearted responses from riot police who were eventually replaced by 3rd Colonial Paratroops, much to the delight of the protestors. General Raoul Salan, the Commander in Chief of the military in Algeria was authorised by the President of the Council of Ministers to take charge of the maintenance of order, effectively declaring the retreat of the civilian government of Algeria and placing control in the hands of the army. The collapse of the discredited and crumbling Fourth Republic came as Gaullist elements amongst the army were able to enact a bloodless transfer of power to General de Gaulle. This came through plans from Gaullist army Generals for a military action against the Republic, headed by General Massu. Dubbed as ‘Operation Resurrection’, it was not to be a military putsch in the traditional sense, but through exerting pressure on the government to bring about the legal investiture of De Gaulle. In the end, no action was required from the Gaullist army faction, and the investiture occurred peacefully and legally, bringing the General to power and the Fourth Republic to an end on 29 May. The days of ‘La Grande Muette’ were well and truly over. General Raoul Salan, commented in a thinly veiled threat that ‘it would be impossible to predict [the army’s] reaction if the new prime minister were not firmly committed to the maintenance of French Algeria’.

37 Ibid, p. 11.
38 Ibid.
41 Ibid, p.129.
Algeria under de Gaulle was not as the pieds noirs had expected, however. It became clear by 1959, as the Algerian war rumbled on that de Gaulle was not as wedded to the idea of French Algeria as was previously thought. Jean Paul Sartre quipped in May 1958 that what de Gaulle wanted for Algeria ‘depended on the day and on the audience’. 43 De Gaulle, speaking on the issue, began to mention something of an ‘association’ between Algeria and France, which sounded rather different to ‘French Algeria’ and in September 1959 expressed his preference for a ‘government of Algerians by Algerians’. 44 Coinciding with these controversial moves, Salan, who had been the Commander in Chief of the army in Algeria was recalled to France to take a newly created position. It became clear that the move was designed to take the vehemently pro-Algérie française Salan out of his position of power and influence, to allow for the softening of de Gaulle’s position. 45 Upon Salan’s retirement in June 1960, he sensed the betrayal and reconnected with the pro-Algérie française elements within the army, moving back to Algeria for a period before moving to Madrid.

De Gaulle’s speech in September 1959 had provoked the ire of senior military figures in Algeria. General Massu, who was angered by the judicial processes underway against some of his men who stood accused of the torture of prisoners, made a comment to a German journalist indicating his belief that de Gaulle had little understanding of the situation in Algeria and implying that the army would not unconditionally obey de Gaulle as President of the Republic. 46 As a result, General Massu was eventually transferred out of Algeria. However, the nationalist movement in Algeria held Massu in high esteem. Demonstrations were once again organised, this time by civilian activists Joseph Ortiz, a café owner, and Pierre Lagaillarde, a student activist and eventual founding member of the OAS. The French nationalist movement, buoyed by the support of the French nationalist student activists led by Lagaillarde assembled barricades in Algiers city centre on January 24th 1960 in an attempt, much like the 13 May occupation of the Governor General’s building the

45 P. Henissart, Wolves in the City: The Death of French Algeria, (London: Rupert Hart-Davis, 1971), p. 34.
previous year, to provoke the intervention of the Army on their side to avoid bloodshed. The incident became known as the ‘Week of the Barricades’ (*la semaine des barricades*). Joining the nationalist civilian activists were many of the part-time reservist force, the *Unités Territoriales*, who were known to be widely sympathetic to the sentiments of *Algérie française*.

Gunfire eventually broke out between the police and the activists, claiming the lives of six civilians and 14 police officers and injuring 24 civilians and 123 police. The appearance of the paratroops eventually quelled the violence though they took no decisive action against the demonstrators behind the barricades. This action, designed to damage the authority of de Gaulle and bring the army in on the side of the protestors and those in favour of a permanent French Algeria, eventually died out. It became clear that despite the obvious sympathy from sections of the army, that only the Foreign Legion and the paratroops were behind the activists. Indicative however of just how divided the French military establishment was over the issue of the Barricades week can be concisely summed up in events as the turmoil of this event drew to a close. Geoffrey Bocca recounts how Lagaillarde, in leading his ‘troops’ away from the barricades to resume something close to normal life in conflict stricken Algiers, was given a guard of honour by the 1st REP, the paratroop unit widely regarded as the most aggressive and effective at the army’s disposal. He states succinctly, ‘What Lagaillarde had done to deserve a guard of honor was not easy to establish unless the massacre of fourteen trapped gendarmes was reason in itself’.

In the aftermath of Barricades week, those in the army who were seen by de Gaulle as having been slow to respond to the violence were punished, albeit leniently, and the civilian leaders of the rabble, including Lagaillarde, Jean-Jacques Susini and Jean-Claude Perez were detained, but soon let out on bail which they violated by leaving for Madrid, where they reconvened with Ortiz who had escaped by stowing

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47 Ibid.
away on a freighter, and Salan amongst others, and began to plot the next attempt to cause de Gaulle’s downfall.50

De Gaulle believed that nothing of any substance had been done prior to his return to power to handle the Algerian problem, something which he appeared keen by both his words and deeds to combat.51 Despite abortive plots by the militant movement Front de l’Algérie Française (FAF) to assassinate De Gaulle on a visit to Algeria in December 1960, his resolve was unhindered. The announcement on 27 February 1961 following meetings with Tunisia’s President Habib Bourguiba that they had achieved ‘positive and rapid progress’ towards direct negotiations between France and the GPRA, the Algerian Provisional Government must have acted as a red rag to the Madrid-based conspirators’ bull.52

The emergence of the OAS

The OAS came into existence after a series of meetings in Madrid beginning in January 1961.53 Chairied by Pierre Lagaillarde and attended by around fifty pieds noirs representing numerous right wing organisations frustrated at the failed efforts to push their agenda on French involvement in Algeria, they decided on the name for the organisation and Raoul Salan gave his approval for the new group. The OAS went unnoticed for a while, with little more to mark their formation than some graffiti daubed in public spaces in Algiers.54 The first concrete signs that the state had about the emergence of this group, constituting a ragbag of rightists came in April 1961. Government officials and police chiefs were alerted of their existence as tracts printed by the OAS announcing their arrival and calling for people to join them were pushed into their letterboxes.55 In the aftermath of a series of small plastic explosives bombs in Algiers later that month, the OAS published a tract claiming responsibility for the attacks and warning that these actions were only a prelude to more destructive actions which were yet to come.56

50 A. Harrison, Challenging De Gaulle, p. 44.
51 P. Henissart, Wolves in the City, pp. 47-8.
54 Ibid, p. 48.
55 Ibid.
56 P. Henissart, Wolves in the City, p. 70.
Attempts had been made at discussions as early as March 1956 between the French government and the FLN, but had broken down amidst the controversy of the skyjacking of a plane carrying Ahmed Ben Bella, bound for Morocco.⁵⁷ Links had been reestablished in both 1960 and early 1961, and were more fruitful, paving the way for the crucial Evian talks.⁵⁸ Both parties finally agreed to commence negotiations in Evian, near Lake Geneva on 7 April. The OAS were outraged at what they saw as the slippery slope to capitulation. On the day the talks were announced, the OAS murdered the mayor of Evian as a symbol of their disapproval.⁵⁹ The talks were delayed by the FLN’s refusal to participate if the MNA, its closest rival organisation, were involved in the talks.⁶⁰ On the 11 April, de Gaulle made a statement at a press conference at the Élysée in Paris. He stated that Algeria was costing France more than the benefit derived from holding onto it, and that France had no economic rationale for continuing their involvement there. He continued that France would not object to Algerians ‘constructing an independent state that would be sovereign in terms of internal and external relations’, a position which represented a clear step away from previous statements and previous official French policy.⁶¹

Sympathetic factions to the cause of French Algeria within the military staged an attempted coup on 21 April. The idea had been in planning for some time but was no doubt spurred on by the statement that de Gaulle had made, which they saw as inflammatory. The attempted coup, known various as ‘The Algiers Putsch’ and ‘The Generals’ Putsch’ ultimately failed in seizing control of the military away from the government. It was led by General Maurice Challe, who had been instrumental in the fight against the ALN, the armed wing of the FLN, in a previous phase of the conflict and had become upset with the approach of de Gaulle towards Algeria and had retired from the army in February 1961. He was joined in the plot by General Salan, Jouhoud (who was a five-star air force commander, and General Zeller. Evans notes that all of the above had either retired from the army in disgust at the rapidly

⁶⁰ Ibid.
softening policy on Algeria or had been retired because of their forceful pro-French Algeria views.  

The French state had, before the putsch attempted to infiltrate the activist elements in Algeria that they had identified as likely to cause trouble. However the rapidity with which the putschists acted and the effectiveness of the units involved (perhaps somewhat understandably given that it was elite units like the paratroopers who represented the core of the putschist forces), took the government somewhat by surprise. Despite being joined by hundred of officers, and making some operational successes in Algeria, the Generals' Putsch failed. Anti-fascist groups and other leftists demonstrated against the putsch in Paris, while pieds noirs, chanted pro-French Algerian slogans on the streets of Algiers, highlighting the disparity between the two capitals and the degree to which the latter were out of touch with sentiment in the homeland.

Of crucial importance during the attempted putsch were the actions of de Gaulle himself. De Gaulle intervened by broadcast, condemning the behaviour of the architects of the coup and their supporters and forbidding ‘every Frenchman and above all, every soldier, to carry out any of their orders’ and calling for ‘every means to stop these men, pending their final elimination’. The effect of de Gaulle’s stern warning was dubbed a ‘transistor victory’ for the general. The conscript soldiers of the French army, of which there were hundreds of thousands, had listened to the broadcast and overwhelmingly decided against complicity in the coup. In addition to the condemnation of the army officers leading the putsch in the strongest of terms, De Gaulle invoked Article 16 of the French Constitution. The article, allowed De Gaulle to declare a state of emergency, empowered the police force to extend detention periods from five to fifteen days, and effectively allowed internment for those deemed by the police to be engaged in or encouraging ‘a subversive enterprise

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65 Ibid.
66 Ibid.
directed against the Republic’. De Gaulle’s experience as a military general, his personal charisma, and the respect he commanded from the military and civilians alike was to be key in shaping the conflict between the OAS and the French state, and indeed the outcome of the Algerian War as a whole.

In response to the attempted coup, Challe and Zeller were arrested, along with 200 officers, with the generals given sentences of 15 years. Salan and Jouhaud escaped capture, and henceforth threw all their anti-Gaullist energy behind the OAS. Crucially, the French government had the sense of mind to disband three of the rebellious regiments that had been instrumental in the putsch, the 1st REP and two other paratroop regiments. Whilst many of the soldiers in these regiments left to join the OAS, undoubtedly this was preferable to having rebel regiments within the military armed by the state whose loyalty could never again be trusted. In addition, there was a wider purge of the army at this point, although its effectiveness was hindered. The purge depended on the passage of information from within the army’s ranks, and many enlisted men were reluctant to give evidence against their superior officers.

Alistair Horne draws attention to the consequences of the putsch, stating that the very thing the putsch leaders had been trying to prevent, independence for Algeria, was now much more certain because of their actions:

The breaking of the army in Algeria and its ensuing demoralisation deprived de Gaulle of any tool for ‘enforcement’. The April 1961 putsch, says Bernard Tricot, ‘made even more inevitable the result which it had wanted to prevent, at the same time reducing the chances of attaining it under acceptable conditions’.

Additionally, the experience of the putsch showed the government that the OAS, when they eventually began to present a more sizeable challenge, could not be

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67 P. Henissart, *Wolves in the City*, p. 115.
68 M. Evans, *Algeria: France’s Undeclared War*, p. 299.
70 P. Henissart, *Wolves in the City*, p. 129.
defeated through reliance on a wavering military alone. This is reflected in the response to the OAS violence. As Bocca evocatively put it:

...the OAS sucked on the nipple of the Army. Officially the Army stayed aloof, and officers resisted their former comrades who lobbied them. But the fact was that the Army, had it wished, could have crushed the OAS in 24 hours. By doing nothing, it gave the Organization room to move in and air to breathe.  

With the conclusion of the putsch, the atmosphere was now clear to resume negotiations with the FLN. The French government conceded to the FLN over the involvement of their political rival, and negotiations began on 20 April. It was to be the first concession of many by the French in Evian.

It is important not to overstate the capabilities of the OAS and the level of threat they posed to the French state and their intended plans in Algeria. It is true that at the top level, the so called Comité Supérieur, there were a number of former army generals and colonels who had fought in the Second World War, as well as in the colonial battles in Indochina and Algeria. It is also true that amongst their number were many officers, highly decorated and at one time, well respected for their valour and expertise, but structurally the OAS was unsound. The clashes of personalities was apparent from the outset, enforcing discipline in the ranks of the OAS was difficult and communication was for the most part, a nightmare. In addition, the strategies they adopted faltered on numerous occasions. The FLN and Algeria’s Muslim population, sensing the French state in decline did not respond as the OAS had hoped. No war of attrition was sparked and by the time the OAS made its first foray into armed action, de Gaulle had already realised that French Algeria was unsustainable.

However, it would be unwise, thus to suggest that the ultimate failure of the OAS and

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their project was inevitable, or that they would fail quite so miserably.\textsuperscript{74} Had the OAS been able to achieve more than the complicity of individual members of the army and instead been able to win over regiments to their cause, they may have been able to force de Gaulle’s hand. Had the OAS been able to win over entire regiments as they had planned, and present to the President of the Republic a scenario where the disengagement of the French state from Algeria would have sparked a far greater and far bloodier military coup d’etat than had been the case with the previous attempts, the outcome might have been much different. Faced with this consequence, de Gaulle might have opted for a middle way rather than be deposed or perhaps face death. Martha Crenshaw highlights that the OAS had also considered their secondary goals; ‘...possible goals included the overthrow of the metropolitan government and installation of a rightist regime, secession from France, or partition’.\textsuperscript{75} Indeed, General Salan commented to Alistair Horne in 1973 that the realistic goal of the OAS may have been somewhat less than their stated aim of the full retention of the status quo for Algeria; ‘I thought that we could somehow orient opinion in France towards some kind of solution like South Africa - a kind of Apartheid for Algeria’.\textsuperscript{76}

Whatever their overarching desire for Algeria, the OAS had not the luxury of taking time to discuss and develop grand strategy. Given the rapid and turbulent rate of change in French governmental policy towards Algeria and the development of the situation on the ground, the OAS had to react to a changing and unstable political atmosphere. As such, they concentrated primarily on short-term goals. They hoped that through their bombing campaigns and targeted assassinations that they could destabilise the burgeoning discussions between the Gaullist government and the FLN.\textsuperscript{77} It was hoped that creating tension during these preliminary talks would

\textsuperscript{74} Indeed, Alexander Harrison gives a list of reasons why the efforts of the OAS might have been successful. Although ultimately stating that the odds were stacked against them, it seems that Harrison in this instance was focusing on the complete achievement of their primary strategic aim, rather than the possibility that they might have been able to affect French policy to achieve a continued link of some description between Algeria and France. See A. Harrison, \textit{Challenging De Gaulle}, pp. 67-8.


\textsuperscript{76} A. Horne, \textit{A Savage War of Peace}, p. 485.

\textsuperscript{77} M. Evans, \textit{Algeria: France’s Undeclared War}, p. 291.
prevent any negotiated settlement, which would prove disastrous for the OAS and their *pied noirs* supporters.\textsuperscript{78}

The coup, planned and hatched by the rebellious generals and colonels had failed miserably, and the regiments that had once been sympathetic to the cause of Algérie française had either been disbanded, redeployed out of Algeria, or heavily disciplined for their disloyalty. These regiments haemorrhaged personnel who were unwilling to accept the disciplinary measures and many of the deserters, especially legionnaires, joined the ranks of the OAS to continue the fight for French Algeria.\textsuperscript{79} The loyalty to de Gaulle of the enlisted soldiers who had little to gain and everything to lose by backing their mutinous officers, the indecision of sympathetic officers, and the lack of action by the putsch leaders had shown that the appetite and conditions for a coup d'état was unlikely to re-emerge. However, the OAS were unprepared to admit that their cause was a lost one and instead they redoubled their efforts.\textsuperscript{80} Buoyed by their new recruits and feeling the relief of the *pieds noirs*, that the organisation’s leaders had not been arrested or scared off following the putsch, they resumed operations. Daily attacks known as *plastiquages*; small plastic explosive bombings became a feature of life in Algiers and Oran once again, as they had been for a time before the putsch.\textsuperscript{81} The French government were, no doubt, alarmed by the renewed vigour of OAS attacks as the organisation sought now to conduct a campaign of terrorism parallel to that of the FLN.\textsuperscript{82} There had also been some changes in approach by the OAS. They now considered the French army as an ‘army of occupation’, upon which they declared war.\textsuperscript{83} Somewhat contradicting this position, they began a brutal campaign of terrorism against the Muslim community at large. They hoped in doing so, that they would spark a cycle of tit-for-tat violence and polarise the European settlers from the Algerian Muslims entirely and that in such an atmosphere, the army

\textsuperscript{78} Ibid, p.486.
\textsuperscript{80} A. Werth, *De Gaulle*, p. 271.
\textsuperscript{81} P. Henissart, *Wolves in the City*, p. 134.
\textsuperscript{83} Ibid.
would reassert their control and intervene on the side of the OAS and the pieds noirs.84

Alistair Horne comments on the severe lack of capacity by the security force in Algeria to deal with OAS attacks, despite the 25,000 gendarmes and Compagnies Républicaines de Sécurité (CRS), specially trained riot police riot troops at their disposal, they struggled to enforce order and prevent attacks.85 The security forces in Algeria were of course, largely sympathetic to the cause of French Algeria, which frustrated senior officers loyal to de Gaulle who found their efforts to counter the OAS were ineffective as a result of the unreliable troops.86 As a mark of how seriously the French government took the threat from the OAS, a new security drive was initiated. Nine companies of the CRS riot police were transferred from France to support units of gendarmes, zouaves (light infantry army units) and dragoons that were already in place in Algeria.87 The CRS troops, whilst being more reliable than the Algerian based units as they lacked the sympathy the latter had with the putschists, were unfamiliar with the atmosphere and geography. A manhunt organised to round up the missing generals and putsch leaders was largely ineffective, returning none of the elusive men.88

Despite the endeavours of the government to root out the activists, the OAS were thriving. The so called ‘Delta Commando’, under the command of Roger Degueldre, a former Lieutenant with the First Foreign Legion Parachutists (the Premier REP that had been disbanded in the aftermath of the General’s Putsch) were at the fore of the OAS activities. Consisting of fewer than one hundred former military personnel as well as civilian pied noirs89, these Delta units, whilst being the most effective and dangerous in the OAS were not entirely trusted by the leaders of the other OAS units and those in overall control.90 While formally Delta commando was supposed to act

86 See for example A. Horne, A Savage War of Peace, p. 487 on the lack of reliable police in Oran, and p. 490, on the levels of support for the OAS amongst the army units in Algeria under General Ailleret.
87 P. Henissart, Wolves in the City, p. 136.
88 Ibid.
89 M. Crenshaw, ‘The Effectiveness of Terrorism in the Algerian War’, p. 499.
90 See for example G. Bocca, The Secret Army, pp. 90-4, on the importance and character of Degueldre and the Delta Commando.
only on orders from the Comité Supérieur, the reality was that they often acted of their own accord on the basis of information passed by sympathisers within the government.\textsuperscript{91} Spurred on by the commencement of negotiations at Evian at this time, Delta Commando began in May 1961 to carry out \textit{ponctuelles}, or assassinations. In reaction to the new approach of the OAS, the French army, despite its divided loyalties and tendency for split personalities was increasingly relied on in operations against the OAS.\textsuperscript{92} In September 1961 alone, the Delta Commando claimed the lives of fifteen and injured 144.\textsuperscript{93}

A small anti-OAS unit of ten men was formed by Commissaire Louis Grassien, formerly of the Rheims police.\textsuperscript{94} Using informants in the OAS they began to expand their understanding of the organisation. One of the Delta’s early victims was the 50-year old Police Inspector, Roger Gavoury. Gavoury had raised his head above the parapet as an enemy of the OAS, taking the initiative to call in suspects and the wives of suspected OAS activists for questioning. There was little shock in Algiers when he was found stabbed to death in his apartment, murdered by OAS Delta Commandos.\textsuperscript{95} Grassien’s anti-OAS unit sprang into action, using the intelligence they had gathered. Gendarmes surrounded a villa in Algiers were some of those responsible for the attack were hiding out just two days after the assassination, arresting three of the group after a shootout.\textsuperscript{96}

As the scale and frequency of OAS attacks intensified throughout the autumn of 1961, however, it became apparent that Grassien and his small, tight unit of anti-OAS specialists would not be enough to stem the rising tide, and they were eventually recalled to France. However, on what was supposed to be their last night in Algiers, a unit of Degueldre’s Deltas ambushed a bar where Grassien and his men were drinking, killing René Joubert.\textsuperscript{97}

\textsuperscript{91} A. Harrison, \textit{Challenging De Gaulle}, p.123. \\
\textsuperscript{92} A. Clayton, \textit{The Wars of French Decolonization}, p. 172. \\
\textsuperscript{93} A. Horne, \textit{A Savage War of Peace}, p. 488. \\
\textsuperscript{94} Ibid, p. 491. \\
\textsuperscript{95} P. Henissart, \textit{Wolves in the City}, p. 21. \\
\textsuperscript{96} Ibid, p.166. \\
\textsuperscript{97} Ibid, p. 246.
Les Barbouzes and the extra legal use of force

Despite the best efforts of the French state to counter the violence from the OAS, the terrorists frequently struck back in the aftermath of arrests with vicious and deadly attacks. They made use of the large population of supporters, both active and tacit, to melt back into the shadows and disappear. And so in this climate, with the ad-hoc plans of the French state faltering, and the determination of the state to secure a solution failing, the ‘barbouzes’ arrived in Algiers.

Lucien Bodard of France-Soir reported on November 29, 1961 that the French government intended to step up the fight against the OAS before they could ‘contaminate France’. The plan, Bodard reported was to decapitate the OAS, arresting the ten men identified as leaders of the organisation. The story referred more specifically to a unit at the command of Michel Hacq, known as Mission C, tasked by the Interior Ministry with filling the void left by the departure of Grassien and his men.

Parallel to this movement though was another, tougher and shadier unit. Hacq’s Mission C was to work autonomously to avoid the seepage of intelligence back to the OAS that had frustrated regular police work in the past in Algeria. Working in collaboration with Mission C, though with a much more aggressive and violent brief was a group branded by military intelligence as ‘Speciaux’. The media and pied noir community of Algeria soon assigned them another name ‘Barbouzes’, a name which literally meant ‘fake beards’.

There had been many rumours of strangers and secret agents moving among the European community abounded in the paranoid atmosphere of Algiers and Oran previously. One former Delta Commando operative and one time Premier REP officer Gabriel Anglade suggested in an interview with Alexander Harrison in 1979 that

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Barbouzes had collaborated with Grassien’s men to torture OAS suspects. No doubt the rumours of ‘spook’ activity were catalysed by Bodard’s article in France-Soir. The first clear signal however, that the Barbouzes had arrived came in response to the assassination of Joubert, with the bombing in mid-November of six cafés in Algiers which were well known for their ‘ultra’ and pro-OAS clientele. Indeed, another interviewee of Harrison’s states that it was the execution of police officials such as Gavoury and Joubert that led the government to rely on the Barbouzes, an opinion which appears to fit with the wider literature on the subject.

The Barbouzes had come into existence by an awkward process. The Gaullist Mouvement pour la Communauté (MPC), had been launched in the spring of 1959, with the express aim to foster greater cooperation and harmony between the Algerian Muslim and European communities and to promote Gaullist policy on the Algerian issue. Given $30,000 by Paris to organise in Algeria’s cities and towns to spread leaflets and posters with pro-cooperation slogans, as well as guns for personal protection, MPC activities got underway under the leadership of Jacques Dauer, based in Paris.

However, Lucien Bitterlin, a Gaullist and former radio producer oversaw MPC activities in Algeria. It soon became apparent that the plastiquages attacks on Algiers cafés were the work of MPC members, including Bitterlin. These MPC activists were joined by a motley crew of hard men. Among their number were Vietnamese mercenaries formerly of the Bande Noire, famous for their torturing of Vietminh prisoners in Indochina, Jewish pieds noirs, and muscle men from Algiers gymnasiuums and underworld. Hennisart claims that some of the Barbouzes were drawn from the ranks of the Gaullist organisation, the Service d’Action Civique (SAC), something which Porch contests, given the high proportion of pro-Algérie française

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103 A. Harrison, Challenging De Gaulle, p. 81, n. 23.
104 Later becoming known as Mouvement Pour la Cooperation, but retaining the same acronym.
106 P. Henissart, Wolves in the City, pp. 250-1.
members in that particular movement. Bocca refers to the Barbouzes as a ‘shadowy offshoot of the SDECE’, the Service de Documentation Extérieure et de Contre-espionnage; the French equivalent of the CIA. Greenwood too asserts that they were a subdivision of the SDECE, though Faligot and Krop proclaim that while there may have been shady organisations working in conjunction with Military Security, that SDECE were too concerned with developments south of Algeria at that time, in what was then termed ‘black Africa’. Whether the Barbouzes could be accurately called an ‘offshoot’ of this organisation is unclear, given the French state’s unwillingness, even today to admit to the group’s existence. What is clear, however is that the French military intelligence establishment gave them some support in terms of weaponry and highlighted some targets for their attention.

As such, the Barbouzes acted in a similar way to the GAL did in the Spanish and French Basque country in their attempts to hunt down ETA leaders and decapitate the movement. Both the GAL and the Barbouzes had the effect of intimidating those that they hunted out, distracting them from their campaign of violence. Similarly, both Spain and France kept the financing of their ‘extra-legal’ operations obfuscated for the period of their operation, and denied their existence. In both cases these ‘death squads’ proved less than the efficient method they were hoped to be. In Algeria, the arrival of the Barbouzes, having been signposted in the media and somewhat anticipated by the pieds noirs did not go unnoticed. The presence of strangers amongst the tight-knit European communities of Oran and Algiers raised suspicions, and the informal channels of intelligence helped the OAS Delta Commandos identify and locate their adversaries easily. It did not take long before the OAS Delta Commando launched counter offensives on the villas where the Barbouzes had stationed themselves. By the end of January 1962 the Barbouzes’ campaign was over. A spectacular attack in which the OAS Deltas replaced a printing

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115 Ibid, p.401.
press shipped from France and bound for the Barbouzes’ villa with a large bomb, the resulting explosion killed everyone in the villa, around forty people. A few days later, an OAS Delta detachment ambushed the Barbouzes in a seedy hotel, killing the remainder and bringing the abortive strategy of the French state to an end.

The experiment with a heavy, extra-legal use of force was abandoned as a strategy to decapitate the OAS. The strategy on its own merits, had been a failure. The Babouzes, whatever the nature of their secretive relationship with the state intelligence agencies, were ineffective in killing OAS operatives. The principal effect the Barbouzes had was to inflame pieds noirs passions against the government. They did however, act as a distraction. In the paranoid atmosphere that existed in Algeria at that time, and the constant suspicion within the OAS that they were being targeted for assassination by Gaullist forces, former allies and colleagues who had turned against them, the Barbouzes were easily identified and the dealt with before long. It was the other secretive force in Algeria that bore more fruit for the French state, and which existed secretly but operated largely within the remit of the law and without the scandal or intrigue that the Barbouzes caused. The aforementioned Mission C, (also known as Force C), under the control of Michel Hacq had more success. Operating contemporaneously with the Barbouzes, Mission C managed to round up 600 OAS members, including 69 killers, shaking the OAS to its foundations. It was to be this intelligence-led approach, despite the existence of double agents and some operatives with Algérie française sympathies that was to be most effective in the battle to contain OAS violence. The operations of both the Barbouzes and Mission C coincided with a period where the French were keen to put the OAS under pressure. Serious negotiations with the FLN had taken place at Evian and there were to be further talks. It appears that at this point, the French government sought to keep the OAS on the back foot. The OAS were seeking to engage the Muslim population in a war of attrition at this point, hoping to drive an

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120 Ibid.
124 See P. Hennisart, *Wolves in the City*, p.174. on the problem with SDECE and the ongoing links between Godard of the OAS. See also, D. Porch, *The French Secret Service*, p.399 on the activity of the French intelligence services on ‘both sides’; for and against the OAS.
even greater wedge between Muslims and Europeans in Algeria and slow the advance towards a negotiated settlement between France and the FLN. Putting the OAS under pressure from these secretive units, while of questionable morality and legality, especially in the form of the barbouzes, it meant that their efforts at spoiling the negotiations were rendered useless.

The OAS in France

Of course, Algeria was not the only theatre of operation for the OAS. They strove to extend their operations to the metropole, bringing the fight for French Algeria onto the streets of France itself. They attempted to strike fear into the hearts of Gaullists and the apathetic public who perhaps were tired of the rhetoric and political turmoil that the troublesome far-flung department unleashed upon them. The Algerian war had been raging since 1954, and the appetite for continued involvement there, at least in metropolitan France was beginning to wane. That the attachment to French Algeria was diminishing was no surprise. The French general public had lost the stomach for the wars in Indochina and in the North African colonies before the outbreak of the Algerian crisis. Gil Merom highlights that while the plaudits for handling the Algerian disengagement were heaped upon de Gaulle six months after the Evian Accords, and despite de Gaulle’s speeches indicating the shifting policy of government towards Algeria, he did not overwhelmingly shape the public opinion. His speeches represented rather than moulded the public’s perspective of Algeria.

OAS operations in France struggled from the outset. Despite the long term rhetoric about the indivisibility of the national territory and the constitutional position of Algeria as part of metropolitan France, the public were becoming apathetic. The appetite for robust action to protect French Algeria was low. There were pro-Algérie française demonstrations by right wing organisations like the ‘Committee of Vincennes’ in November 1961 which was supported by right wing politicians, and the rhetoric of those on the political extremes in the National Assembly, such as Jean Marie Le

Pen. While these politicians made the metropolitan branch of the OAS feel vindicated in their actions, this sentiment was out of touch with wider opinion. Lacouture points out that even before the open emergence of the OAS, that many French citizens had little appetite for the anti-democratic general’s putsch. It was felt that the parachutists that the generals had threatened would arrive in Paris, and which the Government had taken pre-emptive moves to counter, would receive something extremely short of a warm welcome.

OAS units in France thus could not rely on the broad base of support as they could within the European communities in Algeria. In France, the OAS fish had no sea of sympathisers to swim in. While there are no precise indicators of the level of support for the OAS in France, that their actions drew hostility from the French Left as well as from those without strong political conviction in France itself means that the climate in which they operated in the metropole stood in stark contrast to the tacit complicity they received from pieds noirs and elements of the French state in Algeria. Despite their ardent supports and generous financiers they were ‘operating in an alien milieu. They had to remain almost entirely underground, avoid trails of paperwork, and travel only when absolutely necessary. The OAS in France could not count on police sympathy or ambivalence as they could in Algeria. This made waging a wide-scale and effective campaign of terrorism impossible in the metropole.

This is not to say that the OAS were dormant in France. They carried out a series of attacks throughout the period of their existence. The organisation was bifurcated with two men claiming overall leadership in France. One grouping was under the control of Pierre Sergent, a former Premier REP officer. Sergent’s attacks, mainly

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130 A. Sherman, ‘Climax in Algeria: The OAS and the Pieds Noirs’, *The World Today*, 18/4, (1962), p.142. It should be said, however, that not insubstantial support existed for the OAS in France, as perhaps evidenced by the numerous monuments today glorifying the organisation in towns across the country. Those supporters were to form the backbone of the French far right in the decades after Algerian independence, though their numbers in the metropole were buoyed by former colons, and harkis who fled Algeria when the FLN came to power. See G. Murray, ‘France: The Riots and the Republic’, *Race Relations*, 47/4, (2006) p. 39. At the time of the OAS activity in France however, their support was diffuse and the networks upon which they relied to successfully operate were small and few.
uncoordinated plastic bombs risked alienating potential supporters. Additionally, Sergent had attempted to recruit members from smaller activist groups springing up around France but soon found that here, the OAS did not have the monopoly on anti-de Gaulle sentiment. André Canal, was thus sent by Salan to give the OAS in France a greater sense of direction. Canal’s group proved to be the more effective and deadly. As this power struggle between rival factions in France was being addressed, a man named Gingembre, an OAS courier close to Salan, was arrested in Maison Blanche airport on 7 September 1961 by plain clothes detectives and Colonel Pierre Debrosse, garnering important OAS files which was to assist police on both sides of the Mediterranean in their quest to defeat the OAS.

Attacks in France took the familiar format of plastiquages against symbolic opponents were carried out. Outspoken critics like Pierre Lazareff, the editor of France-Soir, and Jean-Paul Sartre, had their homes damaged by OAS Métro plastic bombs. Canal’s group’s most devastating attack came in January 1961 when Paris was shaken by no less than 18 bombs, in a coordinated series of attacks known as ‘la nuit bleue’. Aside from the bombings, which whilst disruptive, did little more than alienate the French public, there were also some key assassinations and attempts by the OAS in France.

Evian Accords

In a symbolic attack at in March 1961, when de Gaulle and his government were working to establish talks at Evian with the FLN to bring a negotiated end to the conflict, the OAS bombed the home of the mayor of Evian, killing him. Despite the recurrent plastic bomb attacks which shattered windows of businesses and homes, and the occasional assassination of a target was not likely to have much effect. In France, these attacks had effect beyond perhaps delighting those who already supported the OAS and appalling the vast majority of people who disagreed with their
aims and tactics. Indeed, Horne highlights the ‘extraordinary lethargy’ on the part of the metropolitan police.\(^{139}\) Porch suggests that this lethargy might have been because their targets were primarily those on the left, such as Sartre, and that the OAS campaign in France was solidifying public opinion behind de Gaulle for disengagement.\(^{140}\)

As such, the French state and the efforts of the government to find a solution through negotiation with the FLN would survive these kinds of attacks. There was fear however, that if the OAS stepped up their campaign by attacking infrastructure, as the FLN had done, and by targeting key state personnel, that the could become more problematic. Through de Gaulle’s resoluteness to solve the Algerian question, it had been made clear that he would not flinch. If de Gaulle himself could be taken out of the equation, the situation might be very different.

The idea of assassinating de Gaulle had been mooted by many of a pro-Algérie française persuasion since shortly after his return to power. Indeed ultra groups appear to have set in motion the preparations for two attempts to assassinate the general at his home in Colombey-les-deux-Eglises as early as 1960, when it had become apparent that de Gaulle was perhaps not as firmly wedded to the idea of maintaining the status quo in Algeria as they had expected.\(^{141}\)

In the wake of these plots, de Gaulle, famous for his stubbornness and lack of vigilance about his personal safety,\(^{142}\) ordered no extra security precautions.\(^{143}\) However, de Gaulle’s Special Security Service, his close protection team with the assistance of the local gendarmerie often provided discreet protection by plain clothed operatives on many occasions.\(^{144}\) The first assassination attempt attributable to the OAS happened in 1961. In charge of the attack, which took place on 8 September, was former army colonel Jean-Marie Bastien-Thiry. Having been tipped

\(^{139}\) A. Horne, A Savage War of Peace, p. 503.


\(^{144}\) Ibid, p.159.
off by a colonel working in the Elysée, the OAS conspirators were notified that de Gaulle was travelling back to his private residence at Colombey-les-deux-eglises.\textsuperscript{145} On the road between Crancey and Pont-Sur-Seine, the would-be assassins struck with a roadside bomb. A thirty kilo bomb with a petrol and soap flakes ignitor was detonated but the main charge failed to detonate.\textsuperscript{146} De Gaulle and his wife were uninjured and the convoy sped away. After this attempt, de Gaulle amended his travelling plans, making the journey between Colombey and Paris mainly by air. The General was to be targeted again on a number of occasions during the final days of the OAS and even by some OAS cells operating on their own accord after the formal truce and end to hostilities, when they finally accepted the fate of Algeria. One attack in August 1962 in which de Gaulle’s motorcade was riddled with bullets came painfully close to taking the life of the General.\textsuperscript{147} This attack, which was the basis for the depiction in Frederick Forsyth’s \textit{Day of the Jackal}, was an attack designed out of anger, in search of revenge. A successful assassination of de Gaulle at that point would not have stood in the way of Algerian independence, which had been formally declared after the self-determination referendum in July of that year. However, given the dominance and influence that de Gaulle had over French politics during this period, the OAS might have changed the course of world history in an instant. The continued vitriol from the OAS for the General was made clear in a letter mailed from the Assembly post-office in Paris threatening that de Gaulle, the ‘perjured tyrant’ would be killed ‘today or tomorrow, despite every obstacle, the traitor de Gaulle will be struck down like a mad dog’.\textsuperscript{148}

The Evian negotiations had not gone the way the French government and negotiating team had planned. The first round of talks highlighted some of the sticking points, primarily the position of the Sahara, its inclusion in any new Algerian republic, and the possibility of the continued French exploitation of oil reserves discovered there.\textsuperscript{149} Between the first and second full round of talks that began in February 1962 at Les Rousses near Evian, much had changed. At these talks, the FLN conceded that

\begin{itemize}
\item \textsuperscript{145} J. Lacouture, \textit{De Gaulle}, p. 292.
\item \textsuperscript{146} Ibid, p. 160.
\item \textsuperscript{147} C. Greenwood, ‘An Angel on His Shoulder’, p.164.
\item \textsuperscript{149} P. C. Naylor, \textit{France and Algeria}, pp. 29-31.
\end{itemize}
French involvement in Algeria post-independence would be inevitable, given that it would require financial aid. De Gaulle had accepted the previous September that the retention of the Sahara was unrealistic, and that the Gouvernement Provisoire de la République Algérienne, (GPRA) in exile in Tunis would never accept their negotiating team from the FLN relinquishing this territory and acceding to the partition of Algeria. Lacouture highlights de Gaulle’s ‘immense fatigue’, that he suffered in the summer of 1961, pointing to the trials concerning the Algiers Putsch, the stressful first round of negotiations at Evian, and the inflammation of the political turmoil by the OAS as contributing to this fatigue. Despite the efforts of the OAS to forestall and avert what now seemed to be inevitable, in the abandonment of French Algeria, they only added to the pressure on the General. The general pressure, and no doubt the attempt on his life that summer near Pont-sur-Seine, meant that de Gaulle was increasingly anxious to find a solution to the debacle. As such, the OAS contributed to de Gaulle’s resolve to grind out the most advantageous position for France from the negotiations being weakened. At the second round of talks, the focus of de Gaulle and the French negotiating team was on securing the rights and safety of the European community that would be left behind.

In February 1962, an OAS metro unit had set out to target the house of Minister of Cultural Affairs, André Malraux at Boulogne-sur-Siène. The plastiquage detonated, although the Minister was absent that day. Instead, the explosion maimed a four year old girl, Delphine Renard. The attack sparked a spate of protests at a time when public demonstrations were banned. Protesters chanting anti-OAS slogans clashed with police in central Paris who took the lives of eight protestors and wounded over 100 more.

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150 Ibid, p. 34.
153 Despite de Gaulle’s comments on the attempted assassination which displayed his characteristically cold and instrumental tone when speaking about own life. See J. Lacouture, De Gaulle, p. 293.
154 See D. Pickles, Algeria and France, pp. 106-10, on the precise nature of the safeguards for the European community in Algeria; safeguards which turned out to be redundant given the mass exodus of Europeans post-independence.
155 A. Horne, A Savage War of Peace, p. 503.
156 Ibid. p. 504.
In March 1962, the final stage of negotiations got underway and it was not long before there was the basis for an agreement. By 18 March, the Evian Accord was signed by representatives of the French government and FLN representatives.\(^{157}\) At the same time, a Franco-Algerian ceasefire agreement was also signed and became effective the next day.\(^{158}\) The French government and FLN negotiating teams had been careful to ensure that the OAS would not achieve their aim of turning the two communities in Algeria against each other entirely. As such, during the transition, the responsibility for order remained with the Algerian provisional executive, to be enforced by Muslim auxiliaries of the gendarmerie, and not with the ALN.\(^{159}\)

The situation was a sensitive one however, and both parties to the agreement knew that the French army might have to be deployed in Oran and Algiers for the purposes of maintaining order. It was to be a difficult balance to strike, as Pickles points out. France were keen to keep the French army out of the battle against the OAS, given the levels of sympathy for the group amongst the army’s ranks, even after the purges and transfers of personnel.\(^{160}\) Similarly, the reliance on Muslim auxiliaries, anxious about the transition was problematic, potentially playing into the hands of the OAS who were struggling to portray the conflict as a straight fight between Muslim and European at this point. The Muslim auxiliaries, fearful of what might happen to them in an independent Algeria of the FLN’s making were at high risk of deserting and taking independent action against the OAS to ‘provide evidence of their *bona fides*’.\(^{161}\)

As such, the period between the signing of the Evian Accords in March 1962 and the referendum to ratify it in France and Algeria, which was to take place on 31 June,\(^{162}\) was to be a turbulent period with much at stake.

Upon the announcement that agreement had been reached in Evian, the OAS moved to put in action its plan of last resort. Salan had prepared a plan and the OAS called for a general strike amongst the European community. They turned the European neighbourhood of Bab el Oued into a liberated zone, and targeted *gardes mobiles* and patrols of conscript soldiers, disarming them. The government’s forces struck

\(^{158}\) D. Pickles, *Algeria and France*, p. 106.
\(^{159}\) Ibid, p. 111.
\(^{160}\) Ibid, p. 112.
\(^{161}\) Ibid.
back with tank and place bombardments to break the insurrection, and the OAS withdrew. The enraged army fired upon a demonstration organised by the OAS on 26 March, killing 46 people.  

In these days between the signing of the Evian agreement and the referendum, the conflict between the forces of the state and those of the OAS came the closest they ever had to full scale war.

**The death of French Algeria**

Predictably, the agreement at Evian enraged the OAS. While de Gaulle’s public statements over the course of 1961 and 1962 had been well received by the general public in France, the OAS were unlikely to be convinced by the rhetoric adopted. The discourses adopted by the French government in late 1961 and 1962, which spoke of ‘le courant de l’histoire’ (the tide of history), in relation to the forthcoming disengagement from Algeria without much further elaboration was unlikely to convince or comfort the OAS and the *pieds noirs*. However, the OAS had been under increasing pressure. In the autumn of 1961, Colonel Debrosse, head of the *Gardes Mobiles*, had eliminated most of the *pieds noirs* from his units and had replaced them with reliable men from France. Despite the widescale resignations from the French army in that autumn in protest at the direction de Gaulle’s government appeared to be moving with the negotiations and public statements on Algeria, few of the thousand officers made their way into the ranks of the OAS, instead preferring to travel home and readjust to civilian life.

October 1961 had seen the arrest of the Madrid based leadership of the OAS. The Spanish government grew tired of the influx of French activists. In the wake of the Pont-sur-Siène attempt on the life of de Gaulle, the Spanish authorities had arrested another OAS commando at the border, bound for France in an apparent plot to assassinate the general. Pre-existing links between the Spanish security forces and the OAS leaders were exploited and 17 French activists were arrested in one evening of operations, including Lagaillarde, Antoine Argoud and Joseph Ortiz. The arrests

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164 T. Shepard, *The Invention of Decolonization*, p. 82.
166 Ibid.
167 P. Henissart, *Wolves in the City*, p. 212.
set the suspicious minds in the OAS into overdrive with Lagaillarde being convinced that Salan, who had vacated Madrid for Algeria some time previously, had conspired to bring about their arrest. Despite the tensions between the various leadership groups in the organisation, there is little evidence to suggest that this is the case. Nevertheless, the arrests and the suspicions increased the centrifugal force that had threatened to obliterate the OAS from its inception. Four of the activists were transferred by the Spanish government to the Canary Islands, 800 miles from mainland Spain where they could play a minimal role in OAS activities.

In April 1962, the security forces made some major breakthroughs, arresting Degueldre after a *gardes mobiles* patrol found one OAS operative on his way to brief Degueldre and others at a meeting. They were subsequently led to the building where the meeting was being held, and the Delta leader was arrested as he attempted to slip through the police lines. Other high-ranking men that had been present at the meeting evaded capture. The arrest of Degueldre underlined for many in the OAS that they were almost defeated. Raoul Salan, the figurehead of the OAS and symbol of resistance against the Gaullist agenda on French Algeria was arrested around two weeks later. Plans had been afoot amongst some in the OAS to form an alliance with the MNA, in the hope that they could penetrate the Muslim stronghold in Algiers, the Casbah and target FLN leaders in a last ditch attempt to derail the delicate negotiations in Evian. The plans had been fomented by a man called Lavanceau, an old friend of one of Salan’s aides, Achard. However, Lavanceau was now an undercover operative for *Sécurité Militaire*. At a meeting arranged for mid April 1962, 250 *gardes mobiles* surrounded the apartment where Salan and his assistant Ferrandi were waiting, and the pair were arrested and later transferred to France. The old boy network that the OAS had once expertly used to plan their attacks and evade arrest had worked against them and decapitated the organisation.

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168 Ibid, p. 213.  
170 Ibid, p.126. Harrison also posits that Degueldre may have been set up by Susini, another high ranking OAS leader, but comments that this is purely speculative. In either case, the OAS were by this point a sinking ship, even its leadership was riddled with dissent and disagreement.  
172 P. Henissart, *Wolves in the City*, p. 382.  
Military trials were conducted in France in the spring and summer of 1962. A trial in April convicted Edmond Jouhaud, a senior OAS leader in the *pied noirs* bastion of Oran, who had been arrested after a critical operation by the French army under the orders of General Katz in Oran only a month before. The High Military Tribunal sentenced Jouhaud to death on April 13, just days before the swoop was made on Salan in Algiers, but the sentence was never carried out.\(^{174}\) Salan’s own trial, in front of a civilian court in May 1962 returned a guilty verdict, but after a spirited defence, citing mitigating factors; that Salan had found himself with the choice between writing his own death warrant or abandoning his ideals, he was sentenced, not to death but to life imprisonment.\(^{175}\) A few days later, Jacques Susini, one of the high-ranking OAS leaders still evading captivity announced an OAS truce. Roger Degueldre was not as lucky as Jouhaud and Salan. Condemned to death by the Military Court of Justice for his OAS involvement, he was executed in July 1962.\(^{176}\)

**Conclusions**

This chapter has traced the origins and trajectory of the campaign of terrorist violence by the OAS and the struggle of the French state to counter it. We have seen how different the context of the OAS violence and the state response has been to our previous case study in Spain. Nevertheless, the differences which have been highlighted throughout tell us as much about counter terrorism and the nature of the state as the similarities.

The struggle of the French state against the OAS is a complex one. France was faced with attacks on both flanks, from the OAS on one side and the FLN on the other. There was also a gradually changing tide of opinion on engagement in Algeria both at home in metropolitan France, and internationally, where a continued colonial relationship with full rights for an advantaged European minority was rapidly becoming unacceptable. Additionally, France had been battling the FLN for a number of years when the OAS emerged. In many ways, the growth and birth of the

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\(^{175}\) Ibid, p. 351.

\(^{176}\) O.D Menard, *The Army and the Fifth Republic*, p. 49.
OAS was itself a symptom of ineffective management of the Algerian war. Whatever de Gaulle’s initial plan for French Algeria, in the aftermath of the Generals’ Putsch, it became apparent that with the divided loyalties of the army, coupled with the changing tide of opinion in France and internationally, that a defeat of the FLN and a return to the status quo was highly improbable. Ironically, the acts of the Algérie française activists in the Generals’ Putsch likely had an influence in the decision to move from the originally stated aims of negotiations and a vote on the future of Algeria after five years of the conclusion of the conflict between the French forces and FLN, towards the position where talks had to be held immediately.

The actions of the OAS, and the fear that Algeria would descend from a position of conflict between the FLN and the French security forces, to a bona fide civil war between the European and Muslim communities in Algeria hastened the negotiations and appears to have weakened the resolve of de Gaulle and his negotiation team to hold out for the most advantageous outcome for the French state. Therefore, negotiation with the OAS was not something that the French government considered, or indeed something which would bear much fruit. The reality of the stalemate that had been reached with the FLN meant that de Gaulle and his governments must have realised that it was impossible to give the OAS what they wanted without causing further damage and cost to the state and to its international standing.

Despite the divided loyalties of the military, and the divergent views of Algeria that existed between the wings of the French state, the key aim of the French government in countering the OAS was on minimising their impact and preventing them from having a deteriorating effect on the prevailing political atmosphere in Algeria. This proved to be difficult, given the divided loyalties of the security forces at each level, from locally recruited police forces through to the secret service and in the military. That the state would encounter difficulty in its struggle against the OAS came as little surprise. De Gaulle had been made extremely aware of the fractious nature of his state apparatus, both through witnessing the movement in 1958 which brought him to power, and also the Generals’ Putsch which attempted to oust him from office in 1961. Even from the early days of the de Gaulle premiership, through his selective promotions and reassignments of key Algérie française army officers, de Gaulle
showed his awareness that the task at hand would be made easier by ensuring that those most likely to rebel were outside the sphere of influence. Again in the aftermath of the Generals’ Putsch, de Gaulle acted again, disbanding the most rebellious units of the army, and redeploying others elsewhere so that obedience to him would be maintained.

The security forces often found themselves on the back foot when attempting to combat the OAS. Information leaks through the still extant ‘old boys network’ from agencies of the state to former officers now within the ranks of the OAS foiled their attempts to arrest key players on many occasions, including one attempt to trap Salan early in the life of the OAS which might have proved detrimental to the health and morale of the OAS had it been successful. With the announcement that negotiations would be forthcoming at Evian, the task of the French security forces was to prevent the OAS from disrupting the talks themselves or destabilising Algeria to such a degree that the FLN would withdraw. There was little in the way of clearly devised and worked out micro-policies and the war of words against the OAS was not exactly nuanced. Nevertheless, the deployment of well selected resources to Algeria was an important step, keeping the OAS at bay so that the atmosphere was right to achieve agreement at Evian. Locally recruited police forces were reinforced with gendarmes and riot police from metropolitan France. While these men were unfamiliar with the political climate in Algiers and had little prior knowledge of Algeria, they were much more reliable on account of the generally weak Algérie française sentiment in the metropole.

The French state blundered, with the use of the barbouzes, who proved to be hopelessly ineffective, easily spotted, and played into the hands of the pieds noirs who were enraged by the actions of this covert, illegal death squad in their towns and cities. The decision to deploy the barbouzes can unfortunately not be discretely pinpointed. It did however come at a time of mounting pressure for the French state, as FLN and OAS violence intensified, and with outrage at the situation and disaffection with the government in metropolitan France growing with regards to the Algerian crisis. The introduction of the barbouzes, who called themselves ‘Le Taliòn’
(retaliation), represented a poorly thought out, knee-jerk reaction to rising OAS violence, and one which painfully backfired for the French state, just as the use of the GAL had backfired for Spain.

Michel Hacq’s Mission C took a much more nuanced approach and proved to be more effective in rounding up key OAS leaders. Operating inside the law, with a small team of professionals was the key to Hacq’s successes. Similarly, Debrosse’s move to purge the ranks of units under his command of pieds noirs to make them more trustworthy and effective paid off, with police units arresting large numbers of OAS operatives in the latter half of 1961 and in 1962. During the period where negotiations were ongoing with the FLN, it was the intelligence-led approach of these highly professional police forces, where efforts had been taken to break the linkages between them and the OAS, and to work within the remit of the law, that were most effective. So too, the French government’s general reluctance to engage the French army directly against the OAS avoided testing the loyalty of the army, and sympathy for the OAS began to die within the army when they became the targets of OAS operations themselves. When the FLN and French negotiating team eventually signed the Evian agreements, even those soldiers who felt betrayed by the government and who decided to resign their commissions did not flood the ranks of the OAS as they had after the Generals’ Putsch, but rather disengaged with the Algerian question on a personal basis and returned to their families and civilian jobs in metropolitan France.

The French state was not encumbered by the need for a long-term policy to militarily or politically defeat the OAS, as was the case with the Basque Country. Though OAS violence continued after Algerian independence, it dissipated quickly when the ultimate futility became clear. Indeed, the attacks of the OAS after Algerian independence have the hallmarks of retributive rather than instrumental attacks.

The OAS, were much different to ETA. In Spain, the political realities meant that ETA’s aims had to be carefully considered and some attempt to convince their natural constituencies that there were other ways to achieve their objectives had to

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177 P. Henissart, *Wolves in the City*, p. 256.
be made. For the French, it became apparent to the government that French Algeria as they had known it was all but lost by the time the OAS really began to inflict serious damage in both Algeria and France. That independence would come so quickly and that France would have retained so little of what it had intended to at the start of negotiations was not known at that time, but, was only hastened by the efforts of the OAS as France granted a series of concessions to ensure a conclusion to their war with the FLN. And so, while efforts were made to wean the pieds noirs away from the grip of the OAS, in the form of pro-government propaganda and Gaullist organisations, these were rendered almost obsolete by the levels of control the OAS had over the European community in Algeria, and only ever formed part of an ad hoc policy to mitigate inter-communal violence as a backdrop for talks and formal negotiations with the FLN. De Gaulle’s statements on the OAS were however well received in metropolitan France, and while he did not manipulate as much as convey the majority sentiment on the violence in Algeria, it no doubt had an effect in shoring up support for the government agenda.

However, in Algeria, just as in Spain, it was the intelligence-based approach by professional police forces that proved most effective against the terrorist groups in question. So too, the cooperation of neighbouring states helped, though in Algeria this took the form of a single set of arrests by Spanish police in Madrid that dealt a blow to the OAS hierarchy, whereas Spain’s success in acquiring more long term commitments of assistance from France in closing the net on havens for ETA members played a much more significant role. Furthermore, the use of extra-legal death squads in both Spain and Algeria proved to be an abortive and short-sighted policy which created animosity and widened the chasm between those who might have been sympathetic to the terrorist organisations and the state, rather than effectively ending the campaigns of terrorism.

The example of the French state response to the OAS is an interesting one, more so as an example of the difficulties caused by the disunity of the state than as a case study of effective state response to terrorism. It highlights the disunity of the state on multiple axes, between France and the colonial administration, between the military and the government, between conscripted and professional soldiers, and between those soldiers with colonial experience, and those without. Furthermore, the Algerian case highlights the role that charismatic individuals can play in shaping the state and its actions, both in the case of Generals Charles de Gaulle, and Raoul Salan, whose ability to rally state personnel and sections of the public around them based on their reputation and their totemic personalities, as much as their authority within the state.
Chapter Three
The UK State Response to Terrorism in the Northern Ireland Conflict

We come and we go. The people who we now control have lived this life for five troubled years. Every four months ‘their’ soldiers change. The training that we do prior to a tour of Northern Ireland may be standardised but the temperament of each and every Regiment will change according to its territorial background and character. This results in basic communication between the army and people having to be re-established every four months.

Officer of ‘The Black Watch’, Royal Highland Regiment, British Army 1974

The conflict between Irish republicans and the British state has a long and bloody history. Perhaps no other case study quite so clearly illustrates the importance of the response to political violence and the nature of the state that responds. The events in Dublin in Easter Week 1916 shows how one marginal band of extremists, initially detested for the havoc caused by their conspiratorial plans for an abortive revolution can be transformed into martyrs and icons of the struggle against colonial oppression through the response of the state. The focus of this chapter, however will focus on state response in the most recent phases of the conflict for Irish independence from the United Kingdom state, from the 1960s to the present day. Before we assess the state responses though, it is necessary again to examine the characteristics of the United Kingdom state and the context in which the conflict known as ‘the troubles’ broke out.

Formed by the Acts of Union in 1800 which joined the Kingdoms of Great Britain with the Kingdom of Ireland, the United Kingdom state has had a much more stable

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existence than our other case studies, Spain and France. In many ways, despite the Acts of Union, the island of Ireland has always been ancillary to the United Kingdom in some ways. Historically, while there was resistance to the expansion of the British state across Ireland and Britain at various junctures in history, it has been Ireland which gave the most resistance to colonisation by Britain, and to incorporation within the United Kingdom. While independence movements, both peaceful and violent have existed in many parts of Britain and Ireland against incorporation into the British Empire and later into the United Kingdom, it was the pacification of Ireland that created the most difficulty for the central London-centred state and while the granting of Free State status to 26 of the 32 counties, later declaring their full independence as the Republic of Ireland reflected the reality of the failure of the United Kingdom to successfully incorporate Ireland, it was not successful in creating peace, stability and acceptance of British rule in the remaining six Irish counties in the United Kingdom, which came to be known as Northern Ireland.

Aside from with reference to Ireland, the legitimacy of the United Kingdom state has seldom been seriously challenged. The UK, in contrast to our other examples of Spain and France, is marked by its political stability. It has not struggled in modern times with coups and attempted putsches, authoritarian regimes, and martial law. Nor has the United Kingdom been invaded or occupied by external forces. What it does share with Spain and France however, is a substantial colonial history, and the subsequent erosion of its empire. Throughout the twentieth century, the United Kingdom saw the decline of the British Empire, with a series of colonial territories achieving independence. There had been conflicts in the mid 20th century in British Mandate Palestine, Malaya, Kenya, Cyprus and Aden, amongst others and the British army, who would later play such a pivotal role in the conflict in Northern Ireland, had been at the forefront of efforts to quell political violence. The experience of the British army in these colonial conflicts differed somewhat from the experiences of the Spanish and French armies in theirs. That is not to say that the British army were more restrained in the manner in which they dealt with the insurgents pushing for independence. The British army utilised similarly brutal and repressive techniques in many of their campaigns as the Spanish and French had used in theirs.
As Mumford puts it, ‘the chivalrous behaviour of British polite society could never be transferred to conflict zones around the world’.² There was even the explicit recognition by the military establishment that the level of force that could be used in the United Kingdom was much less than in the colonies. A document published by the War Office in 1949 noted: ‘The degree of force necessary and the methods of applying it will obviously differ very greatly as between the United Kingdom and places overseas’.³ Huw Bennett comments that despite official rhetoric concerning the use of minimum force, that it played a less central role and has been less restrictive with regards to the actions of soldiers than commonly represented, contesting that soldiers prefer reliance on previous experience rather than abstract concepts such as that of ‘minimum force’.⁴ Furthermore, Bennett highlights the ‘dangerous flexibility’ in national law and military doctrine during the Mau Mau Uprising, and states that though there was official rhetoric regarding the type and extent of force to be used, that political and military created a permissive atmosphere where mass atrocities could be carried out through the failure to halt abuses brought to their attention in Kenya.⁵ There was however, a developed pragmatism concerning empire in the British state. At elite level in the state, there was the gradual realisation that the benefits of retaining the empire had to be weighed against the costs of preventing its breakdown.⁶

With the counter-insurgency campaign in Malaya, we see the introduction of the ‘hearts and minds’ strategy by the British army, in which they sought not to defeat the insurgents not simply by weight of arms, but through attempt to convince the civilian population that resistance was futile, that the British forces would and could offer them protection, and that it was in their best interests for the British counter-insurgency campaign to succeed.⁷ And yet, it seems that the importance and centrality of the ‘hearts and minds’ strategy has been overstated too. David French

⁴ H. Bennett, *Fighting the Mau Mau*, p. 83.
⁵ Ibid, p. 160.
⁷ Ibid.
states that efforts to win over the native populations through such approaches were usually ‘under-funded and under-resourced’,\(^8\) and hampered by the unwillingness or inability of the military to accept that ‘insurgents were pursuing a legitimate political programme, even if they were doing so by what the British regarded as illegitimate means’.\(^9\) Despite the difficulty in changing the organisational culture of the British army, and amending how soldiers thought and acted in these colonial conflicts, we see little evidence of the kind of hyper-nationalistic attitudes within the British military that came to bear in elements of the Spanish and French. The decline of British Empire evoked little of the same strength of feeling that we see amongst Franco’s *Africanistas* or the activist elements of the French army.

**Background to the Northern Ireland conflict**

Historically, across the island of Ireland, the legitimacy of British rule has always been contested. Ireland had technically become a lordship of the English Crown after the conquest of Ireland in the twelfth century.\(^10\) However, the control of the state in the twelfth century was not a modern pervasive control and authority that we see today, and in practical terms English control of Ireland remained limited to the eastern and southern-central regions, while Irish lords held substantial control over other areas and local customs continued to flourish.\(^11\) The idea that the ‘state’ needed to monopolise authority in Ireland was not present in the 12th century, and the English garrison were content so long as their political control was not challenged too strenuously by the local elites.\(^12\) The situation changed in the 16th century when Henry VIII assumed the title ‘King of Ireland’ which signified his intention to subject Ireland to complete control.\(^13\) Throughout the early seventeenth century, state control was gradually increased in Ireland by significant programmes of plantation. Irish resistance to the pervasion of English control and dominance in Ireland took the form of the significant rebellion of 1641 which proved abortive, but it was the United Irishmen Rebellion of 1798 that is the first that can be considered truly republican.

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\(^9\) Ibid, p. 179.  
\(^12\) Ibid.  
\(^13\) R.F. Foster, *Modern Ireland*, p. 3.
Inspired by the French Revolution and led predominantly by Protestant radicals from Belfast, the United Irishmen attempted to break the link between Britain and Ireland. The 1798 rebellion may have had in essence the desire to unite ‘Catholic, Protestant and dissenter’ under the French Revolution ideals of *liberté, égalité and fraternité*, in opposition to the Crown but sectarian attacks by bands of Catholic Defenders, supporters of the rebellion showed that the United Irishmen had miscalculated the socio-political atmosphere and anger from the majority Irish Catholic community at the Anglican ascendancy in Ireland, and the rebellion failed. Its leaders, particularly Theobald Wolfe Tone, who committed suicide in captivity after the rebellion failed, was to become a totemic figure for future generations of Irish republicans. In 1801 the Act of Union which joined the Kingdoms of Ireland and with the Kingdoms of Great Britain saw a greater penetration of state power and involvement in areas such as education and public health.\(^\text{14}\) Throughout the late eighteenth and early nineteenth century, the greater penetration of the state was accompanied by the call from more moderate nationalist voices for Catholic relief. While Catholics by the 1820s could own land and vote in elections, they were still barred from holding the offices for which they could vote.\(^\text{15}\) The Catholic Association, founded by Catholic barrister Daniel O’Connell in 1823 was to be the vehicle that brought the popular participation in politics to Catholics for the first time. The organisation lobbied for Catholic Emancipation, funded by subscriptions from Catholics of all classes.\(^\text{16}\) Having achieved Catholic Emancipation by 1829, O’Connell channelled his efforts into campaigning for the repeal of the Act of Union. Founded in 1840, the Loyal National Repeal Association drew on the success of O’Connell’s previous endeavours to push for Irish independence through peaceful but extra-parliamentary means of mass demonstrations known as ‘monster meetings’. While O’Connell had not achieved a repeal of the Act of Union by the time of his death in 1847, he had awakened a generation to Irish nationalism, and had made significant gains in the removal of discriminatory laws. Others in nineteenth century Ireland attempted to break the link with Britain through force, with Robert Emmet’s rebellion in 1803, (perhaps the death rattle of United Irishmen’s rebellion), the 1848 Young Irelander’s rebellion and the Fenian Rising of 1867 all being suppressed quickly, but nonetheless

\(^{14}\) Ibid, p. 290.  
^{16}\ Ibid.
maintaining the tradition of violent opposition to the British state in Ireland and providing venerable martyrs for future generations of militant Irish nationalists.

The late 1800s were a tumultuous time for the relationship between Britain and Ireland, Charles Stewart Parnell’s Irish National Land League agitated for reform to Land Laws and while the demonstrations and rent strikes advocated by the Land League were non-violent, the activities of the organisation and the response of landlords meant that the non-violence of the Land League was accompanied by episodic violence as confrontations frequently boiled over. The IRB’s rising of 1867 may have been a failure, but by the 1880s they had reformed and regrouped and Fenian violence at that time added to the pressure upon the state. As a result of the violence, the campaigns of civil disobedience orchestrated by the Land League and the lobbying in parliament by the Irish Parliamentary Party throughout the 1880s and 1890s for Home Rule for Ireland, Irish affairs had come to dominate a disproportionate amount of time at Westminster. Ireland had become a thorn in the side for successive Westminster governments. Despite the incorporation of Ireland into the United Kingdom at the start of the 19th century, there was still a sense that Ireland was somehow extrinsic to the core of the UK. For Liberals, Home Rule for Ireland was seen as a possible solution. A separate parliament to deal with Irish affairs could reduce Irish discontent and eliminate ‘the sense of Irish “exceptionalism” that had unbalanced British politics since the Union itself’. While Home Rule Bills had been brought by William Gladstone’s Liberal Party in 1886 and 1893, they were defeated in the House of Lords. In 1910 however, Liberal Prime Minister Herbert Asquith announced the introduction of the third Home Rule Bill. The Parliament Act 1911 had removed the ability of the House of Lords to veto legislation, but rather only delay it over three sessions. Thus the third Home Rule Bill, introduced in 1912 received royal assent as the Government of Ireland Act 1914. However, the outbreak of World War One meant that the decision was taken to suspend the Act until after the war. Events in the intervening years ensured that the Act would never take effect.

17 R.F. Foster, Modern Ireland, p. 408.
The Protestant community in Ireland, predominantly descendants of the successive waves of settlers from England and Scotland were generally suspicious of Home Rule and opposed to legislative attempts to establish a Dublin parliament. They feared that a Dublin parliament would create a political climate of extreme hostility to the Protestant minority and that their religious freedom would be restricted. Indeed, there were many Irish nationalists who by the early twentieth century framed their desire for the independence of Ireland in a religious context and who desired that an independent Ireland would be a Catholic Ireland. While many leaders of both constitutional and revolutionary Irish nationalist movements in the past had been Protestants, this was a trend that had tailed off with the death of Charles Stewart Parnell in 1891 and the nationalist movement since then had taken on more stridently Gaelic and Catholic overtones, which no doubt contributed to the suspicion of the Protestant and Unionist community. Furthermore, the *Ne Temere* decree of 1907 and *Motu Proprio* decree of 1911 issued by the Roman Catholic Church had the effect of underlining the implications on the political system if the Dublin legislature did take on a stridently Catholic character as feared.

In the north-east of Ireland where the Protestant and Unionist community were strongest in number, owing to the Plantation of Ulster, successive waves of immigration from Scotland and England, and the commercial strength of Belfast, prominent Unionists formed the ‘Solemn League and Covenant’, orchestrating the signing of the ‘Ulster Covenant’ in September 1912 which vowed to prevent the imposition of Home Rule in Ulster, by weight of arms if necessary. The following year saw the founding of a militia, the Ulster Volunteer Force by the Ulster Unionist Council, a move which was mirrored by the formation of a nationalist militia, the National Volunteers in the south of the country. The UVF had a large number of ex-service personnel, with 62 per cent of the divisional, regimental and battalion commands behind held by former British army officers. While the plans for Home Rule were eventually suspended, owing to the outbreak of World War One, the threat

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21 see for example, R. English, *Irish Freedom*, pp. 239-44 on the increasingly Catholic religious dichotomy associated with Irish nationalism in the late 19th and early 20th century.
23 Ibid, p. 34
24 Ibid, pp. 36-7.
that the UVF might mobilise when the Government of Ireland Act was enforced caused senior British Army officers stationed at the Curragh camp in Kildare to threaten resignation rather than coerce their former colleagues and comrades in the UVF, for whom they had much sympathy. With the outbreak of World War however, the plans for Home Rule were shelved and the UVF joined the British Army en masse as the 36th (Ulster) Division.

At the height of World War One, in April 1916, the Irish Volunteers, the Irish Republican Brotherhood and the Irish Citizen Army launched a rebellion against the UK state in Dublin, declaring an Irish Republic. The decision had been taken to act during the war, recognising that the British Army would be ill prepared for the insurrection. A countermanding order issued just before the Rising was due to take place, as a shipment of 20,000 guns was intercepted the day before and thus while the rebellion went ahead, the rebel forces were weaker than expected. It is impossible to say what the outcome of the Easter Rising of 1916 may have been had the weaponry landed as planned and if the countermanding order had not been issued. In any case, the Rising was quickly suppressed by the British Army, with the surrender being announced only five days after rebel leader Patrick Pearse had proclaimed the Irish Republic. In the aftermath, those men who were deemed to be leaders of the rising were court-marshalled and executed. Despite the recognition and warning by some senior state personnel about the possible backlash, the court martial and executions took place with no apparent clear guiding premise as to who should and who should not be executed. Emblematic of the break down in communication was the execution of James Connolly who, having a shattered ankle, had to be placed in a chair to face the firing squad. Few cases serve as a better example of the potential effect of overzealous state response to political violence as

29 C. Townshend, Easter 1916, p. 269.
this. Before the Easter Rising of 1916, those who would use violence in attempts to break the link with Britain had been viewed as zealots. The outrage caused by the haste and extent of the executions of the rebels meant that the radical party Sinn Féin were to effectively replace the Irish Parliamentary Party as the ‘dominant voice of the nationalist Irish community’.31

The ensuing Irish War of Independence which later took place between 1919 and 1921 reached a controversial negotiated settlement when a delegation of Irish insurgent leaders and British politicians signed the Anglo Irish Treaty. Once again however, the treaty paved the way for the partition of Ireland into two states, the southern, 26 county Irish Free State, and the north-eastern 6 county ‘Northern Ireland’, which was to have devolved institutions but remain part of the United Kingdom, seen as a way to pacify Ireland’s nationalist and unionist communities.

Between 1921 and the 1960s, there were many attempts by Irish republicans, unhappy with the partition of what they saw as the indivisible Irish nation, to reunify Ireland. However, the Irish Free State continued on a separate path, and concerned itself with nation building, declaring itself an independent Republic in 1949. A later manifestation of the Irish Republican Army who had waged the war of Independence against Britain attempted to pressurise the United Kingdom into relinquishing control over Northern Ireland on a number of occasions, but their campaigns were ineffective. With the failure of their ‘border campaign’ known by the IRA as ‘Operation Harvest’ in 1962, they announced the failure as due to the lack of support of the Irish population.32

The devolved institutions in Northern Ireland that were established in the 1920s were unique to the United Kingdom at the time. The Northern Ireland Parliament and Government handled almost all the day-to-day administration of the newly formed political entity, with only matters such as defence, and some forms of taxation reserved to Westminster. The demographic make up of Northern Ireland, as well as the wide scale disenchantment with the newly created entity which many Catholics held to be illegitimate meant that the Ulster Unionist Party formed every government

of Northern Ireland until the devolved institutions were suspended in 1972. Just as Ireland pre-partition had been viewed as peripheral to the United Kingdom, Northern Ireland was too, and ambivalence from Westminster coupled with the strong unionist majority and nationalist disaffection led to Northern Ireland taking on a strongly unionist tinge.\textsuperscript{33} Politically, Northern Ireland had little in common with the rest of the United Kingdom. The absence of the major British political parties in the shape of the Conservative Party and the Labour Party meant that no politician from Northern Ireland ever belonged to the party of government at Westminster. The inability of the mainstream British parties to win votes in Northern Ireland almost certainly added to their apathy and lack of understanding on local politics and social issues. Indeed, a parliamentary convention developed soon after partition whereby Northern Ireland issues were not discussed at Westminster. The idea was that since Northern Ireland had its own regional parliament, that it could be left largely free from intervention and supervision by Westminster.\textsuperscript{34} This situation was notably different to the French case, where ‘the colon influence in the Radical Party was often used to spike parliamentary influence in Algeria’.\textsuperscript{35}

Whether or not the devolved institutions in Northern Ireland represented a ‘state within a state’, is a matter of some contention. During the conflict, it has indeed been referred to as such by many scholars.\textsuperscript{36} Others however, tend to see it as sub-state organisations. Now, with the benefit of hindsight as well as the new devolved institutions in Wales and Scotland, as well as Northern Ireland, it might seem strange that we refer to any of these institutions as constituting a ‘state within a state’. Rather, as we have discussed, the state not being a unitary means that it often has organs of the state, be they military, judicial, police, or in this case political and legislative devolved institutions, which have characteristics and a nature of their own. In this light, Northern Ireland itself will be treated not as a ‘state within a state’, but merely the devolved branch of the United Kingdom state that between 1921 and

\textsuperscript{33} Ibid, p. 66.
\textsuperscript{34} F. Wright, \textit{Northern Ireland: A Comparative Analysis} (Dublin: Gill and Macmillan, 1987), p. 112.
\textsuperscript{35} Ibid.
1972 had responsibility for the administration of the activities of the state on a regional level.

As a result of the nationalist disengagement and the strong unionist tinge of the UK state institutions in Northern Ireland, nationalist dissatisfaction grew. Northern nationalists were subject to discrimination in Northern Ireland. Gerrymandering occurred in some local electoral wards which prevented nationalists from having the influence over important local government issues that they would have had in a more fair system.37 Indeed, Northern Ireland still exercised rate payers franchise at local elections, and thus Catholics, who were less likely to own property and thus pay rates were disproportionately disenfranchised, thus skewing representation on some local councils in urban areas.38 The largest problem emanating from gerrymandering at local council level was the allocation of social housing, which in many cases gave preference to Protestants over Catholics who may have been in greater need. Additionally, Catholics were under represented in jobs in local council bureaucracies employment in local government.

**Civil Rights**

Nationalists across Northern Ireland began campaigning for redress of these issues, which they saw as fundamental to issues of civil rights. An umbrella organisation called the Northern Ireland Civil Rights Association (NICRA) was set up in 1962.39 It campaigned for redress of these issues under the principal slogans of ‘one man, one vote’ and ‘British rights for British citizens’. The civil rights movement, led by NICRA came at a time when Unionism was already uneasy. Many traditionalists and independent Unionists were suspicious that the more liberal and reformist Terence O’Neill who had been Prime Minister since 1963 was jeopardising the unionist position. O’Neill had made a number of conciliatory gestures towards the Catholic community, including the aforementioned visit to a Catholic primary school and

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conducting the first meeting between the Prime Minister of Northern Ireland and the Irish Taoiseach since the birth of the two separate political entities. Unionists believed that rather than agitation for redress of the perceived discrimination, that NICRA had been formed as an opportunistic Trojan horse, attempting to destabilise and dismantle the state institutions of Northern Ireland. Despite their aim of being non-denominational and non-sectarian, the overwhelmingly Catholic make up of NICRA, coupled with their failure to campaign about cases of discrimination from Nationalist-controlled councils only served to cement the fears of the Protestant community. Indeed, the Protestant community’s fears were not entirely unsubstantiated. Richard English asserts that NICRA emerged as the brainchild of the IRA’s Wolfe Tone Societies. For many republicans, the civil rights campaign was to be a stepping-stone to a united Ireland. The plan was to ‘break through to the Orange masses and explain imperialism’s real motivation, thus liberating them at last from their illusions and allowing them to join the national struggle’. NICRA’s message of being non-sectarian was somewhat lost upon the unionist community, understandably so when their first official demonstration was in protest at the banning of a Republican Easter 1916 Commemoration parade. NICRA achieved an enormous level of support from across the nationalist community. Whatever the intentions of some of its founders, it became a movement with a broad base, and the reactions of the Northern Ireland government and security forces were overzealous in response to their marches and demonstrations. The banning of Civil Rights marches incensed the nationalist community. The brutality of the police force in Northern Ireland at marches, the majority Protestant, Royal Ulster Constabulary (RUC) mobilised many Catholics who had previously been politically apathetic. Of particular note was the brutality of the RUC in Derry on 5 October 1968. The march planned by NICRA for that day had been banned by Stormont Home Affairs Minister, William Craig. The demonstration went ahead, and they found their route blocked by the police. Demonstrators, including several of the protest’s leaders were struck with batons. Footage of the heavy handedness of the police against largely unarmed

41 R. English, Armed Struggle, p.90.  
civilians, many of whom were singing protest songs, was captured by several news agencies and broadcast shortly after across Northern Ireland. Bardon comments that ‘at a stroke’, the images destabilised Northern Ireland, characterising what followed as a ‘near-revolutionary crisis’.\textsuperscript{45} Shortly after, under pressure from British Prime Minister, Harold Wilson, a package of concessions which addressed many of the concerns of the civil rights movement was ushered in, causing further dismay and division amongst the Ulster Unionist Party, and greater levels of suspicion from Unionists and Loyalists outside the party. The pressure from Wilson marked a departure from previous stances by Westminster governments whereby they would decline to intervene in ‘matters that were the sole responsibility of Stormont’.\textsuperscript{46} Early the following year, People’s Democracy, a hard-left organisation founded by students of Queen’s University Belfast who were associated with NICRA but remained highly critical of the more moderate stance of their umbrella group took the decision to March from Belfast to Derry. Against advice from NICRA leadership, warning that the route through many staunchly loyalist areas would provoke sectarian violence, the march went ahead. The predictions of sectarian violence turned out to accurate. The culmination of the violence occurred at Burntollet Bridge between Claudy and Derry. The marchers were attacked by a group of 200 loyalists armed with stones and bottles and when they tried to escape the onslaught into nearby fields, they were forced back onto the road by the RUC wielding batons. Several of the marchers were badly injured, and the police provided little protection through the attack, with some suggesting that they mingled with the assailants in a friendly manner.\textsuperscript{47} In the aftermath, many of assailants were identified as off-duty members of the B-Special Constabulary.\textsuperscript{48} Further concessions were granted by O’Neill in the aftermath of the Burntollet incident, under threat from Prime Minister Wilson to withhold part of the annual subvention from the Stormont government.\textsuperscript{49} An inquiry led by Lord Cameron,

\textsuperscript{45} Ibid, p. 655.
\textsuperscript{47} J. Bardon, \textit{A History of Ulster}, (Belfast: Blackstaff, 2007), p. 660.
\textsuperscript{48} ‘The B-Specials’ were part time reserve police officers of the Ulster Special Constabulary, a paramilitary style police force established in 1920. From the foundation of the USC, the B-Specials had been almost entirely Protestant, with many of the initial recruits coming from loyalist paramilitaries such as the UVF. The Ulster Special Constabulary quickly gained a reputation for sectarianism and violence towards Catholic civilians. See M. Elliott, \textit{The Catholics of Ulster: A History} (New York; NY: Basic Books, 2001), p. 380, C. Ryder, \textit{The Fateful Split: Catholics and the Royal Ulster Constabulary} (London: Metheun, 2004), pp. 29, 38-42.
\textsuperscript{49} P. Rose, ‘Sending in the Troops’, p. 98
a Scottish judge into the recent unrest, and the agreement to ‘One man, one vote’ and universal suffrage in local elections in April of 1969.\(^{50}\)

Bew et al’s comments that for a short time in 1968 to 1969 that the Catholic population became ‘a united militant political force’, is perhaps exaggerating the scale of mobilisation, but nonetheless conveys something of the scale of discontent among the Catholic community at that time. They were enraged that what they saw as peaceful protests aimed at achieving equality and civil rights were being brutally repressed by the security forces and government of Northern Ireland. For some, despite the reforms brought in by O’Neill, the brutality at the hands of the state security forces was a signal that ‘the Orange state\(^{51}\) of Northern Ireland was irreformable. As a result, republican sentiment grew, especially in the most deprived Catholic urban areas.\(^{52}\) Inter-communal tensions were at an all time high by the end of the 1960s, with riots becoming a more frequent occurrence and violence and attacks on nationalist communities by loyalist gangs provoked the formation of local vigilante groups in Catholic areas. The locally recruited security forces, the Royal Ulster Constabulary and the B-Specials had been stretched almost to breaking point. The breaking point came in August 1969. Riots broke out in Derry between nationalists and the RUC in the aftermath of the Protestant Apprentice Boys of Derry parade in the city, and demonstrations, which descended into riots spread to Belfast, Dungannon, Armagh and some smaller towns. With their resources stretched and with no sign of a let up, James Chichester Clark, who had succeeded O’Neill as Northern Ireland Prime Minister implored British Prime Minister James Callaghan and the Westminster Government for the deployment of the British Army, a request which was reluctantly granted.\(^{53}\)

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\(^{50}\) J. Bardon, *A History of Ulster*, p. 663.

\(^{51}\) ‘Orange State’ is a term deployed, usually by nationalists to highlight the influence that the Orange Order had within state organisations in Northern Ireland. Marianne Elliott highlights that for Unionist politicians, membership of the Orange Order was considered almost mandatory and thus the political institutions in Northern Ireland took on an overtly Orange tinge in terms of rhetoric and action. See M. Elliott, *The Catholics of Ulster*, p.384.

\(^{52}\) Ibid.

Deployment of the British Army

Upon their deployment, the army took the lead on peace-keeping duties, under the General Officer Commanding, Lieutenant General Ian Freeland. As such, both the RUC and the USC B Specials were subject to his orders. However, the relationship between the Catholic community and the British Army would soon sour. The inter-communal strife that had occurred in August 1969 acted as an impetus for the IRA, who had been militarily inactive since the end of the ‘Border Campaign’ in 1962 search to replenish their depleted and outdated cache of weaponry. Some republicans began to see a potential role for the IRA as the defenders of the Catholic community, in the hope that this would bolster their popularity and give them the support they needed to achieve their objectives through a renewed military campaign. However, the IRA with Cathal Goulding as Chief of Staff since 1962 had taken the IRA in a more socialist direction. Goulding presided over a more intellectual turn in the IRA leadership. The analysis of the IRA under Goulding had been that the British state had fostered sectarianism as a means to keep the proletariat of Northern Ireland divided and stop them from uniting in revolution against their bourgeois oppressors. As such, despite the inter-communal violence in Northern Ireland’s major towns and cities, and the heavy handedness of the RUC, the IRA Dublin leadership were reluctant to enter the affray as the defenders of the Catholic community.

The issue of the role of the IRA in Northern Ireland during the early days of the conflict was to be divisive. The ranks of the IRA in Belfast became swollen as young men and women from the nationalist community joined the organisation, and the expectation of IRA action in defence of the northern nationalists exacerbated the existing tensions in the republican movement. At the IRA’s General Army Convention in December 1969, the organisation split over the issue. Delegates from Northern Ireland felt that the Dublin leadership were too detached from the prevailing

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55 R. English, *Armed Struggle*, p.102
unrest in the north and thus did not understand the grievousness of what the Catholic population faced. In May of that year, the Dublin leadership of the IRA refused to arm units in Northern Ireland, fearing that the discovery of guns would discredit the civil rights campaign and negatively affect its momentum.\textsuperscript{58} These IRA traditionalists, critical of the Dublin leadership also disagreed with the Marxist ideology and the ‘obsession with politics’ that Dublin leadership of the organisation had developed.\textsuperscript{59} As a result, the army split into two factions. The more militant faction was to become known as the Provisional IRA, with the remainder known as the Official IRA. At the time, it was anyone’s guess as to which of the two rival organisations would become the largest and most influential, eventually, it was the PIRA that was to prevail, claiming 80 per cent of the IRA’s members in Belfast, shortly after the split.\textsuperscript{60} The split in the IRA was mirrored some months later in the political wing of the movement, Sinn Féin, at the 1970 Ard Fheis (Party Convention).\textsuperscript{61} The Provisional Republican movement set up a six county Northern Command, based in Belfast. In the months after the split, the ‘dissident’ Provisional movement was to grow rapidly.\textsuperscript{62}

The deployment of the British army had been welcomed by many nationalists at first. Many felt that the intervention of the more professional and less obviously partisan troops would mean that Catholics would be protected from Protestant vigilante attacks on their communities and from the partial treatment at the hands of the locally recruited security forces. However, shortly after their deployment, several actions by the British army spoiled the initially good relationship with the nationalist community and played directly into the hands of the IRA.

The first event which served to dramatically deteriorate relations between nationalists and the British army was a curfew put in place in the staunchly republican Lower Falls area between 3 and 5 July 1970. The decision to impose a curfew came in the aftermath of inter-communal rioting which ended in three Protestants who were part of a crowd attacking St Matthews Catholic Church in the Short Strand area of Belfast

\textsuperscript{58} T. Geraghty, \textit{The Irish War}, p.19
\textsuperscript{59} J.B. Bell, \textit{The Secret Army}, p.366.
\textsuperscript{60} T. Geraghty, \textit{The Irish War}, p.10.
\textsuperscript{61} B. Hanley and S. Millar, \textit{The Lost Revolution}, p.146.
\textsuperscript{62} J.B. Bell, \textit{The Secret Army}, p.367.
being shot dead by the IRA. Operationally, the curfew was a success, as it allowed the British army and the RUC to conduct house-to-house searches and locate IRA guns and ammunition. However, the heavy-handed and overzealous manner in which the searches were carried out served to alienate the nationalist community and reinforce the age-old republican propaganda about the behaviour of British troops in Ireland. As Richard English states, the move was ‘arguably decisive in terms of worsening relations between the British Army and the Catholic working class’. 

The following year, after considerable pressure from Northern Ireland Prime Minister Brian Faulkner, Westminster authorised the use of internment without trial in Northern Ireland. Internment had been on the statute books in Northern Ireland since 1922, with a series of Acts known as The Civil Authorities (Special Powers) Acts (Northern Ireland) 1922-43, and had been deployed successfully in Northern Ireland in the past to round up IRA suspects during the 1956-1962 ‘Border Campaign’ or ‘Operation Harvest’ as it was known to the IRA. At that point in time, the IRA had little in the way of community support, and the manner in which internment was used was selective, resulting in very little backlash. However, in 1971, internment in Northern Ireland took on a very different character. It resembled more the British Army’s colonial practices of internment without trial, rather than its previous implementation in Northern Ireland. While Clutterbuck suggests that internment without trial had been used selectively and sparingly in Malaya, David French asserts that generally it had been used by the British Army in a haphazard way in colonial conflicts, highlighting mass arrests based on poor intelligence, which offered little chance of eventual conviction. Operation Demetrius, as the initial swoops of internment were known in 1971, though not nearly as widespread as in most of the colonial conflicts, bore many of the same characteristics.

63 R. English, Armed Struggle, p.135.
64 Ibid, p.136.
It was designed to target the Provisional Irish Republican Army, but the RUC Special Branch intelligence was outdated and the security forces simply were not able to identify suspects accurately.\textsuperscript{69} The operation began on 9 August 1971 and was carried out by the British army in conjunction with the RUC. The arrests were directed solely at the nationalist community at first, and while 342 arrests were made in the first day, less than 100 of those arrested were PIRA or OIRA volunteers.\textsuperscript{70} Understandably, the use of internment without trial appeared to many as a wide scale persecution of the nationalist community. Additionally, stories were soon to emerge about the mistreatment of suspects in detention. The use of what members of the British security establishment referred to as ‘in-depth interrogation’,\textsuperscript{71} involved the use of stress positions, sensory deprivation, sleep deprivation, disorientation techniques and subjection to white noise.\textsuperscript{72} A case was later taken by Ireland against the UK to the European Court of Human Rights.\textsuperscript{73} The court held that these measures amounted to ‘inhuman and degrading treatment’ but that they fell short of the threshold required to be considered as torture.\textsuperscript{74} The use of this kind of ‘intensive interrogation’ was another cutting and pasting of British army tactics from their colonial counter-insurgencies, having been developed in Kenya and then subsequently implemented in the British Cameroons, Swaziland, Aden and Brunei.\textsuperscript{75} Allegations of mistreatment of those interned added fuel to the fire, despite the strenuous denials by the British army of any such foul play.\textsuperscript{76} While the British army attempted to explain away the bulk of these allegations by attributing them to a clever propaganda campaign ran by the IRA,\textsuperscript{77} the actual instances of mistreatment fitted so neatly into long-standing historical discourses of rebellion against, and suppression by the British colonial forces, that the IRA scarcely had any work to do in propagating

\textsuperscript{69} J. Newsinger, \textit{British Counterinsurgency from Palestine to Northern Ireland}, p. 165.
\textsuperscript{70} R. English, \textit{Armed Struggle}, p. 139.
\textsuperscript{72} Ibid, p. 56.
\textsuperscript{73} Ireland v United Kingdom 5310/71 [1978] ECHR 1
\textsuperscript{75} S. Newbery, ‘Intelligence and Controversial British Interrogation Techniques’, pp. 103-19.
\textsuperscript{77} Ibid, p. 282.
the resentment. Internment without trial had been requested by Faulkner despite reports from RUC Special Branch that it was not yet required. Indeed, even the General Officer Commanding (GOC) of Northern Ireland at the time, Sir Harry Tuzo, is recorded as feeling that internment at that point in 1971 was ‘militarily unnecessary’. McCleery posits that Faulkner was coming under significant pressure from hard line unionists within and outwith the Ulster Unionist Party to take a hard line against republicanism, something which his two immediate predecessors as party leader and Prime Minister had failed to do, losing the support of their party. It had been sanctioned by a newly elected British Prime Minister, Edward Heath who was keen to take a ‘no nonsense’ approach to the IRA in Northern Ireland. As a policy, it largely failed to disrupt substantially the activities of the IRA. The arrest of many unconnected or only marginally linked to the republican movement radicalised many moderate Catholics at the time, and whether this was the case because of poor intelligence, as some claim, due to the spiriting away of the most important IRA figures before the initial swoops, or as a way for RUC Special Branch to deal with political opponents of all shades, as McCleery suggests, the impact was clear. Catholics were further radicalised, and any prospect of a return to the honeymoon period that characterised those early days after the arrival of British troops on the streets of Northern Ireland died. In the months after the introduction of internment, the level of violence spiked dramatically. Gun battles between the PIRA and the British army continued and over the course of 1971, nine IRA volunteers and 33 civilians were killed by the security forces, with the IRA claiming the lives of 56 members of the security forces.

If heavy-handedness in the day to day activities of the British army were straining relations between them and the nationalist community, compounded by the initially one sided and ineffective use of internment without trial, it was to be the events of Bloody Sunday 1972 that was to cement the status of the British army as the enemy of the nationalist community. A civil rights march had been planned for Derry on the 30 January 1972, and had been banned by the Northern Ireland Home Affairs

79 A. Mumford, The Counter-Insurgency Myth, p.100.
81 Ibid, p. 420
82 R. English, Armed Struggle, p. 144.
Minister Bill Craig. Unrest had broken out at some previous marches and the British army were to be present. In support of some other regiments, the First Battalion of the Parachute Regiment were to be on the ground, tasked with arresting troublemakers, should civil unrest break out. The Parachute Regiment were a curious choice for this kind of peace keeping and arrest role. They were widely considered amongst the most effective regiments at the British army’s disposal due to their distinguished service in the colonial conflicts in Palestine, Cyprus, at Suez, Radfan and Aden.  

Indeed, the Parachute Regiment had been one of those selected for the initial deployment to Northern Ireland in 1969, patrolling the troubled loyalist area of the Shankill Road. However, they were not a regiment known for the subtlety, being widely regarded by high-ranking military officials as one of the most aggressive and brutal fighting forces in the British army. After some minor civil unrest, with a small minority of the marchers that day breaking away from the main pack to confront the army at the barricades, the Parachute Regiment opened fire, killing fourteen unarmed, Catholic civilians. The chronology of events on Bloody Sunday is one of the most contested issues in the history of the conflict. However, initial reports that the army were fired upon first by the crowd, and that some of those killed that day were armed, have been found to be untrue by the Saville Inquiry, published in 2010, the longest running and most expensive public inquiry in British history. Furthermore, the Saville Inquiry confirmed in 2010 what the nationalist community in the Bogside in Derry and across Ireland had believed for many years, that the killing of those civilians was unjustified. Bloody Sunday took on ‘iconic importance in the Northern nationalist psyche’, and the attempts to whitewash the event through the discredited Widgery Inquiry only served to strengthen the sense that the ancient and inalienable tenets of British justice did not extent to Northern Ireland.

The international attention that the United Kingdom had been attracting throughout the civil rights campaign with pictures of the heavy-handedness of locally recruited

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84 Ibid.
86 The Saville Inquiry was commissioned by then British Prime Minister Tony Blair in 2008. It published it's full report, running to several thousand pages in June 2010, at a cost of over £200 million. The Inquiry received the oral and written testimony of dozens of eye witnesses from many backgrounds, civilian, IRA, and British army.
security forces had caused Westminster considerable embarrassment. In the aftermath of Bloody Sunday, it perhaps became apparent to Westminster that the conflict in Northern Ireland could not simply be suppressed in the manner they had hoped. Stormont had proved ineffectual in taking the lead in dealing with the unrest. As such, the UK government at Westminster suspended Stormont, initially for a period of one year in March 1972. It was to be almost three decades before Northern Ireland returned to a functioning devolved government from this period of direct rule. The move to direct rule from Westminster meant that Northern Ireland would be governed by a Secretary of State for Northern Ireland, who took on the legislative and executive functions that the Stormont government had fulfilled, while the Northern Ireland Office; civil servants based in both Belfast and London took over many of the other tasks performed by a government. Given the expansive remit of the Secretary of State for Northern Ireland, the individuals filling those roles from 1972 until 2000 wielded not only considerable power but also considerable influence over the trajectory of the troubles. Of course, the Secretary of State was always subject to the policy objectives of cabinet, and especially the Prime Minister, the individual personalities and character of various secretaries no doubt had a massive impact on the course of the conflict. The first Secretary of State was to be William Whitelaw. While the move to direct rule might have removed some of the problems that Stormont had caused, in the sense that policy on Northern Ireland would now wholly be decided based on security concerns, rather than it had been as before with the dual concerns of security and maintaining electoral and party support, it was not without its own issues. For one, the PIRA saw the ‘collapse’ of Stormont as a direct result of their armed campaign of violence, and were strengthened in their resolve to achieve the reunification of Ireland in what had now become a straight fight (as they saw it) between them and the British state. As Westminster had not had to intervene directly in Northern Ireland’s affairs for a period of fifty years, successive administrations had become detached from the political climate in Northern Ireland. The fragmentary nature of the state meant that cabinet ministers’ understanding of a

89 For a fuller account of the role of Secretary of State for Northern Ireland and the Junior Ministers for Northern Ireland, see D. Birrell, *Direct Rule and the Governance of Northern Ireland* (Manchester: Manchester University Press, 2009), pp. 21-39.
complex, deeply historically rooted and ever evolving conflict was bound to be less than optimum. However, with direct rule now in place, and the realisation that there was unlikely to be a quick fix to Northern Ireland’s problems, the state’s understanding and approach to the conflict began to improve, albeit slowly.

Much like the Spanish state response to early Basque violence, until the suspension of Stormont, the UK state had no overarching policy but containment of violence. It became apparent with the suspension of Stormont that a more long-term solution was required. 1972 was the single bloodiest year in the Northern Ireland conflict, with 496 fatalities. An IRA bombing campaign had begun the year previously and continued through 1972 unabated. The PIRA’s principal targets were not military or police targets, but rather symbolic and economic targets, designed to make life in Northern Ireland as abnormal and disrupted as possible. Additionally unprotected buildings were much softer targets. In one of the most horrific days in Northern Ireland’s history in 1972, the PIRA detonated more than twenty bombs across Belfast in a series of coordinated attacks lasting only ninety minutes. As was customary with the PIRA, advanced warnings of the bombs and their placements were given but the sheer scale of the attacks on that day meant that the security forces were overwhelmed and almost powerless to respond. Nine people were killed and dozens more were injured.91 According to the claims of Brendan Hughes, a former senior PIRA man, the attacks were at least partly planned by Gerry Adams, the man who was to become President of Sinn Féin, instrumental to the party’s eventual acceptance of using solely peaceful means in the late 1990s, and whose role was key in achieving the permanent cessation and disbandment of the PIRA in 2005.92 Bloody Friday, as it became known acted as a turning point. In the late 1960s and early 1970s, nationalists had presented as a broad and fairly united force. This attack however, being the most deadly in a series of PIRA bombs in Northern Ireland, drove a wedge between constitutional and militant brands of nationalists. Additionally, the British army launched Operation Motorman in its wake. Since the introduction of internment without trial in 1971, ‘no-go’ areas had been established in republican strongholds across Northern Ireland. The areas, which were de-facto

91 Ibid.
liberated areas behind improvised barricades, behind which the security forces had no control. They were often patrolled openly by members of the PIRA and local vigilante groups and thus attempted incursions into these areas to conduct searches or carry out arrests would be met with heavy gun-fire. They acted as effective bases from which the PIRA could launch attacks and the strength of the PIRA campaign in the early 1970s owed much to these ‘no-go’ safe havens scattered throughout Northern Ireland’s most urbanised areas. Bloody Friday acted as incentive, catalyst and justification for breaking these no-go areas and bringing them once more under the control of the security forces.  

The army put the plan to break no-go areas, known as Operation Motorman, to Secretary of State William Whitelaw and less than two weeks after Bloody Friday, the barricades were broken down by 12,000 soldiers with bulldozers and tanks. The overwhelming numbers and force with which the British army arrived to break the no-go areas meant that the IRA did not offer resistance, but rather chose to spirit away their guns and ammunition. Ed Moloney asserts that Operation Motorman marked a watershed in the conflict, after which the PIRA were always on the defensive. Indeed, Operation Motorman and the removal of the barricades indicated a shift in military and security policy, shifting from a counter-insurgency, ill defined and directed as much at the wider population than at those in paramilitary organisations, to a counter-terrorist campaign.

Direct Rule

The beginning of the period of direct rule saw the UK state begin to take a multi-faceted approach to ending the campaigns of terrorism being waged in Northern Ireland. Cunningham points to a number of statements from junior Northern Ireland ministers indicating the need for a holistic approach to handling the conflict. Ellison and Smyth point to the role that Frank Kitson, a senior British army officer had in the reorientation of the security approach to Northern Ireland at this time. Kitson had been involved in a number of the British army’s colonial campaigns and had even

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94 Ibid.
penned several works on counter-insurgency, including *Low Intensity Operations*, which was widely used as a handbook by the CIA and NATO. Kitson had served in Northern Ireland from the deployment in 1969. As such, he had witnessed the strategy that the army had adopted in Northern Ireland and its counter-productivity. Kitson outlines in *Low Intensity Operations* the need for a ‘unified approach’, to include both political and military initiatives.

While it was the PIRA and other republican organisations that would emerge over the 1970s such as the Irish National Liberation Army, INLA which directly threatened the state, loyalist terrorism from organisations such as the Ulster Volunteer Force (UVF) and the Ulster Freedom Fighters (UFF) were having a damaging effect on security and stability in Northern Ireland, and the security forces in Northern Ireland began to take the threat from loyalist organisations more seriously in the early 1970s, and loyalist paramilitary suspects began to be interned in 1973. However, the way in which violence from paramilitaries of the opposing communities was treated by the state was somewhat skewed, with violence from republican paramilitaries treated as more serious than that of loyalists. While the detrimental effect of the UVF was recognised early in the conflict, with the organisation being proscribed shortly after they killed three people in 1966, evaporating much of their support, the Ulster Defence Association, which used the UFF as its *nom de guerre* was not proscribed until 1992, despite their obvious involvement in attacks on Catholic civilians.

Throughout the early 1970s the RUC were being somewhat reformed in the wake of the Scarman and Cameron Inquiries and the Hunt Report. and the Ulster Special Constabulary (USC) had been disbanded and replaced with the Ulster Defence Regiment. Efforts were being made to make the RUC look more like its sister forces in Great Britain. Around 1972, the Westminster government began to adopt

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101 Ibid, p. 77.
policies in an attempt to stabilise the situation and reduce political unrest. By this point, the government had realised that the unequal and heavy-handed way that internment had been utilised in the early days of the policy the year before had been counter-productive, and as such, they scaled back its usage and even arrested and interned some loyalist suspects in 1973. Parliament approved a piece of legislation in December 1972, which replaced the Special Powers Act, under which internment was used. The Detention of Terrorists (NI) Order 1972 made some small limitations on internment without trial, stating that cases had to be presented to a commissioner by the Chief Constable within 28 days of arrest. However, the commissioner could recommend further detention, and the Order's protocols fell substantially short of accepted legal process. Special category status had been introduced for prisoners too in 1972, affording prisoners convicted of terrorism related offences a range of benefits in prison above and beyond what normal criminals (often termed ‘ordinary decent criminals’ or ODCs for short) would receive. Special Category Status afforded freedom from prison work, the right to wear their own clothing, and a certain degree of freedom of association with the prison. It had been one of the few points that Whitelaw had conceded to during the talks with the IRA earlier that year before the breakdown of the brief ceasefire. The efforts of the government were focused on how to return Northern Ireland to a state of relative peace and normality. The Northern Ireland Office had published a paper in October of 1972, called The Future of Northern Ireland, which summarised the options available and found that a return to some sort of devolved institution would be the most plausible. In order for this to be achieved however, the paper recognised that there would need to be some changes to the system, and not merely a reinstatement of the previous institutions, so that it would have cross-community support. In contrast to the French and Spanish states in handling their own campaigns of terrorism and political violence, the United Kingdom, made a much greater use of legislative measures to counter terrorism. Most of the legislative reforms introduced in the early 1970s were to incorporate the recommendations of the Diplock Commission. The Diplock Commission was headed

106 M. Cunningham, British Government Policy in Northern Ireland, pp. 20-1.
by a senior British judge and was tasked with finding legislative measures that might be effective in a more long-term strategy to bring terrorists to book.\textsuperscript{110} The Diplock Report was published in December 1972 and made a number of recommendations which were to be adopted in various pieces of legislation throughout the mid 1970s. The recommendations made were controversial, and whilst they went some way to ensuring that more terror suspects in Northern Ireland were subject to the criminal justice system, the legislation enacted as a result of the Diplock Report created a scenario where the system these suspects were subject to was very different from the regular British legal system. Most of the recommendations were incorporated into the Northern Ireland (Emergency Provisions) Act 1973.\textsuperscript{111} Those charged with scheduled offences would be tried by a judge, sitting without a jury. Additionally, some provisions in the new Act reversed the burden of proof, for example on the admissibility of confession evidence, the burden was now on the defendant to prove that confessions had not been given freely but only after torture, or inhuman or degrading treatment.\textsuperscript{112} Similarly, where proscribed materials such as firearms, explosives, and incendiary devices were found on property, it was up to the occupier of the property to prove that they were held for lawful purposes or that they were ignorant of their existence.\textsuperscript{113} With regards to powers of arrest, detention and internment, the EPA made some modifications to the legal position as established under the Special Powers Acts, but it was rather a solidification and slight amendment to the regime, rather than a substantial liberalisation of the existing system.\textsuperscript{114} The EPA was amended several times throughout the 1970s, but its basic form stayed the same.\textsuperscript{115}

\textsuperscript{111} Ibid, p.128.
\textsuperscript{112} Ibid, p.129.
\textsuperscript{113} Ibid, p.130.
\textsuperscript{115} Ibid.
Sunningdale and the UWC Strike

Whilst the suspension of Stormont was to be a temporary measure, soon after the imposition of direct rule from Westminster, it became clear that if there was to be any return to devolution, that the institutions would require a complete overhaul. As William Whitelaw, the first Secretary of State for Northern Ireland stated, ‘my basic remit was to break the mould of Northern Ireland politics, of which the Stormont Government was a cornerstone’.116 Even at this juncture, and despite the tremendous amounts of violence that had occurred in Northern Ireland up until that point, there was still a failure by the political branch of the state to comprehend the full extent of the division in Northern Ireland and the enormity of the task at hand. Only after his first visits to Northern Ireland did William Whitelaw himself grasp the scale of the problem.117 The United Kingdom government thus were concerned with finding a way in which power and responsibility could once more be devolved to Northern Ireland in the near future, though their efforts were to fail for the next 26 years. In 1973, meetings with the representatives of the Ulster Unionist Party and Social Democratic and Labour Party provided the basis for a potentially workable devolved Northern Ireland Assembly. An entirely new set of political institutions would be created, with a unicameral legislature. Additionally, the majoritarian politics which had allowed nationalist grievances to fester was out. The new system would be a power-sharing assembly, where nationalists would be represented on the Executive. As well as this, in an extra move to placate nationalists, there would be a cross-border dimension, which came to be known as the Council of Ireland. While the exact format of the Council and what its role would be was never fully elucidated, it proved to be a red rag to many Unionists. As a result, the Sunningdale Agreement, which was an intergovernmental agreement between the UK and Ireland to ratify the treaty compounded the fears of many hardline Unionists. The UUP were divided on the issue and it threatened to split the party permanently. The Agreement was ambiguous in certain areas, especially over the role of the Council of Ireland, and the ambiguity frightened many unionists who perceived the overall Agreement as detrimental to their interests.118 However, despite the widespread discontent over the

117 Ibid, p. 90.
118 M. Cunningham, British Government Policy in Northern Ireland, p.16.
Sunningdale Agreement, the newly elected Labour government were keen for the power-sharing efforts to succeed and pressed ahead.

A strike, orchestrated by an organisation calling itself the Ulster Workers Council was organised in May 1974. The UWC was a loose coalition of anti-Sunningdale unionists, loyalist trade unionists, and paramilitaries determined to bring Northern Ireland to a standstill and thereby forcing either the Council of Ireland to not be ratified by the newly formed Assembly, or for a new Assembly election to be held (which would have resulted in the election of a large number of anti-Sunningdale unionists, effectively making the new institutions unworkable. The change of government at Westminster meant that the Labour party and its personnel were in charge of managing a situation that they had little previous experience of dealing with directly. Merlyn Rees, the new Secretary of State for Northern Ireland chose not to try and break the strike and picket lines with the security forces, much to the ire of the SDLP. However, given the level of animosity from unionists towards the Sunningdale Agreement and the devolved institutions, it may have been the case that devolution was dead in the water before the strike ever began. Additionally, the clear linkages between the UWC and loyalist paramilitaries meant that any attempt to break the strike by force might have resulted in extremely ugly scenes, jeopardising a great number of lives, and worsening cross-community relations. Perhaps too, the new Wilson administration with its inexperience in Northern Ireland did not want to risk provoking loyalists into greater violence, thus sparking a ‘war on two fronts’ in Northern Ireland, and resulting in negative press for the administration so early in its term. As a result, the power-sharing executive collapsed, leaving a constitutional solution to the conflict in Northern Ireland seeming improbable for the foreseeable future. Indeed, the attempt to create power-sharing institutions at that time may have been doomed to failure. Despite tentative talks between the IRA and UK government representatives in 1972 and a short-lived truce, the atmosphere was such that even if the Sunningdale Agreement and the power-sharing institutions had survived

120 Ibid.
the UWC strike, the conflict was unlikely to abate. As Frank Steele, a Secret Intelligence Service (MI6) officer who attended the meetings in 1972 between UK government and IRA representatives said of early 1970s ‘this sounds a callous thing to say, but I don’t think either community had suffered enough to want peace, to make peace an absolute imperative’. Sunningdale thus might have been doomed to failure as a result of the lack of support and the unwillingness of unionists to allow concessions for fear of a gradual slide into a united Ireland. Nevertheless, some have remarked that the success of the UWC strike and the Ulster Unionists standing against power-sharing meant that ‘Protestant machismo’ ‘had probably been sufficiently asserted by [its] success’.

Under the Conservative administrations, there had been a militarisation of the security scenario in Northern Ireland, with the army taking the lead in most operations including foot patrols, house searches, intelligence gathering and undercover work. The security forces received little direction from Westminster, perhaps on the understanding from government that the forces that had acquired so much experience in dealing with civil unrest and insurgency in the colonies would have little problem in Northern Ireland.

**Intra-state Tension**

There was a great deal of tension between the police and military arms of the state, owing somewhat to the reduced role that the RUC were expected to play, no doubt inflamed during the occasions where operational mistakes or ill devised plans such as the Falls Road Curfew and Bloody Sunday handed republicans a propaganda coup. The animosity was not reserved to rank and file police officers and army privates either, extending into the officer class, fluctuating depending on the

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personnel in charge of particular units expected to cooperate with each other.\textsuperscript{128} Generally, cooperation had been difficult and the army refused to share their intelligence with the locally recruited forces, even with the RUC Special Branch, something which created great resentment and made life difficult for the police.\textsuperscript{129} On an operational level the army and police were at ‘loggerheads’, as one officer in the RUC Special Branch counter terrorism unit, established in the early 1970s\textsuperscript{130} known as E4A put it, but that there was also a real lack of trust between Ministry of Defence top brass and RUC, especially its Special Branch.\textsuperscript{131}

However, by the time Labour came to power in 1974, the RUC had been reformed, as a result of the Scarman and Hunt Reports, which also were the driving force behind the disbandment of the B-Specials making way for the Ulster Defence Regiment.\textsuperscript{132} Additionally, it had become clear that the military’s counter-insurgency style approach had been inflammatory and, despite some operational level successes (such as Operation Motorman) had failed to reduce the level of violence sufficiently. The Gardiner Inquiry established by the new Labour government in 1975 recommended that the RUC were now ‘rehabilitated’ and would respond in a more nuanced way in order to reduce disturbance, and by 1976, they were placed back in the lead role for security operations.\textsuperscript{133} The idea of putting the RUC and UDR back in the principal role for security operations fitted into a wider strategy. The government felt that, by scaling down military activities and reducing the prominent presence of the army in an attempt to restore the appearance of normality would perhaps normalise the situation on the ground somewhat and perhaps make the future development of a feasible political settlement possible.\textsuperscript{134} Indeed, there was the feeling that the PIRA were being defeated in the cities, especially since the destruction of the no-go areas, and so the climate was ripe for a switch to police primacy. The levels of conflict-related fatalities had indeed dropped since its peak at

\textsuperscript{128} C. Ryder, \textit{The RUC 1922-2000: A Force Under Fire} (London: Arrow Boots Ltd, 2000), p.120.
\textsuperscript{133} R. Weitzer, \textit{Policing Under Fire}, p. 74.
\textsuperscript{134} C. Kennedy-Pipe, \textit{The Origins of the Present Troubles in Northern Ireland}, pp. 77-8.
the height of the unrest in 1972, falling from almost 500 to 267 by 1975.\textsuperscript{135} Thus from the mid 1970s overall, the conflict in Northern Ireland began to be treated more as an issue of security, and of law and order, than the less obvious counter-insurgency style that prevailed in the early 1970s.

The Gardiner Inquiry had also made further suggestions regarding the prison system. In 1972, during the short-lived PIRA ceasefire, negotiations between the UK government and representatives of the PIRA had secured ‘special category status’ for paramilitary prisoners. Calls for Special Category Status had emerged as veteran republican Billy McKee and four of his PIRA comrades commenced a hunger strike in Crumlin Road gaol in May of that year.\textsuperscript{136} The hunger strike quickly gathered support, being joined by five more men in Crumlin Road gaol, forty internees in Long Kesh internment camp, and six female prisoners in Armagh Women’s Prison.\textsuperscript{137} The campaign received substantial support outside the prison, demonstrated by marches, political rallies and demonstrations. Against this backdrop, Secretary of State for Northern Ireland, William Whitelaw permitted special category status for prisoners who had been convicted of scheduled offences.

The idea was to take the heat out of the emerging stand off at a delicate period, and prevent the nationalist community at large from rallying round the PIRA prisoners on hunger strike for their demand to be accepted as political prisoners, and to capitalise on the PIRA ceasefire.\textsuperscript{138} While the move was indeed effective in defusing the stand off and created better relations between the SDLP who had been canvassing the UK government for concessions, but as Whitelaw himself recognised, special category status was to cause a significant headache for his successors.\textsuperscript{139} In line with the other recommendations the Gardiner Inquiry made, it also added that Special Category Status should be removed. The idea was to criminalise political violence, in the hope that the portrayal of terrorism as nothing else other than crime, would drive a wedge between paramilitary organisations and the communities they relied on for

\textsuperscript{137} Ibid, p. 10.
\textsuperscript{138} W. Whitelaw, The Whitelaw Memoirs, p. 94
\textsuperscript{139} Ibid.
support. Those committing acts of political violence were to be seen as nothing other than ‘convicted terrorists’.140 Through the reintroduction of police primacy thus, and the criminalisation of terrorism, it was hoped that Northern Ireland would be normalised, striking a blow against the paramilitaries, who relied the disruption of every day life and the depiction of Northern Ireland as a war zone.

The conjoined policies of police primacy, criminalisation and normalisation bore fruit throughout the mid to late 1970s, with increasing numbers of terrorist suspects arrested, charged and sentenced through the criminal justice system. As a result, levels of violence were dropping and some of the paramilitary organisations were being deeply wounded by the shift in approach. The shift in policy by the UK government throughout the 1970s thus changed the atmosphere substantially in Northern Ireland. However, critics noted some key contradictions to the idea that Northern Ireland was becoming ‘normal’. While terrorists were to be treated as ordinary criminals in the prison, they were often convicted under the expansive body of emergency legislation, and sentenced by Diplock courts, sitting without a jury. The RUC may have replaced the British army in frontline duties, but the RUC had undergone changes, and with the creation of specialist units to combat terrorism, they were more militarised and muscular than most police forces. Most obviously, that the RUC were armed with semi-automatic rifles for daily duties meant that they were a far cry from the British ‘bobby on the beat’ image that had been envisioned for them in the Hunt Report. In short ‘the force increasingly resembled an army of sorts, resulting in profound tension between the increase in its capacity to “take on” paramilitaries and its simultaneous claim to be a “normal” civil police force’.141

Margaret Thatcher and the Hunger Strikes

With the 1979 UK general election, came a new Conservative Government under the premiership of Margaret Thatcher. That Thatcher left an indelible mark on the United Kingdom barely needs repeating. Her style of government, and a close personal and overtly ideological engagement with the contentious political issues that arose during

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her eleven years as Prime Minister has altered the United Kingdom politically, socially and economically. Despite the Conservatives’ aversion to public expenditure, it was recognised that Northern Ireland was a special case, and thus it was spared from the neo-liberal economic policies that were the hallmark of Thatcher’s domestic policy for the rest of the United Kingdom. Nevertheless, Thatcher’s tenure as Prime Minister was to see some of the most controversial and divisive episodes in the Northern Ireland conflict. She became a totemic figure, the personification for republicans of the intransigence of the UK state, and for unionists, of the malevolence of a Westminster government that cared little for Northern Ireland’s position within the union. In many ways (though by no means in terms of the vehemence of their policies), she was the embodiment of the UK state for the period of her tenure, in the way that Franco represented the Spanish state and de Gaulle the French. Furthermore, it was not simply that she was a figurehead, but rather that her very personal and impassioned engagement in Northern Ireland’s crisis drove the conflict in a very particular direction, for which she was much reviled. Even before Thatcher became Prime Minister she had been affected personally by the conflict in Northern Ireland. In 1975, a prominent supporter of hers, Ross McWhirter was killed by the PIRA. As a result, Thatcher was given police protection for the first time, underlining the real threat that republican paramilitaries posed to her life. Just four months before the election which brought her to power in 1979, her key ally and close friend Airey Neave, who had been tipped to become the Secretary of State for Northern Ireland, was killed by an INLA bomb attached to the rear of his car which had been parked in the car park of the House of Commons. Speaking to press outside her house on the day of the attack, Thatcher commented ‘Some devils got him. They must never, never, never be allowed to triumph’.

Overall, Thatcher’s time as Prime Minister was to be marked by a series of events which affected her deeply, strengthened her resolve to find a solution to the Northern Ireland conflict, and which were to influence the course of the conflict greatly. Only a number of months after her election, on 27 August 1979, the PIRA mounted two

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spectacular attacks. A bomb placed aboard a boat at harbour in Mullaghmore, County Sligo in the Irish Republic, claimed the life of Lord Louis Mountbatten, his son, his fourteen year old grandson and a fifteen year old local boy. On the same day in Northern Ireland at Narrow Water, Warrenpoint near the border with the Republic of Ireland, a PIRA bomb attack claimed the lives of 18 British soldiers, including 16 from the loathed Parachute Regiment. Thatcher was deeply affected by both attacks, being a great admirer of Mountbatten, who was a cousin of Queen Elizabeth II, and a strident supporter of the army’s campaign in Northern Ireland.

These attacks, (particularly the bombing at Warrenpoint), prompted a rethink in approach to security in Northern Ireland. From the army’s point of view, Narrow Water served as evidence that the RUC in the lead role did not have the capacity to prevent serious terrorist attacks. Thatcher flew to Northern Ireland and held meetings with both the RUC and Army leadership to discuss how to proceed. Thatcher granted the requests of the RUC, who called for 1,000 new recruits, which would enable them to greatly increase their strength on the ground and maintain the image of police primacy. At the same time, at the request of the GOC Lieutenant Creasy, Thatcher appointed Maurice Oldfield, a former director of MI6 to oversee the security forces in Northern Ireland. Oldfield quickly established a unit known as ‘The Department’, which had representatives of all branches of the security forces in order to facilitate closer cooperation between the Army and the locally recruited forces. With this augmented approach to security, with a more muscular RUC, (gendarmerie) in the lead position, with the security forces overseen by a former military and intelligence man, the response to terrorism in Northern Ireland was to take on a very particular character throughout the 1980s, as will be discussed later.

Since the removal of special category status in 1976, some republican prisoners in the Maze prison outside Belfast had been protesting against the new regime where they were subject to the same rules. By 1979, the PIRA were suffering greatly from the increase in arrests and convictions, which was constraining their ability to carry to

146 A. Sanders, and I.S. Wood, Times of Troubles, p. 141.
out effective attacks. They had been wounded by the reforms of the police, and the new focus on high-grade intelligence that came with it. As a result, it became necessary for the PIRA itself to reform. It moved away from its traditional hierarchical structure and adopted a more cellular system in the late 1970s, with a view to making infiltration more difficult and less disruptive to the organisation when it did happen.

By the time Thatcher came to office, the conflict in Northern Ireland had already been ‘Ulsterised’, with police primacy, and terrorist suspects were increasingly ‘criminalised’, arrested under the specialist emergency legislation. Thatcher continued with this programme, with a view to normalising every day life in Northern Ireland as much as possible. She realised that the paramilitaries thrived on the creation of terror and the disruption of normal life as much as possible, especially for the IRA who sought to make Northern Ireland ungovernable and thus her answer was normalisation. Before her election, Thatcher had been an integrationist, seeing the logical extension of the policies to normalise British rule in Northern Ireland as the incorporation of Northern Ireland politically into the rest of the UK. However, when she took the reigns as Prime Minister she allowed her successive Secretaries of State for Northern Ireland to continue attempts to find a devolved political solution to the conflict.

A further part of the normalisation of law and order in Northern Ireland focused on the status of prisoners serving sentences for scheduled offences. During the ill fated negotiations in 1972 between the PIRA and the Labour government representatives, the government had conceded ‘political’ or ‘special category’ status for all prisoners who had been convicted of scheduled offences. It was introduced against the backdrop of reports of hunger strikes in the Crumlin Road Gaol in Belfast by republican prisoners. The problem arose when, as part of the policy to normalise Northern Ireland through the use of police in front line duties, and the use of the criminal justice system, the decision was taken to criminalise paramilitary prisoners,

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148 D. McKittrick et al, in Lost Lives, highlight a fall in fatalities through IRA attacks from 139 fatalities in 1976, with 68 in 1977, 60 in 1978, and 91 in 1979, demonstrating that while the IRA continued to be active through this difficult period, that the disruption caused to the organisation’s structure as a result of criminalisation made them much less effective. See D. McKittrick, et al, Lost Lives, p. 1551.

and that thus they must have the same prison system as ‘ordinary decent criminals’. The removal of Special Category Status for newly sentenced prisoners began in 1976, and the first prisoner to stage a protest against the new regime was Kieran Nugent. Nugent was a member of the PIRA who had been sentenced to three years for hijacking a vehicle. Upon his entry to the Maze/Long Kesh prison in September 1976, he refused to wear prison uniform or carry out prison work, as was now required of all newly sentenced prisoners. For both the United Kingdom state and republicans, the removal of special category status was seen as a way to de-legitimise the republican ‘armed struggle’, and to plausibly deny the political nature of their violent campaign. Several newly sentenced prisoners followed Nugent’s precedent, and were allowed to wear only a blanket, resulting in what became known as the ‘blanket protest’. The increased emphasis on criminalisation outside the prisons by the state meant that a steady stream of republicans were being sentenced and sent to Long Kesh/The Maze, with many of these men joining the blanket protest. By 1978, the number of prisoners involved in the protest had reached 250. The transfer of senior PIRA member Brendan Hughes into the H Blocks of the Maze prison in 1978, from the Nissen huts where prisoners were held on remand before their trial, resulted in the ratcheting up of the campaign. The blanket protest progressed to a ‘no wash’ or ‘dirty’ protest, amidst allegations that prisoners ‘slopping out’, emptying their latrines and using the shower facilities were being physically abused by prison warders. The fact that all the IRA prisoners in the H Blocks of the Maze/Long Kesh were Catholic, while the prison staff were almost entirely all Protestant meant that confrontations took on bitterly sectarian overtones. Prisoners went unwashed for long periods of time, and chamber pots were emptied of liquid under the door of cells, whilst excrement was smeared on the walls. Despite the calls for reinstatement of Special Category Status, the UK government remained resolute. Margaret Thatcher herself weighed in on the issue stating:

151 R. English, Armed Struggle, p. 189.
152 L. McKeown, Out of Time, p. 51.
153 Ibid, p. 56.
We are not prepared to consider special category status for certain groups of people serving sentences for crime. Crime is crime is crime, it is not political, it is crime.\(^{155}\)

However, supporters of the prison protests highlighted the duplicity of the criminalisation policy. As the National H-Block Committee stated:

...if there were two kinds of law, two kinds of court, two kinds of justice, there were two kinds of prisoners.\(^{156}\)

Outside the prison, republican paramilitaries began directly targeting prison staff, killing 19 from the time when Merlyn Rees removed Special Category Status in 1979, until the end of the hunger strikes in 1981. Loyalist paramilitaries increased their attacks on Catholics in response, with activists in the H-Block Committees being the primary targets.\(^{157}\) With no indication that the so called ‘five demands’ of republican paramilitary prisoners on strike in the H-Blocks were going to be conceded, the protests were scaled up to a new level. Brendan Hughes stated years later that nationalist Ireland ‘knew instinctively where this [the strikes] were heading if a resolution was not found’.\(^{158}\) On 10 October 1980, the leadership of the striking paramilitary prisoners announced a hunger strike, which began 17 days later. The tactic had several precedents in Irish republican history, having been used infrequently by previous generations of imprisoned republicans. The prison leadership believed that, faced with prisoners prepared to starve themselves to death to attain Special Category Status, the British government would capitulate. Indeed, it was not the case that the republican prisoners at the outset believed that they would die,\(^{159}\) rather it was a risky effort to achieve their aims through the forcing of an ultimatum.


\(^{158}\) E. Moloney, *Voices from the Grave*, p. 215.

Upon the announcement of the hunger strike, the UK government remained publicly steadfast. Margaret Thatcher stated in her autobiography:

All my instincts were against bending to such pressure, and certainly there could be no changes in the prison regime once the strike had begun. There was never any question of conceding political status.\footnote{M. Thatcher, \textit{The Downing Street Years} (London: Harper Collins, 1995), p. 389.}

Despite the steadfast image that the government wishes to present publicly, efforts were being made behind the scenes to find a resolution. Thatcher herself appeared to be conflicted, noting on internal government documents the importance of making no concessions, and that the government’s aim should be ‘to break the strike’, while at the same time listing the concessions that had already been offered.\footnote{C. Moore, \textit{Margaret Thatcher}, p. 598.} Before the strike was commenced ‘civilian type’ clothing was offered, not just to paramilitary prisoners but to all prisoners in Northern Ireland, but this fell short of the demand by those on the strike to wear their own clothes, and thus, was rejected and the first hunger strike commenced.\footnote{Indeed, Thatcher was intimately involved in negotiations between the UK government and the republican movement, through an intermediary called Brendan Duddy on the possibility of a deal which would have ended the prison protests both before and during the second hunger strike which ended in the deaths of the ten republican prisoners. See T. Hennessey, \textit{Hunger Strike: Margaret Thatcher’s Battle with the IRA 1980-1981} (Dublin: Irish Academic Press, 2014).}

With the commencement of the hunger strike, the nationalist community drew close to the unified front that had been witnessed during the civil rights era. Indeed, it has been noted that H-Block Committees, formed to draw attention to the plight of the republican prisoners in Northern Ireland’s prisons were able to draw crowds comparable to the civil rights era demonstrations to their marches by November 1980.\footnote{H. Patterson, \textit{The Politics of Illusion}, p. 193.} When the strike was underway, and contrary to her public statements of resoluteness on the issue, Thatcher sanctioned secret talks between MI6 and the Sinn Féin leadership. While she did not engage with the Provisional Republican movement directly, the communication channel had her blessing.\footnote{C. Moore, \textit{Margaret Thatcher}, p.600.} The first hunger strike ended on the 18 December 1980, with one of the hunger strikers, Seán McKenna critically ill. The ending of the first strike is mired in controversy,
republicans claiming that despite the rhetoric of the UK government, a deal had been offered that was close enough to the original stated five demands for them to call off the strike. The strike was called off by Brendan Hughes, but it soon emerged that the UK government had no intention of granting the demands. In March 1981, a second hunger strike commenced, led by Bobby Sands, a PIRA member who had been convicted of possession of illegal arms. This time the strike was more organised, with volunteers joining the strike in intervals, with each dying hunger striker being replaced by another in the hope that the prospect of a steady stream of deaths in the H-Blocks would force the UK government to capitulate. An opportunity arose to test the support of the hunger strikes amongst the wider nationalist and republican community in April when veteran independent republican MP Frank Maguire died suddenly.

Sands stood for election as an ‘anti-H Block’ candidate. The more moderate nationalist SDLP did not field a candidate in the by-election and Sands was elected by a narrow margin of around 1,400 votes ahead of the Unionist candidate Harry West. Despite this clear message of support for the hunger strikers, not just from militant republicans, but from across the broader nationalist community, the UK government remained steadfast and refused to grant special category status. Ten hunger strikers died, catapulting them from young idealist terrorists to the status of martyrdom amongst the republican community and making the name of their leader and first to die, Bobby Sands, famous beyond Britain and Ireland. The strike ended on 3 October 1981, when it became apparent that the government had no intention of giving in to the demands, and amidst the intervention of a number of the hunger strikers’ families to save them from death by calling for them to be fed when they lost consciousness.

165 This is an issue which remains mired in controversy. For discussion of secret negotiations and accounts of how the strike came to an end, see: R. English, Armed Struggle, p.194-195, R. O’Rawe, Blanket Men, pp.108-11, M. Thatcher, The Downing Street Years, pp. 390-1, and D. Beresford, Ten Men Dead, pp. 9-15.

166 It should be noted however, that channels for discussion remained open during the second hunger strike and that a deal, which fell substantially short of the ‘five demands’ sought by the hunger strikers and so they continued on, in the hope that a full concession would be granted. See R.English, Armed Struggle, p. 202.
Tactically, the 1980 and 1981 hunger strikes had been a defeat for the republican movement. The UK government had shown their resolve to stand against terrorism and for the continuation of their policy of ‘criminalisation’. However, as mentioned, the cohesion of the wider nationalist community in support of the hunger strikers and their plight was to have lasting political effects on Northern Ireland. The massive attendances at rallies, the huge turnout at the polls, and the overwhelming crowds at the funerals of the ten dead hunger strikers illustrated to Sinn Féin that it was possible to mobilise large numbers of people behind the aims and objectives of republicanism when violence wasn’t the central focus. As Marianne Elliott so eloquently stated:

Now Margaret Thatcher’s famous intransigence provided the perfect foil to the image being built of the noble rebel, battling against insurmountable odds... A failing movement would emerge re-fortified when Britain fulfilled its traditional role in republican mythology.\(^{167}\)

The use of hunger strike by Irish republicans in furtherance of their political objectives had many precedents over the course of the twentieth century, many of which aimed to coerce (or simply protest against) the British state in Ireland.\(^ {168}\) Despite the wealth of historical precedents and experience that the United Kingdom state had amassed, once again the UK’s political elites had miscalculated.

Despite the previous failure of the efforts to establish power-sharing institutions in Northern Ireland as a means to solve the crisis, the successive Westminster administrations continued to struggle to find means by which a political settlement could be found. No sooner had plans for the so called ‘Sunningdale’ Assembly been frustrated, that plans to establish a ‘Constitutional Convention’ were set in place in 1975, but despite the engagement from some of Northern Ireland’s political parties, their reluctance to move away from their initially stated positions and negotiate potential concessions for fear of being branded as ‘sell outs’,\(^ {169}\) or outflanked by


more radical parties,\textsuperscript{170} and against the backdrop of renewed and invigorated campaigns of violence from the PIRA and other paramilitaries, meant that the Convention achieved little and was shelved by Merlyn Rees in 1976.\textsuperscript{171}

Before her election as Prime Minister, Thatcher had been ambivalent towards the idea of devolved rule for Northern Ireland. With the death of her close friend and colleague, and vehement integrationist Airey Neave in 1979, however, she became more open to calls for devolution. Since his appointment to the role of Secretary of State for Northern Ireland in September 1981, after a cabinet reshuffle, James Prior had been working to establish what he termed ‘rolling devolution’, by which power would gradually be devolved to a power-sharing institution in Northern Ireland. He felt that it was important that in the aftermath of the hunger strikes, that an effort be made to make some concrete progress Thatcher felt the venture was ‘worthless’\textsuperscript{172}, however, the elections to Jim Prior’s ‘Rolling Devolution’ Assembly in October 1982 was the first outing at the polls since the death of the ten hunger strikers and the results startled the UK government. Sinn Féin, standing in the election received a vote of 64,191 first preferences, around 10 per cent of the total.\textsuperscript{173} It was the first time that a political party attached to a violent paramilitary organisation had achieved a sizeable mandate at the polls. The impressive polling by Sinn Féin in the 1982 Assembly election was no doubt due in large part to their riding on the crest of a wave of support from the hunger strikes a year previously.

Over the 1980s, the UK state’s approach to Northern Ireland was to change substantially. It became apparent to Thatcher, that a solution had to be found, and with Prior’s ‘rolling devolution’ experiment failing like many of its predecessors, Thatcher herself took onboard the need to find solutions by other means. At the same time that Thatcher and her government colleagues in Westminster were

\textsuperscript{170} The SDLP for example, were in danger of being outflanked by the newly formed constitutional nationalist party the Irish Independence Party, which was marked by its traditionalist rhetoric, thus the SDLP felt that it had too much to lose from being seen to be conciliatory towards moderate unionism. See P. Bew, P. Gibbon and H. Patterson, \textit{Northern Ireland 1921-2001: Political Forces and Social Classes}, p. 194.

\textsuperscript{171} Ibid, p.102.


pursuing a constitutional settlement and improved security through the inter-
governmental channel with Dublin, across the early 1980s, the lower rungs of the UK
state were developing their own particular characteristics and reactions to violence
on the streets of Northern Ireland.

On the streets

The shift to criminalisation, normalisation and police primacy in the mid 1970s, had
taken its toll on the PIRA campaign. The dynamics of the conflict had changed
somewhat. The use of the packages of counter-terrorism legislation and the focus on
achieving convictions through a somewhat augmented criminal justice system had
been paying dividends for the state. Additionally, the removal of the British army
from frontline duty as a result of police primacy had made it difficult for the PIRA to
successfully target soldiers in gun attacks. The RUC, now at the forefront of security
operations had changed tack. Chief Constable Newman expanded RUC Special
Branch, giving them a greater responsibility for intelligence gathering and
surveillance, tasking a new unit within Special Branch, called E4A with responsibility
for ‘deep surveillance’ and established a specialist unit of SAS trained RUC officers
who were initially deployed along the South Armagh border with County Louth in the
Republic of Ireland. The newly formed units and new strategic approach
represented a more hard-line RUC, almost the equivalent of Spain’s Guardia Civil or
a gendarmerie than the British bobby that had been envisaged in the reports of early
commissions. The RUC attempted to take over as much responsibility for the
handling and uncovering of intelligence as they possibly could in the late 1970s: roles
which were previously carried out by the army. As such, the new hard-edged RUC
became much more effective in disrupting PIRA operations. IRA personnel that
were arrested were subject to prolonged interrogation, accommodated by the EPA

176 It was still the PIRA and other republican paramilitary organisations that was the focus of the RUC
at this point. Ellison and Smyth note that Chief Constable Newman, despite his experiences in dealing
with loyalists during the UWC strike, felt that loyalists were essentially reactive and that the key to
ensuring an effective security regime was to focus on republicanism. See G. Ellison and J. Smyth, The
Crowned Harp, p. 89. However, it is clear that in the mid to late 1970s, substantial progress was
and the PTA. By 1977, the PIRA were feeling the strain. A report from IRA General Head Quarters was intercepted by Gárdaí in Dun Laoghaire, it reported that;

The three and seven day detention orders are breaking Volunteers, and it is the Republican Army’s fault for not indoctrinating Volunteers with the psychological strength to resist interrogation. Coupled with this fact, which is contributing to our defeat, we are burdened with an inefficient infrastructure of commands, brigades, battalions and companies. This old system with which Brits and [RUC Special] Branch are familiar has to be changed...We must emphasize a return to secrecy and strict discipline...We must gear ourselves towards long-term armed struggle based on putting unknown men and new recruits into a new structure. This new structure shall be a cell system.177

The shift to a cell system by the PIRA, which occurred in the late 1970s was thus a response to the increased success that the security forces were having in apprehending PIRA suspects, foiling attacks and achieving convictions. While the cell structure was not universally adopted, with significant sections retaining the more traditional hierarchy based along the British army model, the changes proved to be significant. The cell structure meant that a ‘volunteer’ would only necessarily be aware of the entity of a handful of other members, thus making the information they could divulge if apprehended much more limited. Overall it was a great success.178

The ability of the PIRA to carry out successful attacks rose in the late 1970s, and early 1980s, with some particularly large attacks, such as those on Mountbatten and at Warrenpoint, presenting the image of an organisation that was largely undefeated, despite the significant arrests.

The rethinking of British security policy in Northern Ireland in the aftermath of the Warrenpoint and Mullaghmore attacks meant that despite the outward appearances of policy primary and ‘normalisation’ the military began to take an increasingly important role in undercover operations once again. Indeed, it is claimed that despite

178 For a more detailed analysis and explanation of the shift to cell structure and its effects, see R. English, Armed Struggle, pp. 212-4.
the poor relations between some elements of the RUC and the British army, that some units cooperated between the forces so closely that they practically merged. The reform of the PIRA and the reduced arrest and conviction rates in the early 1980s were frustrating the security forces. Faced with substantial numbers of PIRA operations, several disparate trends emerged in the 1980s, that however described, certainly did not represent the ‘normalisation’ of policing.

From 1981, there was an increased reliance on what were known as ‘Supergrass trials’, trials where members of paramilitary organisations were offered inducements such as reduced sentences if they cooperated with the RUC to name and testify against their accomplices to achieve conviction of individuals in connection with terrorist offences. Initially, the ‘supergrass’ system was extremely successful, with high conviction rates in the early trials. Indeed, over the period of 1981 to 1983, evidence from around 25 ‘supergrasses’ led to the arrest of over 600 suspected paramilitary members.\textsuperscript{179} After a while though, the unwillingness of the judiciary to convict on the basis of uncorroborated confessions waned. Additionally, the subsequent withdrawal of statements by supergrasses meant that some trials fell apart and convictions were not achieved,\textsuperscript{180} and eventually the system was abandoned amidst criticism from senior lawyers and front-bench Labour MPs in opposition.\textsuperscript{181} The supergrass system appears not to have been a formal policy at government level, with Northern Ireland Office officials asserting that it was simply an operational decision taken by the RUC.\textsuperscript{182} However, Michael Cunningham highlights that given the sheer scale of the programme in the early 1980s, that it is unlikely that the supergrass system was able to proceed without at least the tacit approval of the Attorney General.\textsuperscript{183}

Throughout the early 1980s, the PIRA campaign continued against the backdrop of the largely ineffective supergrass trials. The resilience of the paramilitary organisations in Northern Ireland and their adoption of new strategies in reaction to UK policy meant that whilst levels of violence had fallen from their peak in 1972, that

\textsuperscript{179} M. Cunningham, \textit{British Government Policy in Northern Ireland}, p. 58.
\textsuperscript{181} Ibid.
\textsuperscript{182} M. Cunningham, \textit{British Government Policy in Northern Ireland}, p. 58.
\textsuperscript{183} Ibid.
significant disruption to daily life, and fatality rates per capita were still high. The muscular and secretive units of the RUC and British Army that had been formed in the late 1970s, in conjunction with the SAS scaled up their operations in the 1980s in an attempt to directly take the fight to the republican paramilitaries and thwart their operations. Relying on a combination of high-grade intelligence, obtained through the acquisition of disgruntled paramilitary operatives, and through surveillance techniques, the campaign fought by the security forces in the 1980s took a robust approach.

**Shoot to kill**

The intelligence and counter-terrorism activities of the UK state in Northern Ireland however were more sinister at times than overzealous military and police units overstepping the mark and blurring the lines between minimum force and punitive force. Similar to the experiences of the GAL and Barbouzes from the Spanish and French states respectively, the United Kingdom appears to have operated a military organisation firmly embedded within the apparatus of the state which carried out assassination operations. In the summer of 1971, an SAS trained unit called the MRF was established. There is some debate around whether Brigadier General Frank Kitson, the author of *Low Intensity Operations*, the military’s counter-insurgency handbook, who had developed and deployed similar techniques during the Mau Mau uprising in Kenya, had any direct role in the creation of the unit. Either way, the unit was placed at his disposal and bore the hallmarks of colonial counter-insurgency ‘counter-gangs’. The acronym MRF is variously stated to mean Military Reconnaissance Force, Military Reaction Force, Mobile Reconnaissance Force, or Mobile Reaction Force. The MRF used ‘imaginative if not “amateurish”

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186 T. Geraghty, *The Irish War*, p. 137.
intelligence-gathering measures', running agents and setting up front business including massage parlours and a laundry service, through which they obtained leads and forensic intelligence. The MRF subsequently used this intelligence and intelligence gathered from agents recruited from the republican movement to target suspected IRA members in assassination attacks.\(^{189}\) The group frequently used weapons more commonly used by the various paramilitary organisations in Northern Ireland rather than the standard military issue Browning pistol and Sterling sub-machine gun in attempts to conceal their operations.\(^{190}\) As with all shadowy state organisations operating outside the law, it is difficult to identify with certainty the extent of the MRF’s operations in Northern Ireland, and just how many deaths they were responsible for. While they were not the only covert intelligence-gathering organisation active in Northern Ireland at the time, in time they became the best known because of the nature of their activities and the manner in which they were uncovered. Despite being active for a relatively short period of time, the organisation was responsible for a number of attacks and incidents. Catholic brothers John and Gerry Conway were injured in a gun attack on the Whiterock Road in Belfast in April 1972 when the MRF mistook them for two wanted IRA men whom they had orders to shoot on sight.\(^{191}\) The following month Patrick McVeigh, an unarmed Catholic man in nearby Andersonstown was killed in a gun attack that wounded four others.\(^{192}\) In June of 1971, the MRF opened fire on a group of men standing at a bus terminal, injuring three taxi drivers and a passer-by.\(^{193}\) The MRF hit squad was apprehended by the RUC and arrested on this occasion but the soldiers involved in the attack were never convicted. The MRF suffered losses of its own when IRA/MRF double agents Seamus Wright and Kevin McKee broke under interrogation by the IRA and gave information about the activities of the ‘Four Square Laundry’ front company, used by MRF to gather forensics and other intelligence in republican strongholds.\(^{194}\) McKee and Wright were subsequently ‘court marshalled’ by the IRA, shot dead and buried in secret. The IRA attacked the Four Square Laundry van on 2 October 1972, killing

\(^{188}\) B.W.C Bamford, *Intelligence in Northern Ireland*, p. 588.
\(^{191}\) C. de Baróid, *Ballymurphy and the Irish War*, p. 108.
\(^{192}\) P. Taylor, *Brits*, p.130.
\(^{193}\) Ibid.
\(^{194}\) E. Moloney, *Voices from the Grave*, p. 120.
Sapper Edward Stuart. Another female colleague of his escaped the ambush uninjured. Peter Taylor notes that the ‘end of the Four Square Laundry’ marked the end of the MRF’. Yet it was not the end of covert intelligence operations or robust counter-insurgency operations against suspected prominent republicans.

The willingness of some sections of the security establishment to consider shooting unarmed civilians had been witnessed on Bloody Sunday. The SAS had been operational in Northern Ireland officially since 1974 but in reality, had an active presence from at least 1971. Indeed, operations by the SAS in Northern Ireland, usually engaging IRA members in gunfire, are well-documented and received significant negative publicity throughout the 1970s and after. Criticism hinged on the level of force used by the SAS units, the secretive manner in which their actions were carried out, and some high profile incidents where SAS soldiers were discovered across the border in the Republic of Ireland, which was played upon by Sinn Féin and the republican press as evidence of their underhandedness and the perceived illegitimacy of their actions. The negative publicity garnered by the SAS operations throughout the 1970s meant that they were eventually scaled back, though their activities did not cease entirely.

In 1982 however, three events helped return the spotlight on the security forces, this time on the RUC, their use of force, and the use of specialist secretive units. In the space of four weeks in November and December 1982, six people were killed by the RUC. The first operation was carried out in Craigavon, County Armagh, where three IRA members failed to stop at an RUC vehicle checkpoint. The specialist unit HMSU (Headquarters Mobile Support Unit) a secretive sub-division of RUC Special Branch opened fire, riddling the car the IRA men travelled in with over 100 bullets. Forensic tests in the aftermath indicate that RUC officers administered a coup de

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196 G. Ellison and J. Smyth point to a correspondence between the then Commander of Land Forces, General Ford to his superior, General Tuzo, stating his opinion that the way to restore order to Derry would be to shoot selected ringleaders involved in rioting and civil disturbances. See, G. Ellison and J. Smyth, *The Crowned Harp*, p.129, citing *Sunday Tribune*, 5 September, 1999.
grace, on at least one of those killed.\footnote{Ibid.} The RUC unit involved in the shooting were taken away to be debriefed by their superiors before RUC Criminal Investigation Department had a chance to interview them, as was protocol in such incidents. The IRA men in question fired no shots that evening and indeed, when the car was searched in the aftermath, it was discovered that all three men were unarmed. The incident occurred just two weeks after the killing of three RUC officers a few miles away, of which two of the three IRA men gunned down, Sean Burns and Eugene Toman, were suspected.\footnote{Ibid.} In this light, the operation in Craigavon looked less like the conduct of state operatives tasked with countering terrorism and restoring law and order, and more like a vengeful retribution attack on their colleagues’ killers. Two weeks later, HMSU opened fire on a hay shed outside Lurgan claiming the life of one teenager, Michael Tighe, and seriously wounding his friend Martin McCaughley in contested circumstances, and a further attack in December in Armagh City which killed two INLA members in similar circumstances to the Craigavon incident. At trial, it emerged that the versions of events given by HMSU officers in the subsequent investigations had been falsified, with the officers involved being issues with a false version of events by their superiors.\footnote{G. Ellison and J. Smyth, \textit{The Crowned Harp}, p. 121.}

John Stalker, Deputy Chief Constable of Greater Manchester Police was tasked with an investigation into these alleged incidents of ‘Shoot to Kill’. Stalker’s inquiry was ‘seriously obstructed by the RUC’\footnote{R. English, \textit{Armed Struggle}, p. 238.}, and in June 1986 he was removed from the role amidst allegations that he had been associating with known criminals, which were later proven to be spurious. Stalker has since stated his belief that the appearance of these allegations against him were politically motivated, in order to remove him from the enquiry because of the waves his report would have created.\footnote{J. Stalker, \textit{The Stalker Affair} (New York, N.Y: Viking, 1988), p. 130.} Stalker’s view was that the RUC had indeed shot the men and that those involved concocted lies about the circumstances, but that there was no overarching ‘shoot to kill’ policy.\footnote{R. English, \textit{Armed Struggle}, p. 238.} The investigation into the six deaths was completed by another senior British police
officer, however the report was never released to the public.

The RUC effort to reassert control of the situation in the early 1980s had been disastrous. Though their operations were scaled down, there were contentious operations carried out by RUC and Army units throughout the 1980s. Thus, despite the reforms and incorporated recommendations of the earlier reports on the state of policing in Northern Ireland, the RUC were understandably still objects of extreme suspicion in the eyes of the nationalist community. The reluctance of the RUC hierarchy to engage fully with John Stalker’s inquiry, his abrupt removal from office amidst spurious accusations about previous alleged misconduct and the final report compiled which were never published led many to believe, despite the assurances of the Secretary of State for Northern Ireland, that a ‘Shoot to Kill’ policy was in operation throughout the 1980s, and the nationalist community remained substantially alienated from the security forces as a result. The UK state could scarcely have chosen a course of action to more thoroughly undermine their policy of the normalisation of Northern Ireland. Additionally, in terms of effectiveness, the operations were largely futile. Though the operation at Craigavon and in Armagh City killed members of the PIRA and INLA, and further high profile operations, such as the fire fight in Loughgall which took the lives of eight IRA members (as well as one innocent bystander caught in crossfire), and the SAS operation in Gibraltar (in which three IRA members were shot dead during a mission to plant a bomb in the British protectorate), were successful at thwarting individual terrorist attacks, they failed to diminish substantially the campaigns of violence by the IRA and other republican paramilitary organisations. As Ellison and Smyth highlight, whilst the undercover attacks may indeed have had a deterrent effect, bringing home to individual potential terrorists the cost of involvement in paramilitary organisations, there is no way to measure this, and no evidence that it was a more useful deterrent than subjecting suspects to the criminal justice system. Rather, it provided outrages and focal points for the liberal media, and republican propagandists, to highlight the incongruity of the public and secret sides of the UK state’s overall efforts to defeat terrorism in Northern Ireland, and played directly into the longstanding nationalist discourses.

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209 Ibid.
about the bias inherent in the security forces and the cruelty and injustice of the UK state and its idea of ‘law and order’.

**Collusion**

Other troubling allegations levied at the UK state began to re-emerge in the 1980s in Northern Ireland. There had been suggestions since the early 1970s that there was a degree of collusion between the locally recruited security forces and loyalist paramilitaries.\(^{210}\) That some members of the locally recruited security forces held sympathies for the loyalist paramilitaries is not surprising. Given the cleavages in Northern Ireland’s society, with the state security forces drawn almost entirely from the Unionist community, attacks by the republican paramilitaries on the security forces were viewed as base sectarian attacks on the Protestant community. Loyalist paramilitaries often stated that attacks they made were in response to murders carried out by the IRA. The conflict thus at times took on a hyper-local tit-for-tat character. Indeed, the suspicion created amongst the wider unionist and loyalist community at the signing of the Anglo Irish Agreement (discussed in detail below) no doubt caught some RUC officers in a difficult position, clashing during demonstrations with loyalists with whom they fundamentally agreed. It is unsurprising, that members of the locally recruited state security forces, for whom their role in the UDR or RUC was often more than a job, but rather an expression of their political identity, felt the desire to strike back at republicans, or indeed the wider Catholic community. Unable to do so within the confines of their role as state employees, some sought other means to satisfy this urge, and seek revenge for the murder of their colleagues or members of their wider community.

Intelligence documents had been recovered in the early 1970s in the possession of loyalist paramilitary members, although the discoveries were seldom publicised, for obvious reasons.\(^{211}\) The killing of Pat Finucane in 1989, a Catholic solicitor, who RUC intelligence files indicated may have been a member of the PIRA, and another suspected PIRA member, Loughlin Maginn caused the allegations to resurface. The British government had been aware of apparent linkages between members of the

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\(^{211}\) Ibid.
security forces and paramilitaries since the mid 1970s, and had commissioned a report into ‘Subversion in the UDR’ in 1974. The report suggested that between 5 and 15 per cent of all UDR members had links with loyalist paramilitaries, with ‘widespread joint membership of the UDA’ and the UDR. Rather than take action to root out members of the security forces at this stage who had links with organisations carrying out the murders of Catholic civilians, it was rather suggested by one senior British Army adviser, that the UDR played an important role in channeling ‘into a constructive and disciplined direction Protestant energies which might otherwise become disruptive’. Indeed the De Silva report into alleged collusion in the murder of Pat Finucane, which reported in 2012, highlighted the claim that '85 per cent of UDA intelligence in 1985 originated from sources within the security forces. After the deaths of Finucane and Maginn, the UFF who claimed responsibility for the attacks publicised the fact that they held intelligence documents which suggested the pair were members of the IRA, and a short while later, over 250 intelligence files in their possession were leaked to the press and pasted on walls across Belfast. The Stevens Inquiry, led by a senior British police officer, was set up to investigate collusion in 1989 after these incidents. Despite the report being unable to say how many intelligence documents had been passed to loyalist paramilitaries, it concluded that there was no evidence of ‘institutionalised collusion’. The proximity of the locally recruited security forces to the conflict itself and their own political and emotional sentiments led some RUC and UDR members to collaborate with the loyalist paramilitaries in the murder of prominent republicans and Catholic lawyers who represented them. However, collusion was not a phenomenon contained to the Northern Ireland recruited security forces. A further investigation by John Stevens, in 1993 highlighted the role of British Army informer Brian Nelson. Nelson was a senior member of the UDA and had been recruited by the army’s intelligence unit FRU (Force Research Unit) as an informer. It emerged subsequently at trial, that Nelson had been passed intelligence files from the British Army so that the UDA could more effectively target republican paramilitary members,

213 Ibid.
214 Ibid.
216 A. Mulcahy, Policing Northern Ireland, p. 73.
rather than conducting random attacks on Catholic civilians, and that UDA arms shipments from South Africa, which Nelson had arranged were allowed to reach Northern Ireland, so as to protect Nelson’s identity.\textsuperscript{218}

Investigations into the deaths of prominent republicans and Catholic lawyers at the hands of loyalists perceived to have been assisted in some way, have largely confirmed the suspicion of many that state security force employees have been involved in the passage of security files to loyalists, that some personnel maintained dual membership of paramilitary organisations and state security forces, and that at unit level, some units of the security forces worked to protect paramilitary members from prosecution so as to maintain their infiltration of the organisation. Had collusion been institutionalised, or sanctioned at upper echelons of the state, we would surely expect that the intelligence and assistance offered to loyalists would have been of a level that would have made them extremely effective at the targeting and assassination of high numbers of active republican paramilitaries. For the most part, loyalists throughout the conflict targeted and killed Catholic civilians, suggesting that they overwhelmingly lacked the intelligence and technical intelligence to carry out such attacks. Notwithstanding the idea that collusion was largely conducted by ‘bad apples’ in the security forces, there were elements of state policy that (perhaps unwittingly) facilitated this trend.

There is little doubt, for example, that police primacy as a policy from the mid 1970s, put locally recruited security forces in primary control of intelligence gathering, and that personnel in these organisations, driven by their frustration, emotions or blind sectarianism, utilised this material to conduct attacks. The RUC, UDR, and British Army hierarchy were aware to some degree of collusion within the ranks, but aside from some occasions where prosecutions were sought, did little to change the culture of the organisations that allowed this to happen. This failure to stop the leak of intelligence files from state to paramilitaries played into the hands of republican propaganda and discourses about the dishonesty and injustice of the British state, and served to undermine efforts to professionalise, modernise, and normalise both the security forces in Northern Ireland and society in Northern Ireland itself.

\textsuperscript{218} A, Mulcahy, \textit{Policing Northern Ireland}, pp. 73-4.
The linkages in Northern Ireland between pro-state terrorism and the state itself were never of the scale or type as they were in Spain and the Basque Country with GAL, BVE and the AAA, nor was it similar to the campaigns carried out by secretive gangs of thugs recruited by the state as in French Algeria with the Barbouzes. However, we find a commonality in all three scenarios where agents of the state deployed or assisted with the illegal use of force. In all cases, the blurring of the lines between state and pro-state terrorism served to undermine the claim to the monopoly on the legitimate use of force by the state itself. The blurring of the lines also served to reinforce stereotypes and discourses of their opponents, and while in some cases, the extra-legal use of force succeeded in killing members of terrorist organisations, it did little to reduce the support these organisations had, or bring their campaigns of terrorism definitively to a close.

**Brighton Bomb, Intergovernmental Negotiations and the Anglo-Irish Agreement.**

Thatcher had met with Irish Taoiseach, Charles Haughey in late 1980 and established the Anglo-Irish Intergovernmental Council by November 1981.\(^{219}\) Thatcher states in her autobiography that her interest in a relationship with the Irish government extended only as far as improving security.\(^{220}\) The hope was that closer relations between An Garda Síochána, the Irish police force, and the RUC would help prevent republican terrorist groups from using the Republic of Ireland as a launch site for their attacks, and a safe haven to escape after, much in same way that ETA made use of the Spanish-French border to evade the Spanish security forces. The UK government had already accepted by 1979, that a military defeat of the IRA was unlikely. Given the events of 1981 and 1982 with the election of Bobby Sands in the 1981 by-election, the striking visual image of the 100,000 mourners at Bobby Sands' funeral, suggesting (whatever the reality) that militant and constitutional strains of Irish nationalism might be fused together once again, and the gains at the 1982 elections made by Sinn Féin for Jim Prior's rolling devolution Assembly, that efforts to hamper the IRA and restore normality to Northern Ireland through internal security


and devolution alone were unlikely to bear fruit. In this atmosphere, and often contrary to Thatcher’s vitriolic criticism of suggestions from nationalists in Ireland on possible solutions to the Northern Ireland conflict that involved a greater role for the Republic of Ireland as derogations of sovereignty, Anglo Irish relations were strengthened throughout the early 1980s.\textsuperscript{221}

In October 1984, as UK government ministers and prominent Conservative Party members were asleep in the Grand Hotel in Brighton where they were staying to attend the Conservative Party conference. In the early hours of the morning, a PIRA bomb exploded in the hotel, killing five people and injuring over thirty.\textsuperscript{222} The primary target had been Margaret Thatcher, and although she survived the attack unscathed, the attack sent shockwaves through the political establishment and indeed the wider world. Despite the infiltration of the PIRA by military intelligence, specialist army units, and the RUC, and direct confrontations of PIRA units by heavily militarised sections of the RUC, the PIRA were still able and willing to carry on their ‘armed struggle’. While the Brighton bombing fitted neatly with longstanding republican aims and objectives and was not the first nor the last time that the IRA attempted to take their armed struggle to the heart of the British political establishment, there was a visceral and personal element in the attempt to kill Thatcher and her cabinet. The sense that the IRA were hitting back at Thatcher for her intransigence during the Hunger Strikes was palpable.\textsuperscript{223} The attack had a profound effect on Thatcher, who once again lost close friends and political allies at the hands of Irish republicanism.\textsuperscript{224}

In terms of bringing home the urgency of achieving a lasting settlement to the ongoing crisis, the Brighton bomb must have had an impact, acting as a wakeup call. By November the following year, the Anglo-Irish Agreement had been signed. The Anglo Irish Agreement allowed the UK government to bypass the local political parties which had been unable to sustain a devolved assembly amidst the instability of ongoing campaigns of violence and mutual suspicion, in favour of a more stable Agreement with the Irish government. As Jonathan Tonge put it;

\textsuperscript{221} M. Cunningham, \textit{British Government Policy in Northern Ireland}, p. 48.
\textsuperscript{222} R. English, \textit{Armed Struggle}, p. 248.
\textsuperscript{224} M. Thatcher, \textit{The Downing Street Years}, p. 383.
The Conservative Party, hit hard by the IRA bombing at the Conservative Party Conference in Brighton in 1984, recognized that doing nothing was perhaps no longer an option. The Anglo-Irish Agreement placed that problem of Northern Ireland in a permanently binational context.225

The Anglo Irish Agreement (AIA) established an intergovernmental conference, a unit that met at ministerial level between the two governments. The AIA limited Dublin’s role to consultative and advisory, sidestepping claims that it would be a derogation of sovereignty, though unionists opposed the AIA, feeling that it would give the Republic a ‘direct influence in the internal affairs of Northern Ireland’.226 More generally, the AIA affirmed that any change in the constitutional status of Northern Ireland would have to occur as a result of the consent of a majority of the people of Northern Ireland, and that the Intergovernmental conference would strive to improve cross-border cooperation on security, economic, social and cultural matters.227 The most important aspect however, was that it provided that a power-sharing assembly composed of politicians from both sides of the divide in Northern Ireland could take over some of the duties of the Intergovernmental Conference.228 This effectively created a situation for the UK government where, under the normal operation of the Intergovernmental Conference, they would benefit from increased contact and improved relations from the Republic of Ireland for the time being, and it also created an impetus for the local political parties in Northern Ireland (especially the unionist parties, given their unhappiness at the involvement of the Republic of Ireland in Northern Ireland’s affairs), to negotiate for the construction of a power-sharing assembly, in order to take some power back into local hands, something which had been the aim of successive British administrations throughout the 1970s and 1980s.

The signing of the Anglo Irish Agreement fed directly into unionists long standing mistrust of the UK government and their paranoia that they were about to be sold out into some joint sovereignty arrangement or indeed, a united Ireland. As a result, moderate and more radical strains of unionism banded together again briefly in the

228 Ibid.
mid to late 1980s, with organisations amalgamating loyalist paramilitary groups as well as members of the Unionist political parties to form loose coalitions that staged massive protests in Belfast in late November 1985. While the protests were reminiscent of the 1974 Ulster Workers Council strikes, this time they were not sustained. The effect of the strikes was less destabilising than in 1974, although demonstrations continued to occur throughout 1985 and 1986, accompanied by riots, intimidation, and shots from loyalist gunmen aimed at RUC officers tasked with policing the unrest.\textsuperscript{229} The IRA, also upset with the Anglo Irish Agreement, and hoping that it would not result in the nationalist community coming to trust the UK state, intensified their campaign too, widening their category of ‘legitimate targets’ in 1986 to include civilians engaged in any kind of economic relationship with the security forces.\textsuperscript{230} More moderate unionism, understanding the commitment of the UK government to the AIA eventually shifted their position from total opposition to it, to discussions of devolution of much of the functions of the Intergovernmental conference to a power-sharing assembly, with the intergovernmental conference retaining only cross-border security cooperation within its remit, a position which was fostered and encouraged by Secretary of State for Northern Ireland at the time, Tom King.\textsuperscript{231}

The UUP were moderating its position on the Anglo-Irish Agreement with its decision to find ways around it through the possibility of establishing a power-sharing assembly. They had accepted the counter-productivity of continually restating their opposition to the political reality of the Anglo Irish Agreement and the Intergovernmental Conference.\textsuperscript{232} Loyalism however retained its paranoia and loyalist violence in the late 1980s was reaching new depths. Against the backdrop of an electorally buoyed Sinn Féin, an Anglo-Irish Agreement thrust upon them with no consultation by a government they already treated with suspicion, and the softening position of the UUP in relation to it, loyalist violence began to rise. Deaths at the

\textsuperscript{229} Ibid, p. 204.
\textsuperscript{231} Ibid, p. 203.
hands of the loyalist paramilitaries spiked in 1986 to 17 from just five the year before, and continued to rise throughout the late 1980s and 1990s.\textsuperscript{233}

**The road to peace**

Sinn Féin’s move into electoral politics in 1981, and the rise to the presidency of the party by Gerry Adams marked a new phase for the Provisionals. Sinn Féin had also begun to realise the limits to their electoral success with modest polling in elections in 1985 and 1987, which lagged behind the strength of their nationalist rivals in the SDLP.\textsuperscript{234} With setbacks mounting and the gradual realisation coupled with the gradual change in atmosphere in Northern Ireland from one of insurrection and near civil war in the early 1970s, to that of a long, drawn out, bitter war of attrition, with blunders such as the 1987 Enniskillen bomb, and attacks on the now widened category of ‘legitimate targets’ demoralising the IRA and weakening their support amongst the nationalist community,\textsuperscript{235} Sinn Féin took a new approach.

The Sinn Féin President, Gerry Adams met in secret with SDLP leader John Hume in late 1987 and throughout 1988 with a few to establishing a common strategy on Irish unity and establish something akin to pan-nationalism on certain issues.\textsuperscript{236} The SDLP used these meetings as an opportunity to emphasise the negative role that the PIRA had played in Northern Ireland, with Hume stating his belief that a cessation of IRA violence would create the conditions under which a united Ireland could be achieved through the channels set out in the Anglo Irish Agreement.\textsuperscript{237}

The resignation of Margaret Thatcher in 1990, replaced as Prime Minister by John Major was an important development. Thatcher had, as a result of her trenchant unionism, her unflinching public rhetoric during the hunger strikes, and the derisory way she had dismissed attempts by the constitutional nationalist parties north and south to find a solution to the Northern Ireland conflict that was amenable to all, become an arch villain for many nationalists. John Major was a very different Prime

\textsuperscript{234} R. English, *Armed Struggle*, p.239.
\textsuperscript{235} G. Murray and J. Tonge, *Sinn Féin and the SDLP*, p. 165
\textsuperscript{236} Ibid, p. 166.
\textsuperscript{237} Ibid, p. 167.
Minister. Although still a Conservative Prime Minister, his unionist rhetoric was much less strident, and he carried none of the political baggage that Thatcher had accrued in her eleven years in office. Major made attempting to find a resolution to the Northern Ireland conflict a priority for his term in office.238 Furthermore, Major’s Secretary of State for Northern Ireland, Peter Brooke spoke about the ‘legitimacy of the Republican tradition’.239

Capitalising on the softening of the UUP position, Brooke established political talks between the SDLP, Alliance, and the UUP in 1990, and in doing so, stated that the UK government had ‘no selfish strategic or economic interest in Northern Ireland’.240 The statements by Brooke stood in stark contrast to Thatcher’s rhetoric of Northern Ireland being ‘part of the United Kingdom - as much as my constituency [Finchley] is’.241 By 1992, the more informal talks between the three parties had evolved into a more solid round of political negotiations, which after the 1992 general election, were chaired by Brooke’s successor, Patrick Mayhew.242 Privately, the UK government, being aware of the soul searching and perceived sense of self-weakness from Sinn Féin, re-established contact with the IRA. The move came in 1989, despite Thatcher and later, Major’s publicly stated position that they would not talk to terrorists.243 Through this back channel, the UK government were making it clear to the PIRA that Sinn Féin’s entry into the ongoing political talks was dependent on a cessation of violence by the paramilitary group.244 Meanwhile, the IRA were still unprepared to move away from their armed campaign and violence from both republicans and loyalists continued in the early 1990s. Keen to show, despite their secret talks with the UK government, that they remained undefeated, the PIRA sustained a bombing campaign in Britain, with an attack on the London Stock Exchange in 1990, an attempted mortar attack on Downing Street and other central London targets in 1991, and 1992, and again attacks in London and Manchester in 1993. Importantly, the UK government were undeterred by the continued violence, and the back channel

244 H. Patterson, *The Politics of Illusion*, p. 244.
remained open despite the ratcheting up of violence by the PIRA in the early 1990s. That the talks were being conducted in secret was no doubt crucial. In December 1993, the Irish and UK governments issued the Downing Street Declaration, in which they restated their commitment to the principle of consent, and the right to self-determination, whereby the constitutional status of Northern Ireland could only be changed when a majority of people there wished it to be the case. John Major spoke in the House of Commons about the hope that Sinn Féin would renounce violence, accompanied by the symbolic surrender of some arms, to allow a dialogue to begin.245

The following year, on 31 August, the PIRA declared a ceasefire. Officially, the UK government responded tentatively, remarking on the lack of words that denoted the ceasefire would be permanent.246 However, the UK government’s faith in the ceasefire was indicated by the lifting of the broadcasting ban against political parties which refused to condemn paramilitary violence, and the reduction of British army support for RUC patrols. Two months later, the loyalist paramilitaries, now under the umbrella of the Combined Loyalist Military Command announced a ceasefire as well. For the first time since the late 1960s, it appeared that an opportunity to achieve a lasting peace might be possible. The road from the 1994 ceasefires to the Good Friday Agreement in 1998 was not an easy one. Sinn Féin and the PUP and UDP, the parties representing paramilitary organisations were not immediately admitted to the negotiations on an agreed settlement, with the UK government initially demanding acts of decommissioning as a symbolic gesture that the paramilitaries had moved away from violence for good. The issue of the decommissioning of paramilitary weapons threatened to derail the process on a number of occasions, with the UUP feeling particularly uneasy about engaging with Sinn Féin without decommissioning first, lest they lose support to the more hard-line DUP, who remained outside of the negotiations. The PIRA broke their ceasefire in 1996, with a massive bomb in Canary Wharf in London, demonstrating that their patience at the stalling peace process and indicating their ability to return to armed struggle. The PIRA announced a second ceasefire in 1997, stating their commitment to removing British rule in Ireland, and also their hope that the renewed ceasefire would bring

about real political negotiations to achieve a lasting peace. The eventual agreement, signed on 10th April 1998. The Good Friday Agreement (or Belfast Agreement) was signed by eight of Northern Ireland’s political parties, with the DUP being notably (though unsurprisingly) absent from the signatories. It had been signed almost a year after Tony Blair’s Labour Party had come to power when the Conservatives were defeated in the 1997 UK General election. Blair received plaudits for his role in achieving peace. The last push of the Labour government, with key roles played by Blair, his special advisor Jonathan Powell, and Secretary of State for Northern Ireland, Mo Mowlam who had all been instrumental in fostering the agreement from the British perspective, with the Irish government playing a considerable role. That the Good Friday Agreement would be achieved was not a foregone conclusion, and that it would prove durable was even more uncertain. It is important however to note the important progress made by Blair’s predecessors in taking the initiative to maintain contact with the PIRA through their last violent throes in the 1990s, and in persevering until the vast majority of political parties were prepared to sit around the negotiation table.

The GFA itself was, as the SDLP’s Seamus Mallon famously noted, similar in many respects to the Sunningdale Agreement of 1973. It established a power-sharing, mandatory coalition executive selected proportionately from a 108 member Assembly which was elected by Single Transferrable Vote system. As well as the internal power-sharing element, there was to be a cross-border element, found in the North South Ministerial Council, a diluted version of the Council of Ireland which had proved to be the divisive issue in 1973. Additionally, a third strand provided for East West links, with the British Council, and British Irish Intergovernmental Conference, designed as a balancing to the cross-border element. Crucially, the GFA mandated that the Republic of Ireland would need to relinquish their territorial claim to the six counties of Northern Ireland, located in Articles 2 and 3 of the Irish Constitution, which were to be replaced with an aspiration to the reunification of the national territory. In the lead up to the referendum, it became clear that nationalists and republicans overwhelmingly supported the Agreement, but that unionism was much

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more divided on the issue. On referendum day, the turnout in Northern Ireland was 81 per cent, the highest ever recorded, while the Republic of Ireland recorded a much more modest 56 per cent turnout. In Northern Ireland, 71.1 per cent voted in favour of the Agreement, while south of the border, 94.4 per cent voted in favour. While these results may appear like a resounding success, the statistics mask the high levels of discontent with the Agreement amongst the Unionist community, as well as a considerable level of republican discontent.

The Good Friday Agreement did not mark the end of terrorism in Northern Ireland. The general population of Northern Ireland enjoyed the peace brought by the ceasefires in 1997 and the air of optimism palpable after the announcement of the Good Friday Agreement, but in Northern Ireland, peace was a relative concept. Long-established paramilitary organisations remained heavily armed, British soldiers remained in Northern Ireland, and the RUC remained intact. The decision to accept the Good Friday Agreement by Sinn Féin meant that any return to violence by the PIRA was untenable. In recognising this, some of the more hardline members of Sinn Féin broke from the organisation. The sister of hunger striker and republican ‘martyr’ Bobby Sands stated at the time that her brother ‘did not die for cross-border bodies with executive powers. He did not die for nationalists to be equal to British citizens within the Northern Ireland state’.

In 1986, there had been a splinter from the Provisional Movement, with former Provisional Sinn Féin President Ruairí Ó Brádaigh leaving to form Republican Sinn Féin, which soon developed a parallel armed wing, known as the Continuity IRA. In 1998, the provisional republican movement split again, with some high ranking IRA members leaving to form the Real IRA and its connected political wing, the 32 County Sovereignty Movement (32CSM). The optimism of the people of Ireland, north and south that political violence would be a thing of the past was shattered soon after the signing of the Good Friday Agreement. In August 1998, the market town of Omagh was devastated by an RIRA bomb which killed 29 people, including a pregnant woman. However, the bomb did


\[251\] Ibid.

not cause a slip back into violence for most of the main paramilitary organisations, and the widespread revulsion from all sections of the community prompted a temporary cessation of activities from the RIRA.

The years after the Good Friday Agreement were fraught with political difficulties. Full decommissioning of arms had still not taken place by the paramilitary organisations on ceasefire. The lack of progress on the issue hamstrung progress, with the Northern Ireland Assembly being suspended as a result of Unionist refusal to engage in the political institutions until the decommissioning issue had been resolved. Additionally, measures decided upon as part of the Good Friday Agreement were still taking time to unfold. Prisoner releases under licence occurred throughout 1999 and 2000, with over 400 paramilitary prisoners convicted of terrorism related offences being released, with over 100 of those serving life sentences, many for some of the most heinous atrocities carried out during the worst days of the conflict. For victims and their families, this was a bitter pill to swallow, but one that had been deemed to be politically necessary to bring the paramilitaries on board with the peace process and secure their continued ceasefires.

As part of the Good Friday Agreement negotiations, many paramilitary prisoners serving long sentences for terrorism related crimes were released from prison on licence. While this was a bitter pill for many civilians and victims of terrorist violence, it was deemed to be the price to pay in order to achieve the support of the paramilitaries for the peace process. Additionally, the Good Friday Agreement had also established a commission, led by senior British politician, Chris Patten, to indicate changes to be made to policing in Northern Ireland. Given the concerns of the nationalist community about the perceived partiality of the police and their levels of professionalism, this was seen as a major hurdle to overcome in the hope for a lasting settlement to the conflict.

The Patten Report was published in September 1999, and while it did not conclude that the RUC should be disbanded, it made 175 recommendations for substantial
reform of the organisation.\textsuperscript{253} By 2001, most of these reforms had been implemented. They included the change of name from the Royal Ulster Constabulary to the Police Service of Northern Ireland (PSNI), the removal of the most visible symbols of Britishness, a new code of ethics and oath of office, as well as a strengthened emphasis on human rights, training, and normalisation of policing, and crucially 50-50 recruitment policy for Catholics and ‘other’.\textsuperscript{254} Police reform in Northern Ireland had been something that had been ongoing throughout the conflict, but its progress was often piecemeal and conducted during the conflict, meaning that the opportunity for the community to reflect on the real differences that the changes had made were few and far between, and were in many cases undermined by the series of scandals and allegations against the RUC. In the clear light of day, against the backdrop of relative peace, the most comprehensive changes ever made to policing in Northern Ireland were implemented.

Terrorism legislation had been updated and amended throughout the conflict, and had during the 1990s been subject to annual renewal as a means to demonstrate that the necessity of the emergency legislation was under continual review. The end to the PIRA and loyalist campaigns of violence in 1997 provided space for the greater normalisation of counter-terrorism legislation. In 2000, the Terrorism Act was passed to replace the EPA and PTA legislation which had been the mainstay of legal measures to deal with terrorism throughout the conflict.\textsuperscript{255} The legislation applied not just to Northern Ireland but to the entire United Kingdom, and was drafted in such a way to deal with a wider range of potential terrorism than just that emanating from Northern Ireland.\textsuperscript{256} Whilst the decrease in terrorist activity in Northern Ireland allowed for the passage of the Terrorism Act, it was the first time that the legislation designed to combat terrorism had been drafted, debated and passed into law without the spectre of wide scale republican and loyalist violence. The legislation’s permanence, and its more general nature meant that it seemed less obviously stringent and attracted little of the controversy that previous counter-terrorism

\textsuperscript{254} Ibid.
\textsuperscript{256} Ibid, p.135.
legislation had in the past, despite there being no grand departure or significant liberalisation of the legislative regime.

The political atmosphere had fundamentally changed in Northern Ireland by 2005. The Assembly had been operating for five years. Though it suffered teething problems and suspensions as unionists attempted to exert pressure on the PIRA to decommission entirely, it provided checks and balances to ensure that peaceful nationalist voices would be heard politically, and prevented a return to the old pre-1972 version of devolved rule. Those paramilitaries on ceasefire had not held entirely true to their word, with several killings attributed to the Red Hand Defenders and to the PIRA from the late 1990s and early 2000s, indicating just how delicate the peace process was. However, the UK state were finally making substantial inroads in their quest to secure the normalisation of politics and everyday life in Northern Ireland, and it came not through the imposition of doctrinaire security policies alone, but through mediation and negotiated settlement, including with those who had perpetrated some of the conflict’s worst atrocities.

Across the United Kingdom, and indeed globally, the attitude towards terrorism had changed substantially in those early years of the 21st century. The events of 11 September 2001 had created an atmosphere of absolutism surrounding the use of terrorist tactics, evidenced by the American response to the attacks in the shape of invasions of Afghanistan and Iraq. There was the feeling that whatever the cause of the terrorist, that their message in this new climate of fear was more likely to be lost, and seen as an attack on democratic values. Within Northern Ireland there was significant political change, too. Sinn Féin had risen to become the largest nationalist party in the Assembly, surpassing their more moderate rivals the SDLP in the Assembly elections of 2003. In July 2005, the PIRA issued a statement announcing an end to its armed campaign, and in September of that year, the Independent Monitoring Commissioning on Decommissioning that had been established to oversee the decommissioning of arms by paramilitary groups in Northern Ireland announced that the PIRA had given up its arms and no longer posed a threat.

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In 2007, as a result of the relatively peaceful climate in Northern Ireland, the British Army finally withdrew from Northern Ireland, leaving only a normal garrison of troops. It marked the end to the British army's longest campaign, Operation Banner. The death of civilians throughout the conflict was always met with an outpouring of grief and frequently shook support for the paramilitary organisations. That such an outpouring of grief occurred in response to the death of 28 civilians in Omagh is thus, no surprise. Far more telling however, of the changing political climate was the reaction to attacks on security force personnel at the hands of dissident republicans. The killing of two Royal Engineers sappers at Massarene Barracks in Antrim by the RIRA in April 2009 and just ten days later, the killing of Constable Steven Carroll in Craigavon in 2009 by the Continuity IRA was roundly condemned by all sections of the community, including former high ranking PIRA member, by then a senior Sinn Féin politician and Deputy First Minister of Northern Ireland under the new devolved institutions Martin McGuinness. In 2011, the killing of a young Catholic police officer Ronan Kerr in Omagh, County Tyrone by dissident republicans created powerful symbols, with a guard of honour at his funeral being provided by both the PSNI and Gaelic Athletic Association. A powerful indicator of how far society had come in Northern Ireland and the massive improvement in community relations despite the sporadic occurrence of violent attacks by dissident republican groups.

Whether the conflict in Northern Ireland has reached a conclusion is still a matter of debate. A comparison of the PSNI statistics from 2013/14 to those of the 1998/1999 which marked the signing the Good Friday Agreement show a considerable reduction in the intensity of the conflict. From April 2013 to March 2014 only a single death from conflict is recorded, compared to 44 for the same period in 1998 to 1999. Likewise, 2013/14 shows 57 shooting incidents and 69 bombing incidents in the period, compared to 187 shootings and 123 bombing incidents in the same period of 1998 to 1999. Statistics however mask detail, and a number of the incidents included in the figures were the disruption of large scale attacks, including an

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258 McGuinness publicly stated that those who carried out the attack were 'traitors to the island of Ireland' and commented that the attack and others like it would not derail the peace process. See [http://www.theguardian.com/uk/2009/mar/10/northern-ireland-policeman-killed](http://www.theguardian.com/uk/2009/mar/10/northern-ireland-policeman-killed) (accessed 24/11/13).  
attempted dissident republican mortar attack on a PSNI station in Derry, and a number of attempted car bombs, similar in size to that which claimed the lives of 29 people in Omagh in 1998. The levels of violence may have greatly reduced but there is little room for complacency.

Conclusion

The nature of the UK state response to terrorism in Northern Ireland was shaped by a number of factors which the state elites had not recognised early in the conflict, and which later they would struggle to control. It was only with the eventual management of some of these factors, that UK state elites were able to manipulate the political scenario from a situation resembling war, to a situation resembling peace. Owing to previous outbreaks of conflict in Ireland and the constitutional settlement that was reached concerning partition and the establishment of devolved institutions at Stormont, the Westminster government had maintained a distance from Northern Ireland’s internal political affairs for almost 50 years by the outbreak of serious civil unrest in the late 1960s. Unscrutinised by central government, the administration in Northern Ireland had taken on sectarian and overtly Unionist overtones, which served to foment the grievances of the nationalist minority. When violence did erupt, the character of the locally recruited security forces, the USC and the RUC, which were overwhelmingly Protestant and Unionist in their make up, unprofessional, ill trained, and tended towards sectarianism caused the worsening of inter-communal relationships. Unhelpful rhetoric from the Unionist government at Stormont served to exacerbate these tensions and allowed republicans to use the ill-treatment at the hands of the security forces as evidence of the irreformable nature of the state in Northern Ireland.

There is little doubt that as the civil unrest spread, that the inability of the locally recruited security forces to cope meant that the deployment of the British Army was necessary. However, the history of the British army, with its accrued experience in counter-insurgency campaigns in the colonies meant that its standard operating procedures and organisational culture were ill suited for its peace keeping and ‘aid to the civil defence’ role in Northern Ireland. While the military leadership had preached
‘minimum force’ and the importance of ‘winning hearts and minds’ in the military’s engagements prior to Northern Ireland, the abstract ideas expounded by senior officers were seldom put into practice on the ground by rank and file soldiers. Thus, the army’s overzealous actions in the early years of the troubles served to foment nationalist disaffection from the state in Northern Ireland, and gave the IRA the chance to portray the army as one of occupation and repression.

The lack of knowledge of Northern Ireland among state elites at cabinet level meant that when Direct Rule was implemented, that the politicians in Westminster had little experience of handling Northern Ireland and lacked a basic familiarity with the history and political problems it faced. The assumption that the security forces were expert in this area, and thus the high levels of operational independence granted to them, also contributed to the problems. Furthermore, there were tensions between the coercive arms of the state from the deployment of the Army. This situation worsened when the Westminster government opted for police primacy. As a result, cooperative endeavours between the police and the military was not as smooth and effective as they could have been. There was also a duplication of roles which created confusion, and a less than optimum intelligence approach. Despite the professionalisation of the RUC throughout the conflict, the highly emotive nature of terrorist attacks on security force personnel meant that some RUC and UDR operatives took matters into their own hands, passing resources and intelligence to loyalist paramilitaries, or at times even holding dual membership of state and terrorist organisations.

State elites were not immune from visceral reaction, and Margaret Thatcher, who had been deeply affected by the loss of close personal friends at the hands of republican paramilitaries was vociferously outspoken against the IRA, making her a target for attack and a reviled figure for the nationalist community. Despite her attempts behind the scene to broker a deal with representatives of the hunger strikers in the early 1980s, she maintained a publicly defiant attitude, which assisted the coalescence of anti-state sentiment in the aftermath of the death of the ten hunger strikers, assisted the electoral rise of Sinn Féin and gave a shot in the arm to the IRA who had been struggling since the adoption of the ‘criminalisation’ approach and the increase in
intelligence led operations against terrorism. A more publicly moderate tone might have defused the situation without giving the republican movement the sense of legitimacy they hoped they would win from the ‘prison war’.

The reform of elements of the state apparatus and honing of the counter-terrorism approach from the late 1970s onwards made it more difficult for the IRA to frame the conflict as a war of national liberation against a colonial oppressor. While there were still mistakes in the form of security force ambushes of suspected IRA units which had characteristics of counter-insurgency operations, and were ill fitting with the ‘criminalisation’ approach, the counter-productivity of such operations was recognised and they became fewer and more sporadic as time went on. The publicly more conciliatory and moderate tone that UK state elites began to adopt post-Thatcher played an important role in quelling the conflict. Essentially, ensuring that the state did not resemble the nefarious and uncompromising colonial oppressor that republicans liked to portray it as went a long way in defeating their arguments. When this was coupled with attacks by the IRA that caused widespread revulsion because of the nature or number of casualties, it was much more effective than the aggressive counter-insurgency operations seen in the early 1970s.

It is remarkable that the PIRA campaign has been brought to an end, with former senior members now occupying elected political positions within the UK state apparatus. This development cannot be explained without an understanding of the transition, reform and changing strategy of the UK state with regards to the conflict. While some of the key factors in achieving the permanent cessation of violence by the main paramilitary organisations were in place from early in the conflict, including a redress of the civil rights issues, the dissolution of the old Stormont government, and the attempts to foster power-sharing arrangements, it took decades for the UK state, in collaboration with Northern Ireland’s politicians and assistance from the Republic of Ireland and the USA before ceasefires were announced and allowed the peace process to take root. The UK’s evolving state response to terrorism was very much a process of trial and error. The visceral responses of partisan security force personnel gradually became rarer as the security forces were professionalised and reformed.
The success of the UK state’s counter-terrorism campaign in Northern Ireland can be attributed to the slow evolution over time of their strategy for dealing with political violence. Reform of symbolically and practically problematic organs of the state to avoid own goals and break the cycle of ‘action/repression/action’ which republicans relied on to represent Northern Ireland as a region under brutal colonial occupation was of paramount importance to securing the peace. This is not to say that there was a blueprint in place that demonstrated the Westminster government’s awareness of the problems, but rather the reforms were ad hoc, implemented as the negative consequences of unprofessional and illegal conduct by security forces became clear.

Eventually, it was the combination of intelligence led approaches leading to criminal prosecutions, combined with restraint on the part of the security forces and moderate and conciliatory language from government officials that helped to demoralise and wear down support for the PIRA. Though much of the groundwork had been put in place with regards to a political settlement in the early 1990s, the change of government in 1997, with Labour headed by Tony Blair as Prime Minister helped to create an atmosphere that allowed the Good Friday Agreement to be signed. In many ways, the Good Friday Agreement represented the starting line, rather than the finish line. The fragility of the peace was tested on several occasions, by dissident republican bombs, and breaches of ceasefires by the major paramilitary players. The erosion of support for terrorist organisations and the desire for a peaceful settlement amongst the general population, and the absence of a violent backlash by loyalist paramilitaries to dissident republican attacks, and the tone of senior politicians which avoided the vitriol that had been emblematic of Thatcher’s approach succeeded in steering a path through the decade and a half since the signing of the Good Friday Agreement.
Chapter Four
Making Sense of State Responses to Terrorism

Having examined our three case studies, we have by now a clear picture of the way in which these states have responded to specific campaigns of terrorism. We have seen the different characters of these three states, with their contrasting histories, the varied relationships with the territories which have been fought over, and their divergent understandings of the organisations which used terrorism. The terrorist organisations that the state has been faced with have also been very different in their composition and their strategies. Despite these differences, there is something about the nature of states generally, and the particular character of these particular states which has shaped and directed their response, rather than being the rational and utility driven responses that we might expect. Thus, there is something we can learn from these case studies about what causes states to respond in the way that they do more generally, in reaction to either a sustained and prolonged campaign of terrorist violence, or sporadic or isolated incidents. In this chapter, I will highlight themes concerning the nature and character of the state which shape and drive the state’s response to terrorism. In doing so it will show how, more generally a focus on the nature and character of states and their histories and development can shed light on their counter-terrorism efforts which will augment how we view current and future campaigns of terrorism and state response.

As was set out in the introduction chapter, the state is not a unitary actor but rather is a collection of organisations with particular responsibilities and priorities, each shaped by the peopled nature of the state, that is, by the people who fill each of the positions within each organisation and who also shape the particular character, agendas and priorities of particular state organisations.
Emotional Impetus for Reaction

The effects and importance of emotion have been neglected in the field of International Relations, but there have been some notable attempts in recent years to reintegrate emotion into analyses of state action. Neta Crawford demonstrated in her seminal article in 2000 that those academics who adopt neorealist or neoliberal international relations theories to explain state action at the international level acknowledge the importance of emotion, albeit implicitly, and limited to the emotions of fear and hatred.¹ Alexander Wendt discusses the ‘state as person’ in an article in 2004,² a method which would allow us to attribute human emotion to the intangible state. However, given our analysis of the state thus far, not as a ‘person’ but as a ‘peopled organisation’, composed of a variety of organisations composed of people, Wendt’s argument is thus not a useful tool for attempting to understand the action taken by individuals or groups of individual state personnel in response to terrorism, acting on their emotions. An understanding of the emotions of state leaders is useful, given their prominence and position within the state, but again, only takes us so far. Brent Sasley comes close with his call to consider ‘intergroup emotion theory’ (IET).³ IET is concerned with ‘the manner in which members of a group experience emotions as members of the group when the group - not the individual - is affected by a given event or circumstance’.⁴ In some respects, this is echoed by Karin Fierke, who draws attention to the idea that emotion, ‘while most often experienced at the individual level, is inherently social and relational’.⁵

If we understand the state primarily as a human community in which the identity of individual personnel is not entirely suppressed by training, discipline and the duty to carry out one’s job in service of the state, then we can imagine that this will affect how we view state response. Given that terrorism is often said to be used to achieve political ends through producing psychological effects, such as terror, or fear, it is

⁴ Ibid, p. 454.
unsurprising that these emotions, and others such as anger, hatred, frustration, and the desire for vengeance that terrorism may generate in the victims and wider audience, can be factors in shaping the response to terrorism. As previously discussed, each member of the state apparatus is an individual with a complex identity, shaped by a range of considerations. He or she will come from a particular place, be a member of a particular ethnic group, hold a particular set of religious and political beliefs, and may have had a range of other roles in society prior to or along side their position as a member of the state apparatus, as well as their own opinions on the effectiveness of the measures they are being asked to implement in response to terrorism.

As such, each person will have a different view of particular instances of terrorism and of terrorist campaigns, and it stands to sense that state personnel in discharging their duty will at times act on the basis of their emotions, to a greater or lesser degree. Indeed, given that state personnel are often disproportionately affected by terrorism, with some branches of the state or state apparatus as a whole being targeted for attack, it is understandable that the actions of particular individuals tasked by the state with responsibility for responding to terrorism will be tempered by their own views, prejudices and experiences. While different state personnel have a different proximity and relationship to the conflict, (think of the soldier who has fought against terrorists for a prolonged period, versus the senior governmental minister, potentially far away from the tangible and visible effect of terrorism), emotional responses to terrorism are produced at all levels of the state, though the effect of these emotions on the overall response and the trajectory of the conflict at large, depends a lot on the role the individual plays in the state apparatus and the amount of responsibility and power they have.

Our case studies offer numerous examples of where emotional knee-jerk reaction took the place of reasoned decision-making. These cases frequently served to exacerbate rather than quell the conflict, and impacted the trajectory of the conflict. In Northern Ireland, we saw how the locally recruited security forces, consisting almost entirely of Protestants often overstepped the mark in their response to nationalist civil unrest and violence from republican paramilitaries. The emotional
knee-jerk reaction was evident in the heavy handedness by the RUC witnessed at NICRA marches and protests, and the failure to meaningfully intervene at Burntollet when loyalist mobs attacked civil rights protesters (with some among the loyalist mob being off-duty USC B-Special officers). Their actions may have been simply the emotional response to a movement they perceived as a Trojan horse, attempting to destabilise the state in Northern Ireland, and while there was no policy in place determining that police should take such a robust approach towards civil disobedience, it added fuel to the fire of the conflict and reinforced the understanding of many nationalists that the UK state in Northern Ireland was irrefordable, further polarising an already divided community.

Eamon Collins, a former PIRA member who became a double agent, working for the RUC Special Branch before being killed by republicans in 1999, describes the experience of being interrogated by RUC officers who had recently lost nine colleagues who were killed in an IRA mortar attack on Newry RUC barracks in February 1985. The exchange demonstrates the intensely personal nature of the conflict in Northern Ireland. At one point during questioning, Collins’ interrogators told him ‘A fucker like you ought to be taken out into the yard and shot. I don’t know why we waste time on you’. In one particularly personal attack on Collins, he was told by interrogators:

I’m going to the first of many funerals today. After the funerals I’m going to your house and we are going to turn it upside down. I’m going to arrest your wife and she’s coming here [RUC interrogation centre] for seven days… And you know, Eamon, I’ve got a name for your wife. I’m not going to call her Bernadette…

And later being told when he complained about the verbal abuse from interrogators:

Verbal abuse? Verbal abuse is about the only thing we can give you Provie [Provisional IRA] fuckers. I wonder what you’d give me, you Provie

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bastard, if you were interrogating me in some barn in south Armagh? It wouldn’t be verbal abuse, you murdering cunt. No you’d be taking lumps out of me with an iron bar before you put a fucking hole in my head.  

Collins himself notes the personal nature of that encounter, saying that ‘I could see that he felt hurt and angry at the loss of his nine comrades, in much the same way I felt when I heard about the deaths of IRA volunteers’. In this particular instance, there was no sense that the interrogators transcended any accepted practice for interrogating IRA suspects. However, it serves to neatly demonstrate the intense emotion felt by state personnel and its effect on their behaviour.

In both Spain and Northern Ireland, we see the formation and activities of what have been termed ‘death squads’. Either in the form of collusion between existing terrorist organisations (as in Northern Ireland) with police officers passing intelligence, arms, or indeed at times filling the ranks of these organisations, or in the formation of the new death squad or ‘anti-terrorist’ organisations, largely staffed by off duty state personnel (as with the BVE and AAA in Spain), organisations wreaking terror against the minority civilian populations in retribution for the acts of separatist terrorist groups. Indeed, to look at the Algerian case, the birth of the OAS itself is a clear example of dissatisfaction of state personnel with the direction and intensity of policy towards terrorism, the fear created by terrorism itself, and the desire to influence the trajectory of the conflict beyond what their role as state operatives would have permitted. Of course, individuals will be driven to participate in these organisations for a variety of reasons, and yet overall they appear to be the reaction to frustration at the ineffectiveness of the state and the hatred, anger and fear produced by terrorism. This is not to say their actions were acceptable or excusable, but in the context of a conflict fought at close quarters as was the case in these instances, it is understandable that passion and emotion drives the decisions of state personnel as much as their training, or sense of obedience to the state itself. Furthermore, understanding the actions of state personnel in such a manner is essential to understanding the discourses of both state and terrorist concerning the moral justifications for their respective actions.

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9 Ibid, p. 269.
10 Ibid.
States which have seen their personnel either act over-zealously in their use of force, or take matters into their own hands, subverting the law to carry out their own violent acts have attempted often to explain away these deeds as the work of ‘bad apples’. The idea here, is that these state personnel who act illegally or beyond their remit are individuals who have taken matters into their own hands, and that in the main, the security forces have acted with tremendous restraint in the face of provocation and in high pressure situations. Their actions, we are told are beyond the control of the state in this regard, though the state seeks to punish those among their staff who break the law or go beyond the acceptable use of force in the interests of justice and discipline.

However, the knee-jerk responses of the state towards terrorism are not confined to the rogue activities of individuals or small groups of state personnel. We have evidence from our cases of where policies were made which, while not transcending the law, were made in haste, borne out of the anger and fear caused by terrorism and a desire to punish, but more importantly exact revenge upon the terrorists. That such strategies are often made within the remit of the law, and receive official sanction from the state at large, or particular state organisations can sometimes serve to obscure the emotional and knee-jerk character of the decisions made. Closer attention to the context, as well as the comments made by state personnel with the authority to initiate measures to direct the approach of the state at large or particular state organisation illuminates the emotional impetus and unspoken vengeful justification of some state responses to terrorism.

Consider for example, the decision to move Basque nationalist prisoners to high security prisons across Spain. Made in the aftermath of ETA assassinations of state personnel, it seems that the decision represents more than simply a way to disrupt ETA within the prison system, but a form of collective punishment. Subjecting ETA prisoners to maximum security prison regimes far from their homeland, inconveniencing their relatives and where they would be subject to the disdain from

12 see for example, the Cameron Report 1969 into the actions of the RUC in the disturbances at Civil Rights demonstrations on 5th October 1968, and thereafter.
other prisoners, and as we later learned, brutality in detention at the hands of military prison guards.

In Northern Ireland from 1979 to 1992, the active personal involvement that Prime Minister Margaret Thatcher in directing overall policy and in negotiating a course through the various crises that arose during those turbulent years left its imprint on the conflict. That Thatcher had been deeply affected by events including the killing of Louis Mountbatten, 18 British soldiers at Warrenpoint and her close colleague and friend Airey Neave was clearly evident. In eulogy for Neave, she appeared to equate republican violence with the Nazis, referring to his role at the Nuremberg trials. In the aftermath of the death of Mountbatten in Sligo and 18 British soldiers at Warrenpoint, her derogation from longstanding British policy which she had inherited of ‘normalisation and Ulsterisation’, with the militarisation of RUC elite units, and the placing of inter organisational security cooperation in the hands of an ex Military Intelligence chief, Maurice Oldfield led to an increasingly muscular counter-terrorism campaign throughout the 1980s, which although destabilising the PIRA and affecting their ability to conduct attacks, served to polarise Northern Ireland society and increase the mistrust of locally recruited security forces. Thomas Hennessey notes that during the Hunger Strike crisis in 1980 and 1981, ‘Thatcher’s hand was literally all over the “deal” sent to the Provisionals - revealing the key involvement of a Prime Minister who claimed that she refused to negotiate with terrorists’.

In Algeria, the frustration at the continued disruption and destabilisation by the OAS and the complicity or unwillingness of the security forces on the ground to comprehensively deal with them resulted in the French state sanctioning the use of parallel secretive units. Michel Hacq’s Mission C, basing their operations on high grade intelligence and precise efforts in the hope that the more professional outfit from mainland France could successfully apprehend OAS suspects and stop the slippage of intelligence from the state to the OAS which had been the cause of so many failed operations against the OAS. The parallel organisation known as ‘les barbouzes’ were a more violent and negative outcome of the frustration of state personnel, as funds from French Military Intelligence appear to have been used to

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finance the shady organisation whose intentions to wipe out OAS through more violent means resulted in the further polarisation of *pieds noirs* from the French government and a quick defeat as the European community in Oran and Algiers alerted OAS Deltas to their presence in the cities.

In Spain, the activities of the GAL, a pro-state death squad formed during the period of PSOE government in the 1980s, and with much closer and more demonstrable links to the state, might have helped to disrupt ETA hierarchy for a period and create terror and confusion amongst Spanish Basques living in exile in the French Basque Country, but ultimately served to alienate the Basque people from the Spanish state and provide ETA with a lifeline at a time when their support had been dwindling. Again, the GAL seems to have been formed as a way to extend the reach of the state, as the frustration of the PSOE government grew at the lack of cooperation from the French government, which ultimately provided ETA with a safe haven from which to organise and launch attacks against the Spanish state.

**The character of state organisations**

The nature of the state, with its division of labour among many specialised state organisations leads to the development of particular characters for each of the state organisations. Each state organisation has a particular remit, decided by the state leaders, although often these organisations have overlapping competences (something which will be discussed more fully later). In order for these organisations to successfully coordinate the activities of individual personnel within each unit, there is the creation of standard operating procedures which the personnel are taught. Thus, each individual is expected to know and to follow these protocols in discharging their duties in relation to responsibilities that the state organisation is normally charged with.\(^{15}\) Secondly, the character of state organisations and how they will act in specific scenarios is determined partially by more informal norms, generated through experience in which state personnel gain an understanding of what is expected of them and how they should handle specific circumstances. This is closely linked to standard operating procedures, but is more informal, being learnt

through experience rather than formal teaching and adherence to written rules and regulations. Thirdly, how organisations respond is largely the product of organisational culture. Organisational cultures are informal and are produced by the state personnel that compose each state organ. The prevalent organisational culture however, also shapes state personnel into particular forms of action. While the organisational culture is largely informal, it may be fostered by the elites in an organisation, encouraging the personnel to take on particular traits. The organisation’s personnel may be encouraged to act more tactically, or to place unit cohesion, *esprit des corps*, or obedience to superiors, as specific desirable qualities for the specific organisation which may make the execution of their duties more efficient dependent on the environment in which the particular organisations are expected to act. There are some important factors which can contribute to particular organisational cultures. One can easily imagine how, if the personnel that compose a certain state organisation are drawn from a particular section of society, and thus overwhelmingly represent the traits of that group, that the organisation will take on that particular culture. Those entering the organisation from outside that sector may not share the same attributes or qualities as their colleagues but may perhaps be influenced in the discharge of their duties by the prevailing attitude or organisational culture. Ore Koren addresses this point in relation to military responses to civil disobedience, but it is just as true for military responses to terrorism and indeed, the actions of other state organisations in the execution of their own specific duties.\(^\text{16}\) Additionally, this organisational culture is normally dependent on the experiences of the organisation over time, with some organisations acquiring particular character traits as a result of their histories.

When attempting to understand the response of states to terrorism, it is important to understand that in giving responsibility to particular state organisations for a role in counter-terrorism, the state leaders are not able to work with a blank canvas, setting an entirely neutral entity into action, but must rely on the existing organs of the state, with their peculiarities, identities and cultures to do the job. As such, the response to terrorism will be affected by which organisation is tasked to respond in particular ways, the familiarity of the role the organisation is expected to play, and how well this

sits with their standard operating procedures and regular competences, as well the experience of the organisations in question in carrying out such duties.

The Algerian case presents the strongest evidence that the character of particular state organisations can often affect the state response to terrorism and political violence in ways which are not often considered. The military had been apolitical in France for many years, coming to be known as the ‘Great Mute’ for their deference to politicians.¹⁷ The chasm opened between Pétainists and Gaullists in World War Two perhaps changed this situation, with political considerations now playing a much stronger role in military life. The response of armed forces to protests in May 1958, and again in September 1969 during Barricades Week’ underpinned the extent to which political considerations were now of much greater importance than the benign respect for hierarchy and obedience to the state. The composition of individual units was an important factor. Some of the elite forces with those who had fought extensively in Indochina and Algeria and those units formed from pied noir (who perhaps understandably were anxious about the possibility of a future under the FLN, though their plight we have seen, was ultimately not helped by the OAS in the long run) were more likely to revolt against the orders of the state, or at least be ineffective tools in apprehending OAS operatives. By contrast, it was units of men from metropolitan France, and conscripted men rather than professional soldiers which were most loyal to the state and effective in the fight against the OAS eventually, though often these units struggled due to a lack of familiarity with the geography of Algeria and lack of knowledge or understanding of the character of the conflict that was ongoing in Algiers and Oran.

Indeed, the state leaders took notice of the character of various military units and sought to address the issues. De Gaulle was shrewd in repositioning and retiring the most senior activist officers who could have undermined large sections of the military’s allegiance to the government. Furthermore, in the aftermath of the ‘Generals’ Putsch’ which had been scuppered by the unwillingness of raw recruits and conscripts to mutiny and de Gaulle’s own charisma and impassioned call for obedience in service of the nation, the dissolution of several problematic units

ensured that any similar attempts in the future would have difficulty in presenting a real threat to the state. Ultimately though, the OAS were an organisation born largely from the state, and presented such a violent threat by virtue of their military expertise and the inability and unwillingness of the remaining security forces in Algeria to clamp down on them. It is difficult to discern whether de Gaulle had realised when he came to power that the loss of Algeria would be inevitable, but the violence waged by former state personnel and the inefficiency of response to the violence owing to the reluctance of serving state personnel to apprehend their former comrades with whose cause they sympathised pushed de Gaulle to settle for less than the French government had anticipated at the Evian talks, and the future of the pied noir community in Algeria as well as the nature of Franco-Algerian relations post Algerian independence were largely shaped because of this.

In Northern Ireland too, the particular character of particular state organisations, and more cogently, the failure by state leaders and elites to recognise and mitigate the effects of these characteristics, had a huge impact on the response to terrorism and the overall trajectory of the conflict. That the Northern Ireland government had always been controlled by the Ulster Unionist Party, and locally recruited security forces by the outbreak of civil unrest in the late 1960s were Protestant almost to a man, meant that their understanding of the nature of the civil rights campaign was a unionist one, and one which treated those protesting against perceived discrimination as fifth columnists attempting to subvert the state. As such, their response to unrest was often overzealous and more befitting of serious violent attacks on the state than the largely peaceful protest with some attached civil disobedience and disorder. Furthermore, the locally recruited security forces under the administration of Stormont, and owing to previous outbreaks of inter-communal violence in the decades prior, resembled more the gendarmeries of the continent than their Great British counterparts. The lack of professionalism and training for such circumstances that plagued the RUC and USC meant that when the power of internment was granted by Westminster, the security forces resorted to widespread use of the measures, and directed entirely at the nationalist community for the first couple of years. The nature of the devolved administration at Stormont meant that the Westminster government were unfamiliar with both the developing political situation
in Northern Ireland until it reached critical levels, and also with the branches of the UK state that had responsibility for maintaining law and order. Given the composition of the security forces and the way that republican violence and civil unrest was perceived by the Stormont administration, it is not difficult to understand why the RUC, backed by the British Army abused the powers of internment without trial as they did, resulting in the further alienation of the nationalist minority.

Additionally, while reinforcement in the form of additional man-power in aid of the police might have been necessary, the deployment of the British Army had a massive impact on the scale, intensity and character of the conflict. The army's prior roles in colonial conflicts where they were fighting running battles against insurgents meant that their temperament and experience was ill suited to the sporadic urban conflict on home soil, in Northern Ireland. Their muscular and over-zealous engagements in the early years of the conflict alienated the nationalist community, played into republican rhetoric about the occupation of Ireland by oppressive British forces, and gave the republican paramilitaries obvious targets. In addition, the rising intensity of the conflict saw them take on a more prominent role, helping to shift the violence from sporadic attacks to something more like a low level war for a period. However, the British army were in the main, apolitical and disciplined, exhibiting few of the characteristics of the Spanish or French army in terms of derogating vastly from what they were expected to do. Rather than their actions being the culmination of longstanding bitter political grievances against the native population or the perceived enemy, the way the military responded was largely based on their standard operating procedures that had been utilised elsewhere. Despite their newly issued rules of engagement for Northern Ireland, the outlook of the army, despite its professionalism, was still a military one which was ill suited for the type of conflict. As Richard English notes, the conflict in Northern Ireland at various junctures was of such intensity that the British Army played a vital role in maintaining stability.18 However particular actions, such as the shootings in Ballymurphy and in Derry in 1971 and 1972 were military responses of units trained for war, and not suited to a role in peacekeeping. These incidents, and others likened them, deepened the perception of some nationalists that the state was prepared to use all its instruments of force to maintain

the status quo. The longstanding British ideals of liberty and justice seemed to fade into the background in the aftermath of such atrocities.

Despite the change of tack in the mid 1970s, with the policy of police primacy, and reforms to the RUC, the state still struggled with the character of the security forces both locally recruited and the British army. Police primacy resulted in the emergence of specialist anti-terrorist units of the RUC, trained in military tactics. These units took on the character of military units, and the controversies they caused with allegations of shoot to kill policy throughout the 1980s undermined the overall attempt to normalise day to day life in Northern Ireland. Furthermore, while the police may have taken charge of security operations in the open, secretive units of the British Army such as the Force Research Unit, the SAS, and the Military Reaction Force (MRF) who were largely unseen but made their present felt in more militaristic efforts to defeat the paramilitaries served to further undermine the picture of police primacy and normalisation. While efforts were being made to fight terrorism through counter-terrorism legislation, to fit with the rhetoric that political violence was nothing more than crime, the existence and actions of covert hard hitting units of the military and police created an atmosphere of warfare that made the comments of the UK government look disingenuous.

In Spain prior to the civil war, it had been the Guardia Civil who had been tasked with suppressing civil unrest and disquiet, often alienating the civilian population in the process.\textsuperscript{19} The Guardia Civil and the Spanish military, which saw itself as the embodiment of the Spanish nation proved difficult to reform during the Second Republic, and the brutality and corruption of the security forces continued despite the attempts of the Second Republic’s government to fundamentally change the structure and face of the state. When Franco rose to power after the Civil War, the state was thus led by a former soldier of the \textit{Africanista} faction of the military. As such, the state began to take on the rhetorical patriotism of the military, and challenges to the state’s legitimacy or political plan, which saw Spain as indissoluble were harshly penalised through legislation, which banned expressions of minority ethnicity and

\textsuperscript{19} S.G. Payne, \textit{Politics and the Military in Modern Spain}, p. 278.
culture (such as Basque)\textsuperscript{20}, as well as through the repressive and brutal treatment of the Guardia Civil. Indeed, Preston highlights that under Franco, the Spanish army were trained and organised as if Spain was a country under occupation, in order to conduct action where it was deemed necessary, not against invading forces but against the native population who might challenge the regime.\textsuperscript{21} Future efforts to reform the Spanish state were again hampered by the character of the security forces. After the accession to the throne by Juan Carlos, he introduced a series of senior personnel changes in the Guardia Civil and military, legalised some moderate Basque political parties, introduced a new constitution and liberalised some labour legislation, in an attempt to shed the appearance of the former Francoist state. However despite the changes to legislation and the new constitution, the character of many state organs remained the same. The King could not push too far for fear of alienating the military, who demonstrated their unwillingness to change by prosecuting UMD members. Later under the first democratically elected government since the death of Franco, the UCD government sent mixed messages, introducing legislation which allowed for preventive detention, search without warrant and detention \textit{incommunicado}.\textsuperscript{22} Despite the symbolic departure of Franco and the hope that the new democracy had inspired in many among the civilian population, the Guardia Civil continued to abuse Basque civilians, including many entirely unconnected with ETA. Against this backdrop, the PNV, who were attempting to steer a more moderate course in the hope that the end of the Franco regime would offer political opportunities for Basques found it difficult to totally condemn ETA entirely.\textsuperscript{23}

\textbf{Intra-state cooperation and competition}

As a result of the specialisation of state organisations and the imposition of standard operating procedures, state personnel are often effective communicators within their own organisations. Communication between organisations is more difficult, especially where protocols for relaying information do not exist. It was also easy to understand how, when faced with the threat or actuality of terrorist violence, even the

\textsuperscript{20} D. Conversi, \textit{The Basques, The Catalans, and Spain}, p.81.
\textsuperscript{21} P. Preston, \textit{The Politics of Revenge}, p. 42
\textsuperscript{22} R.P. Clark, \textit{The Basque Insurgents}, p. 257.
\textsuperscript{23} D. Gilmour, \textit{The Transformation of Spain}, p. 227.
most robust structures for communication can break down or become frustrated. Additionally, formal policy and strategy decisions for countering terrorism can be seen as the result of conversations between the elites of the state organisations with the overall state leader or leaders. In these discussions, organisational elites will bring with them their own personal perspectives on matters, in addition to the aims, objectives, priorities, and perceptions which are shaped by the state organisations they are a part of. Given the highly specialised nature of state apparatus, and the likelihood that the priorities and objectives of organisations will differ, combined with the sometimes overlapping competences of the organisations, this can often mean that the mutually clashing agendas and objectives result in competition, rather than cooperation between arms of the state. Thus, rather than achieving the optimum results in terms of state response to terrorism, we see the response of the state to terrorism is often the outcome of sometimes troubled communication and strained relations or competition between state organisations. Thinking again of the examples discussed in the previous chapters, we can highlight instances where this has been the case.

From our examples, the case which most clearly illustrates the importance of intra-state cooperation and the difficulties created by competition, is the Northern Ireland case. The Ulster Workers’ Council was a body of Unionist and Loyalists who were critical of the Sunningdale Agreement of 1973 and the establishment of a power sharing assembly in Northern Ireland the same year. The UWC called a general strike in May 1974, and while the strike was far from universally heeded, with heavy involvement from loyalist paramilitaries and key stoppages in power plants and industry, the power sharing institutions collapsed. While the division in Unionism over the Sunningdale Agreement and the power sharing institutions, with some being particularly outraged at the role to be afforded to the cross border ‘Council of Ireland’ meant that the institutions were perhaps unlikely to survive, it is notable that the Westminster government who had orchestrated negotiations which led to the creation of power sharing did little to dampen the effects of the strike.

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The army were not used to replace striking workers in the power stations for example, which would have prevented power shortages. There is some debate surrounding the events, with some claiming that the level of opposition to the power sharing institutions meant that the government felt that breaking the strike by using the military strategically would have only prolonged the inevitable collapse. There is some suggestion however, that the Westminster government had decided on 24 May to use troops to end the stoppage, but that the Army had refused. As John Newsinger states that there was the lack of political will to break the strike, noting that ‘it is indeed inconceivable that such a challenge would have been refused in any other circumstances. The inescapable conclusion is that it was the army that took the political decision not to support the executive and that [Secretary of State, Merlyn] Rees tamely went along with it’. This brings the conflict between the executive and military branches of the state into sharp relief, and undermines the longstanding view of the British military as being apolitical and subservient to the executive branch of the state.

The governmental policy shift in the mid 1970s to ‘police primacy’, ‘criminalisation’ and ‘normalisation’ was tested throughout the remainder of the decade. The attacks on the same day which killed 18 soldiers at Warrenpoint and Lord Mountbatten in Sligo brought the matter of security cooperation between the locally recruited forces and the British army to a head. Military leaders were incensed that such an attack could have occurred, and the suggestion that the RUC were not up to the job of leading the security efforts were highlighted to Thatcher and governmental officials. There had been the feeling among many in the army that the RUC was not professional enough and had not the capacity to prevent catastrophic attacks, and senior military officials suggested that the attack at Warrenpoint was evidence of this. In response, the RUC claimed that what was needed was not a reversal of ‘police primacy’ but rather, an expansion of the RUC, which they said, would provide them a greater capacity to lead the security efforts. Looking deeper into the police-military relations in Northern Ireland, shows that concerns, suspicions and competition between the RUC and army had been a persistent problem since the first deployment.


of regular regiments of soldiers in 1969. It is striking that despite the fact that by the
time the attacks of Warrenpoint occured, the police and army had been collaborating
on security operations for a decade, it was the first time that formal overarching
structure had been set in place to harmonise and coordinate the security operations.
Even within the army, some officers had complained about the more aggressive
units, and how the parachute regiment, for example had often undone in a matter of
days, the good relations and rapport with the community that more decorous
regiments had spent a good deal of time establishing. However, both the army and
the RUC had their flaws, with the bigotry and tendency towards collusion from some
RUC and UDR men noted by Army officers, who felt that the army’s professionalism
was better suited to leading the security arrangements, and the RUC feeling that the
lack of local knowledge amongst their army colleagues meant that they were
unsuited for the task at hand in Northern Ireland.

Despite the efforts in 1979 to establish an overarching command under Oldfield, it
appears that it took a significant amount of time, and changes in the intensity and
character of the conflict brought about by political initiatives to create a more stable
working relationship. The failure of a coordinated response between the
governmental level and the security forces meant that the actions of secretive and
highly trained RUC and army units in operations in Loughgall, Lurgan, Armagh and
Gibraltar served to undermine greatly the government’s plight to normalise everyday
life in Northern Ireland and deal with terrorism through the criminal justice system.
Rather, these units and their operations created the feeling amongst the nationalist
community, exploited by the IRA and by republican politicians that the state was
conducting an undercover dirty war, which violated the established pillars of the
British legal system in terms of due process and right to a fair trial. The debacle
ensuing from the Pat Finucane murder highlighted that even by the the very end of
the 1980s, cooperation between the police and army was fraught with difficulty. The
running of agents within loyalist paramilitaries by both the British Army’s Force
Research Unit, and RUC Special Branch, and the lack of intelligence coordination
between the two created serious problems. Indeed, the Finucane murder and the
subsequent series of official inquiries highlighted substantial difficulties in
coordinating the various branches of the state, and the lack of oversight by the
government which would have highlighted the need for ‘urgent reform’ of the security forces, to address collusion between the UDR and loyalist paramilitaries, among other shortcomings. \(^{29}\) Furthermore, the lack of understanding the political atmosphere on the ground, and the nature of the conflict saw Government Minister Douglas Hogg MP making inflammatory comments about some solicitors who he saw as being ‘unduly sympathetic’ to the IRA, \(^{30}\) while obviously not understanding the legitimising effect his words might give to the actions of loyalist paramilitaries in the eyes of some in Northern Ireland.

Turning to Algeria, the fractious and mutinous character of the military created such a problem for the French state that it barely needs explaining how there were difficulties with cooperation and intra-state competition. The comments of General Massu in relation to judicial processes against some of his men alleged of torturing prisoners, his open criticism of de Gaulle, \(^{31}\) and his statement to the press that the duties the military were being asked to carry out in terms of both attempting to rehabilitate Algeria socially and economically was untenable, \(^{32}\) was an early indication of cleavages between the French government under de Gaulle and the military. If further evidence was needed of the scale of dissent and disagreement between branches of the security forces, the inaction of the Premier REP upon arrival at the scene of unrest during Barricades Week, and the subsequent ‘guard of honour’ they provided for the leaders of the protests despite the deaths of fourteen gendarmes provided it. \(^{33}\) Indeed, de Gaulle’s management of the Algerian conflict from the outset was largely driven by the need to maintain the cohesion of the state. De Gaulle’s rise to Head of State was a product of the disquiet and unease by military leaders and other elements of the state at the direction in which the former French government were taking on the Algerian question. As such, his arrival in the middle of the crisis limited his capacity to make the strategic shifts that might have been required to ensure total obedience and uniformity of message across the branches of the state. Nevertheless, de Gaulle’s management of the Algerian crisis was largely

\(^{30}\) Ibid, p. 282.
\(^{33}\) G. Bocca, The Secret Army, p. 33.
concerned with maintaining the cohesion of the state to a degree that would allow there to be an eventual settlement in Algeria. Whether or not independence for Algeria was something he envisioned from the outset is difficult to say, but it is clear from his successive speeches that he understood that the status quo could not be peacefully maintained. His sacking and redeployment of senior activist military personnel and his ‘transistor victory’ during the Generals’ Putsch are clear cases of his efforts to ensure that the security forces at the state’s disposal would be obedient. Perhaps his experience as a soldier and general afforded him an appreciation of the character of particular military units and the kind of measures required to steer a course through the crisis that other statesmen may not have had. Nevertheless, despite the best efforts of de Gaulle to ensure obedience and cooperation between the various state organisations tasked with security in Algeria, that so many of the gendarmes and soldiers that had been stationed in Algeria were sympathetic to the plight of the *pied noirs* and the OAS made it extremely challenging to maintain order.

In Spain, the character of state organisations often frustrated the efforts of the state to reform and adapt its approach towards terrorism. The reforms of Arias Navarro that upset the ultra-right faction in the security forces resulted in the formation of the BVE by frustrated off-duty security personnel, seeking to continue the retributive attacks on Basque nationalists, undermining Arias Navarro’s efforts to take a new approach towards Basque terrorism. Despite the change in tack at governmental level, that the security forces couldn’t be counted on to take a similarly restrained approach meant that the state simply seemed to be adopting new repressive measures in the form of the BVE death squads rather than liberalising, in the eyes of some Basques. Similarly, the introduction by the King of a whole package of reforms designed to re-image and begin the de-Francoisation of the state was met with resistance by the military hardliners. Given that the liberalisation of the Spanish state after Franco with the new constitution and the first democratically elected government under Adolfo Suarez in 1977, as well as the Basque Autonomy Statute in 1979 had helped to drive a wedge between the branches of ETA, and foster the feeling amongst some that the armed action of previous years was no longer necessary in the post-Franco era. Had the state been able to coordinate the response to ETA violence during this period of soul searching for ETA as an organisation and for
individual *etarras* who were deciding where their allegiances lay, it is possible that many more would have accepted the veracity of ETA(p-m)’s arguments and moved away from the use of violence. However, the continued violence by the Guardia Civil, whose suspicion of the new democratic regime was highlighted by the attempted coup in October 1981, ensured that the hard-liners within ETA(m) and the Berazza Commandos of ETA(pm-m) with whom they would later merge, were able to present an argument that the state was basically a continuation of Franco-style repression by other means, and claim some of their bloodiest years in the early 1980s.

**Political motivation for response**

Barbara Walter, in her book *Reputation and Civil War*, highlights how states respond to separatist challenges to the state. She demonstrates that it is rational for states whose population is composed of a number of ethnic minorities which are concentrated in specific regions to challenge violent secessionist threats to the state, thus resulting in a civil war.34 They choose this path, regardless of the strategic or economic value of the territory that is questioned so as to build a reputation for resilience and steadfastness, discouraging potential secessionist movements in the future.35 Applying this theory to our case studies, only the case of Spain seems to fit this description. With nationalist movements in Galicia and Catalonia amongst others, the actions of the Spanish state, at least during the Franco years, where Basque separatist violence was met with repression and robust action could be interpreted as an attempt to send a clear message to other nationalist movements considering the use of violence to achieve their independence. Independence movements in the UK aside from that of Northern Ireland had been weak, overwhelmingly peaceful, with only a handful of isolated sabotage attacks, and thus the suggestion that the robust action taken in Northern Ireland was an attempt to send a message to separatists elsewhere in the United Kingdom does not seem to fit very well. The case of the OAS in Algeria and France is one which lies outside Walter’s remit, given that the OAS’s raison d’etre was the maintenance of French Algeria rather than secession. However, while it may be difficult to interpret the

35 Ibid.
actions of the states we have studied here as attempting to discourage other separatist movements from challenging the state, the idea of ‘reputation building’ is useful when considering the actions of the state within particular conflicts. At various junctures in each of our conflicts, but particularly at the emergence of the threats from the IRA, ETA and the OAS, robust violent response by the state can be seen as reputation building, aiming to demonstrate the obstinacy in the face of terrorist violence in the hope that it will illustrate the futility of such tactics. As our case studies have shown, state intransigence and overzealous response frequently had the opposite effect, fuelling accusations of mistreatment, amplifying anti-state rhetoric concerning grievances, and widening the divide between the state and the community in question.

At the level of state leaders and organisational elites, there may also be a political motivation for the particular policies and strategies that are designed and implemented to counter terrorist violence. The ability of terrorism to evoke strong emotion amongst the general public, creating terror, fear, anger, and the desire to respond is a powerful thing. As such, the perception among the general public of how well the government is dealing with terrorism and their particular approach can be a decisive factor in winning or losing elections. Indeed, there may not necessarily be a consideration of the effectiveness or potential outcomes of particular courses of action. Rather, counter-terrorism measures too have a strongly symbolic and emotive quality. Backed by political rhetoric of security and freedom from terrorism, the response of the state to political violence may be driven and shaped by political considerations, such as the need to present a strong front to pacify the electorate and allay fears. So too, counter-terrorism measures can take a particular direction as a means to silence one’s political opponents or critics, as a way for politicians to prove a point and send a powerful message, rather than representing a carefully considered policy designed to precisely and effectively reduce the ability of terrorists to wage violent campaigns. In many ways, this demonstrates that counter-terrorism can be ‘propaganda of the deed’, just as terrorism is itself. The propaganda effect of counter-terrorism is visible throughout the vast array of measures at the state’s disposal. Designation of organisations as ‘terrorist’ in the first place, through such devices as the Foreign Terrorist Organisation list in the United States of America, has
a clear propaganda effect of delegitimizing the organisations on it by branding them as terrorists, and by proclaiming their modus operandi as illegitimate, which can in some cases lead to the stigmatisation of their aims and objectives themselves. Given the arguments about the strategic logic of decapitation of terrorist organisations, killing or otherwise eliminating key leaders of groups which deploy political violence against the state, we may wonder why such tactics continue to be pursued. Daniel Byman for example argues that targeted killings of suspected Palestinian terrorists by Israel have a series of negative consequences for Israel. ‘Killing suspects prevents them from striking, but dead men also tell no tales’. 36 Furthermore, he highlights that terrorist groups retaliate when their leaders are killed, and highlights the thoughts of one senior Palestinian security official who argued that ‘whoever sign[s] off on killing a leader among Hamas or any other leader on the Palestinian side should turn the page and should sign off on killing 16 Israelis’. 37 While highlighting that the ‘positive’ effect of such targeted killings, the extent to which they make Israel more safe from terrorist attacks is difficult to disaggregate given that it represents a single tactic in a range of counter-terrorist efforts, 38 he highlights their propaganda value – satisfying domestic demands for a forceful response to terrorism, and bolstering morale, 39 as well as subjecting those in militant organisations to constant paranoia and fear of attack. 40 Again, if we think about Barbara Walter and the reputation protection motive for responding to challengers in civil war scenarios mentioned earlier, we see how the considerations which drive counter-terrorism may well include dissuading future potential challengers through taking swift, unequivocal action; a clear propaganda message to a secondary audience beyond those who bear the brunt of the counter-terrorism measures directly, highlighting what lies in store for those who seek to challenge the state’s legitimacy. The political cogency of terrorism is something which is particularly noticeable at times. Terrorism and the response to it can take centre stage in media and popular conversations about governmental policy regardless of the level of actual threat. We only have to think of the disproportionate amount of spending made on preventing and combating terrorism compared to the level of threat presented.

37 Ibid, p. 100.
38 Ibid, p. 105.
40 Ibid, p. 104.
Evidence of this kind of approach can be seen in each of our examples. We might understand the actions of successive Spanish governments and other branches of the state in this light. The arrests after the first ETA attack which targeted a trainload of Falangist Civil War veterans, and the severe sentences imposed were clearly an attempt to send a political message to ETA and those who might support such action. As we saw, the message was one which was lost in translation with Basque nationalists and Spanish opponents of the Franco regime reading a rather different interpretation of the events. Similarly, Carrero Blanco upon his appointment of Prime Minister continued the robust action of Franco against violent Basque nationalism, partially as a symbol to set the tone to the aperturismo faction in Franco’s support base, that there was to be no sea-change of approach. The Burgos trial is emblematic of this type of ‘message sending’, and yet once again the message sent was interpreted rather differently by the regime’s opponents, both domestic and international, and as we saw added validity to ETA’s narrative and strengthened their legitimacy with the Basque population rather than disheartening them and reducing morale. It should be noted however that such ‘message sending’ endeavours were not limited to the authoritarian regime. The PSOE, who had been goaded by their right wing opponents took similar symbolic action with a raft of legislation which restricted human rights in 1983 and 1984 to silence their critics. This posturing no doubt inflamed Basque nationalist sentiment and furthermore, made French authorities unwilling to cooperate on security matters arresting and extraditing ETA suspects in the French Basque country. In attempting to show their commitment to countering terrorism through symbolic acts and extending counter-terrorism powers for the security forces, the PSOE government hamstrung efforts to achieve cross-border security cooperation which hamstrung long-term efforts to bring ETA personnel to justice. The governmental stance on counter-terrorism was a political football between the main Spanish parties for much of the conflict, with the bipartisanship that had been secured in the UK context so early in that conflict remaining elusive until 2000 with the ‘Pact for Freedom and Against Terrorism’ and then short-lived as it strained under the weight of the controversial decision by the PSOE government in 2004 that negotiation with ETA might be necessary to bring a conclusive end to radical Basque violence.
As noted, the political parties in the United Kingdom were much more unified on the approach that should be taken towards terrorism emanating from the Northern Ireland conflict. Bipartisanship on counter-terrorism efforts was achieved much earlier, but the UK had not the same troubled past of authoritarianism. It should be noted too, that Northern Ireland’s geographical separation from Great Britain, as well as its political exceptionalism, (with none of the mainstream UK political parties achieving substantial shares of the votes in Northern Ireland) meant that despite significant conflict and trauma in Northern Ireland, terrorism there and the response to it never became a major political issue in mainstream British politics nor a focus of party politics. Nevertheless, the adoption of particular strategies and approaches to the conflict for political reasons and symbolic ‘message sending’ was very much a feature of the response to the conflict in Northern Ireland. The introduction in the mid 1970s of the strategies of Ulsterisation, Criminalisation and Normalisation were clearly designed for pragmatic as well as symbolic reasons. Putting heavily armed soldiers in fatigues into a support role rather than a lead role would decrease the appearance that order was being maintained solely by force, and would also give the republican paramilitaries fewer targets, though this was perhaps undermined by the increasingly muscular response of the RUC, as we have seen. Thatcher’s didacticism over criminalisation when she came to power however was a force that turned the Prison War into a propaganda war over the legitimacy of armed resistance to British rule in Ireland, giving the republican prisoners the battle of ideas that they so desperately needed at that time. Her polemic statements regarding terrorism as nothing more than crime, looked disingenuous when juxtaposed with the plethora of special legislation and extraordinary measures at the disposal of the security forces to deal with terrorism. While privately, the Thatcher government may have been more pragmatic in searching for compromise behind the scenes, her public position on the hunger strikes and special category status and its portrayal by nationalist and republican politicians helped to stoke the fires of the conflict that were to burn for another decade and a half.

The rapidity of the breakdown of order in Algeria and the intensity of the conflict, with both the FLN and the OAS reeking havoc in Algeria and metropolitan France meant
that there was not the same scope for the state leaders to use counter-terrorism against the OAS as a tool for political gain or to make symbolic points as there was in our other instances. Having said that, de Gaulle’s management of the Algerian crisis shows how deeply aware he was of the political and symbolic importance of the Algerian conflict and the need to tread carefully to avoid a full scale military revolt which would have ousted him from power. His language on the future of French Algeria showed an eagerness to bridge the gap between sentiment in Algeria and the military, and sentiment in France, gently suggesting that the nature of the relationship between Algiers and Paris might change rather than announcing radical departures in policy which would have grated with the conventional position of the French state that the Mediterranean ran through France as the Seine ran through Paris.

**Conclusion**

What are the implications of understanding state response to terrorism as the combination of a multitude of shaping forces and characteristics, each of which derived from the peopled nature of the state?

**For academics**

If we as academics accept that the state is not a unitary actor, then we must logically accept that there is no single set of state aims and objectives. In terms of countering terrorism (or indeed, any other form of state action) thus, we must take a nuanced view of the state as the sum of its parts. An academic focus on the aims and objectives of leaders of the state, that is the government, can be useful and enlightening, but only where scholars attempt to understand the multitudes of forces working within the state that the government has had to manage in order to achieve its aims and objectives or further its agenda. Explanations of any particular approach or policy set with regards to its effectiveness cannot be isolated from the context of both the character of the particular organisations which constitute the state, the relationship between these organs and how the state leaders have attempted to manage these factors to achieve their stated goals. Furthermore, in considering the state at all, academics must understand the wider context. Given that state
personnel have complex identities which are shaped by their experiences and position within society, and that these state personnel and their identities shape the state itself, we must consider the relationship between the state and the wider population. Studying terrorism, the individuals or groups who use it, or particular campaigns of terrorism, we must similarly take a nuanced approach. We cannot hope to understand why terrorists take the particular ideological view of the world and their situation that they have, or resort to the type of violent means that they use in order to achieve their ends unless we understand the nature and character of the state, both historical and contemporary. This might seem a rather obvious point, particularly given the parallel emergence and development of terrorism and the modern state, and yet it is striking that the literature which attempts to explain and understand terrorist organisations so often fails to pay attention to the development and history of the state.

‘History has proved a very bad predictor of future events’, Richard Evans asserts.\footnote{R.J. Evans, In Defence of History (London: Granta Books, 1997), p.59.} Yet paying attention to the historical development of states and the challenges they have faced in the form of civil disobedience and political violence, can help to explain why states respond in the way that they do. And so, while history lacks a predictive ability, it can serve to explain elements of the present features, nature and character of states, demystifying some aspects of state response to terrorism. Similarly, learning how states have responded to challenges to either their legitimacy or their monopoly over the legitimate use of physical force in the past might help us understand and account for their actions when faced with incidents and campaigns of terrorism. Furthermore, through understanding how a state developed over time in terms of territory and control, we might come to better understand the attitude of the state and particular state apparatus towards those who might attempt to undermine the territorial integrity of the state through terrorism. Despite the disparity between our three case studies, there is evidence to suggest that a look into the often turbulent histories of the state can shed light on the approach taken by the state to terrorism. In each of our case studies, we saw how important the colonial and decolonisation experience was in shaping how the state sees itself, how particular state organisations develop their organisational culture, and in setting norms and
operating procedures for responding to political violence which at times were ill suited to the type of the conflict they were translated to. Given the stated importance of understanding the terrorist motivation in tandem with the objectives of the state, and how they relate, we see that history becomes important. It is only from a reading of the history of states and their populations that we can come to understand the grievances that terrorists have in the present day, and at times, how the state itself in its actions and characteristics in the past have acted to catalyse the outgrowth of particular ideologies which terrorists subscribe to.

For the state

More practically, there are implications of this analysis for the state itself. It is obvious from the cases that we have looked at often state leaders are not entirely oblivious to the nature and character of the state. Given that in each of our cases, there were attempts made to reform particular organisations to make them more efficient or more obedient, it appears that state leaders have recognised the flaws of the state which stem from particular state organisations. The problem, however, is that often these reforms were made in the aftermath of particular crises, when the characteristics of state organisations and their engagement in the conflict had already taken their toll on counter-terrorism, sometimes catalysing the violence as opposed to quelling it. It stands to sense that states must pay close attention to the character of state organisations and the coordination and competition between them, so as to ensure more effective and harmonious cooperation between units and to have allow them to make more informed decisions about the types of policy to be pursued to counter terrorism and the most able and suitable units to do so.

Furthermore, state leaders in attempting to protect the legitimacy of the state need to understand the consequences of the discourses they use to describe those who engage in terrorism. Terrorism is above all, concerned with propaganda, political messages and the creation of sentiments of fear, anger, and alienation. In countering terrorism, the state must ensure that the message they send to the population at large does not feed into existing discourses used by terrorists and those who support them to alienate people from the state. By showing that the state
leaders have a nuanced understanding of the terrorists, their ideologies and their goals, states stand a much smaller risk of alienating a wider population than if they engage in total condemnation, the caricaturing of terrorists as purely evil or purely criminal. Furthermore, avoiding these absolutist and crude portrayals of those who disagree fundamentally with the state, and who might use or support the use of violence against the state, we can hope that state personnel in discharging their duties to the state will act less out of the raw emotion of hatred, anger or fear, and rely more on training, their duty to the state and the aims and objectives of their particular state organisations. Additionally, in attempts to reform the state, policy changes or senior personnel changes can be useful in attempting to make various arms of the state more obedient and more effective in countering terrorism, but states need to understand that organisational culture is something less tangible and more diffuse, and that greater more fundamental reform of organisations is required to shift these cultures, which are often resilient to change, developing organically over a period of years or even generations. The emotional response is often a reflex one, and the state as a human community will always be liable to make very human mistakes, but framing the conflict between the state and terrorists as one of good versus evil is something that will evoke strong emotional reaction from both terrorists and state personnel alike, and is best avoided.

For terrorist groups

Understanding the state in such a way as has been set out in this chapter pinpoints some ways in which terrorists misunderstand or misrepresent the state. Firstly, as the state is not unitary, but rather a collection of peopled organisations with contrasting and competing interests, subject to the emotional responses of individuals and group personnel, state leaders cannot be omniscient or omnipotent. Terrorists too engage in caricaturing, sometimes out of firmly and honestly held opinion about the state, and sometimes out of the desire to misrepresent state action for their own gain. State leaders however do not have the ability to direct every action of state personnel and state organs. Each individual member of the state apparatus will act individually, either in service of the state, to serve their own ends, or in some combination of the two. The idea that state leaders could grant the kinds
of concessions that terrorists fight for is frequently misguided. We have seen in each of our cases how the state leaders had to tread a careful path to ensure that various state organs or factions within them were not upset by the direction which the state leaders hoped to move in their approach to terrorism. Furthermore, in each of our cases, we see that campaigns of terrorist violence can spawn opponents in the shape of ‘pro-state’ terrorist or ‘counter-terrorist’ organisations, as they are sometimes known. These groups seek to either take the fight directly to the terrorists or to influence the decision making of the state in the opposite direction to those of the ‘terrorists’. As such, even if the state were unitary and all organs of the state perfectly obedient to the whim of the state leaders, conflicts with terrorists are rarely a two sided affair, but rather, a situation exists in which the state must again carefully pick their way through a conflict, hoping to address the terrorist organisation without risking the ire of these ‘pro-state’ terrorist organisations. Additionally, terrorists often seem to misunderstand that state personnel have complex identities and that while they work for the state, they are often members of particular communities with particular political and religious views. Thus the targeting of state personnel by terrorist organisations, which is designed to strike at the state apparatus and demonstrate dissatisfaction or disapproval of particular policies or actions of the state, or at times, with the state as a whole, come to be interpreted as attacks by radicals of one community upon entire communities as a whole.
Chapter Five - Conclusion

This thesis has highlighted facets of the response to terrorism that are often overlooked. Terrorists may not be particular effective when it comes to achieving their primary political goals. They are however, extremely effective in grabbing our attention and making themselves the subject of state, media, and academic analysis in political conflicts.

Richard English in *Terrorism: How to Respond*, in which he highlights seven key points which state leaders must bear in mind when responding to terrorism, stresses first and foremost the importance of ‘learning to live with terrorism’. He adumbrates that particular campaigns of terrorism will come to an end, but that terrorism itself is ‘too tempting a form of warfare to be likely to dissolve’.\(^1\) While the state is not static but continually emerging and changing given its peopled nature and the ebb and flow of state duties and responsibilities, states, for the most part are more resilient and durable than the terrorist groups that seek to coerce them.

Despite the surge of interest on the topic of terrorism and counter-terrorism, works which have examined meaningfully the concept of the state as well as the inner workings of states who seek to respond to sub-state terrorism are largely missing from the literature. Furthermore, the focus work on terrorism in recent years has tended to be unidirectional and focused overwhelmingly on those using terrorism, addressing themes such as radicalisation, ideology, terrorist tactics and strategy, and financing. Although there has been a substantial contribution to the field in terms of works which address counter-terrorism, there is seldom a reflection on the nature and character of the state which seeks to counter terrorism, and on the particular instruments which are tasked with counter-terrorist responsibility. In short the focus is overwhelmingly on ‘policy’. Furthermore, even in the accounts of particular armed conflicts, there has been a systematic failure to turn the spotlight on the state itself and to examine its role (or as we have seen, it is perhaps more accurate to say

\(^{1}\) R. English, *Terrorism: How to Respond*, p. 120.
‘roles’), in particular conflicts. This failure may be in part due to the predisposition of academics to see terrorism (amongst other phenomena) as a problem to be solved. It may be the case to a degree that states funding research on terrorism have to a degree set the agenda either explicitly or implicitly. However, given that terrorism’s raison d’etre as a tactic and sub-species of warfare is to shock, to terrify and to attract attention to a particular cause, the most obvious explanation for the omission is the one most often overlooked. Academics are not immune to the shock, horror and anger that terrorism generates. Terrorism is designed to compel the direct and indirect audiences to consider the political meaning of the perpetrators’ actions, and so that terrorists themselves have attracted the lion’s share of academic attention when considering terrorism is hardly surprising. However, as we have seen, to understand why political conflicts occur and their trajectories, we must study the state as well as the sub-state actors, and have a strong appreciation of the context in which these conflicts develop. This thesis has attempted to address this malady, and reintroduce the concept and study of the state back into considerations of political violence and terrorism. I have posited that in order to fully understand the trajectory of terrorist campaigns and the success or failure of campaigns of counter-terrorism, such a close reading of both the contemporary character, but also the historical development of the state is of paramount importance.

However, the future of counter-terrorism is not all bleak. While state elites will never be able to control the actions of each individual operative in every circumstance, creating an awareness and understanding of the nature of state organisations

I have presented a theory of the concept of the state which hinges on viewing the state primarily as a ‘peopled’ organisation. While many more orthodox conceptions of the state accept the obvious point that the state is a ‘human community’, they often play down the role that the individual identities and action of state personnel can have in shaping the state, as well as state action and its outcomes. In order to highlight the importance of understanding state action in conflicts with sub-state terrorism as the product of the ‘peopled’ state, and what this means, I have analysed three campaigns of terrorism and state response. The analyses of these case

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2 R. Jones, *People/States/Territories*, p.44.
studies, of the Spanish, French and United Kingdom states have been presented, placing the state in historical context to explain its facets and particular characteristics. It was not my intention to present comprehensive historical narratives of these three intricate and complex conflicts, but rather to highlight the interaction of the sub-state terrorist organisations and the state, and to demonstrate how the state action and its outcomes should be viewed as the product of the ‘peopled’ nature of the state. Fundamentally, in each of our examples, we have seen how, even before the outbreak of the particular violent campaigns of terrorism, the nature and character of the state served to exacerbate existing cleavages in society, and to at least in part, lend credence to the arguments that the respective terrorist organisations made for their justification of political violence.

Chapter One focused on the historical development of the Spanish state, the rise of Basque nationalism, and the engagement between the Spanish state and Basque separatist group Euskadi Ta Askatasuna (ETA). We traced the development of the Spanish state from multiple sites of power loosely aligned with Madrid under the foral system, to the more centralised and familiar modern state at the beginning of the twentieth century. Furthermore, we saw how the removal of the foral system and regional rights played into the Carlist Wars of the 19th century and served to foment grievances against the centralisation of Spain and the vesting of power in Madrid.4 The twentieth century’s continued turbulence with the loss of empire, coups and military juntas, and the position of prestige for the Guardia Civil who were frequently relied on by business owners and industrialists to quell civil disobedience during labour disputes all contributed to the state’s particularities. Given the fascist rhetoric of Franco, and the desire for a strongly centralised Castilian dominated Spain, the Basques suffered more than most. Under Franco’s dictatorship, the already staunchly (Spanish) nationalist security forces were encouraged to view Spain as under attack from those who sought to subvert the state by expressing identities which derogated from the Francoist vision.5 As such, the harsh repression of Basque national identity fostered grievances and alienation from the Madrid based regime. It was the muscular way in which dissent was quietened in the Basque country, as well as the prohibition on cultural expressions of Basque identity that saw the resurgence

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5 P. Preston, *The Politics of Revenge*, p. 42
of a more radical form of Basque nationalism amongst Basque youths who were frustrated with the stagnant moderate nationalism of the PNV. After the emergence of ETA and their initial violent actions against symbolic targets of the Francoist regime, the knee-jerk arrests and overzealous action by the security forces served to reinforce the radical Basque interpretation of the state of the Basque position and the need for a campaign of violence to emancipate themselves from Spanish domination. In the attempt to forcefully reassert Spanish identity and to repress violent expressions of Basque nationalism, the state under Franco only served to worsen their position. The discourses and actions of the state played into the hands of ETA and made condemnation of violence by more moderate forces within the broad nationalist movement politically difficult in such an atmosphere. Under Franco, the response of the state to ETA violence was predictably violent, repressive, and vengeful. There seemed to be little in the way of a coherent strategy, but rather the counter-terrorism efforts were reactionary, with wide scale arrests, frequent mistreatment of prisoners in detention, and derogations from the established rule of law occurring in the aftermath of ETA attacks. Given the overall character of Franco’s Spain, this is perhaps unsurprising. What is more surprising however, is the shape that Spain’s counter-terrorism efforts took in the years after Franco.

After the death of Franco the Spanish state was plagued with infighting and a number of countervailing forces, not just on issues of counter-terrorism but over the direction and outlook of the state in more general terms. This turbulence and disagreement threatened to hamper the democratic process on more than one occasion, and conservative and reactionary elites in the coercive arms of the state tried desperately to resist the modernisation and preserve the authoritarian character of the state. The disunity of the state and its split personality was apparent in the immediate post-Franco era response to terrorism. The conciliatory gestures from King Juan Carlos and the first democratic governments were enough to convince some ETA operatives and supporters that they had served their purpose and need not maintain a campaign of violence, but for others the struggle continued. The reflex response of the government and security forces to some ETA attacks and the shadowy figure of death squads in the form of the BVE and later the GAL, born out of the frustration that ETA’s French safe havens were beyond the reach of the security forces acting
within the remit of the law, continued to serve as propaganda for radical Basque nationalists, making a transition to solely peaceful pursuit of their aims a bitter pill to swallow. Eventually, successive rounds of constitutional measures introduced by Spain’s democratic governments served to strengthen support for those Basque nationalists who attempted to achieve their goals through democratic means alone. The greater stability of democracy in Spain contributed to the agreement of the French government to cooperate in extradition of ETA suspects from France, which thus was no longer a safe haven for ETA. ETA contributed to their own demise by continuing attacks which increasingly perturbed the civilian population, Spanish and Basque alike.

Chapter Two looked at the campaign of violence waged by the OAS in Algeria and France during the final years before Algerian independence and the efforts of the French state to quell their violence. We saw how the disunity of the state was not just a factor affecting counter-terrorism in the French Algerian context but rather was key in the birth of the OAS and their campaign of terrorism. For although the OAS embodied the disaffection and anger of some pied noirs at the French government over their handling of the Algerian crisis, the organisation was created and largely staffed by rebellious military and former military personnel. The military had been left fragmented after the Second World War, and was at risk of being fractured entirely by the competing world views of progressives and traditionalists, Petainist and Gaullists, and of the colonial army and metropolitan army. For those OAS members who had been former military personnel, the attitude towards the defence of French colonies had been central to the idea of identity as French and as soldiers, fighting in Indochina and in Algeria. Furthermore, the dispute in Algeria was emblematic of these opposing world views. The rhetoric over generations about the indivisibility of French and the integral position of Algeria within the French nation made the idea that the French government would eventually grant Algeria its independence unthinkable. That these personnel had spent most of their time either in Algeria where pro-Algerie francaise sentiment was understandably stronger than in the metropole, or in fighting colonial campaigns of counter-insurgency meant that they

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had little appreciation of the contemporary view of the Algerian crises through metropolitan French eyes.

That so many of the troops stationed in Algeria were sympathetic to the plight of the OAS made countering them effectively a difficult job. Many units of the military could not be relied on and those who were more reliable, and when reinforcements from more loyal and reliable units from metropolitan France were drafted, they experienced some of the same problems as the British Army in Northern Ireland. They found themselves in part of their country that they were unfamiliar with entirely, in terms of both the terrain that they were expected to work in, and the political maelstrom in which they were expected to operate. As such, even these recruits struggled to effectively combat the OAS. De Gaulle was instrumental in limiting the effectiveness of the OAS in other ways. His decision to transfer key activist military officers back to metropolitan France after he rose to power, and his disbandment of key activist regiments after the attempted Generals' Putsch did not bring an end to OAS violence, but it substantially hindered their ability to wreak havoc in Algeria and France. The barbouze death squads were a product of the increasing frustration at the inability to quell OAS violence, but they too were ineffective and widened the distrust between the pied noirs and the French government. The intelligence led approach to apprehending and arresting OAS suspects proved to be the most successful tool in suppressing their violence, but the campaign of the OAS had already taken its toll on de Gaulle and shaped the French government's desire to drive a hard bargain with the Algerian nationalists. As such, they eventually settled for much less than their original aims at the Evian talks,\(^7\) and subsequently the FLN reneged on the agreement to secure the rights of the pied noirs in Algeria.

Chapter Three dealt with the United Kingdom state’s engagement in the Northern Ireland conflict. The historical development of the UK state followed a substantially different trajectory to that of Spain, being largely marked by its internal stability, aside from the Irish question which had at various junctures caused concern for the British political elite and infrequent bloody episodes. What Spain and the UK shared, however was a history of empire and wars of decolonisation, which had informed the

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\(^7\) J. Lacouture, *De Gaulle*, p. 291.
conventional wisdom, standard operating practices and culture of their respective militaries, though in very different ways. As such, when the British Army arrived in Northern Ireland in aid of the civil authority, they arrived with their skill set, and experience which had been honed in very different environments and were not well suited to the task at hand. The counter-terrorism efforts in Northern Ireland were characterised by a similarly ad-hoc response during the initial engagement, and the Northern Ireland government was eventually suspended when it became clear that the political establishment had lost its stability and its ability to deal sensitively and dispassionately with the rising levels of conflict. The character of the military engagement in Northern Ireland in the early 1970s gave the IRA and other republicans the propaganda they needed to portray themselves as a liberation movement against the colonial occupying forces. The UK government learned slowly how to counter this, with the policies of Ulsterisation, criminalisation and normalisation of the mid 1970s, coupled with the attempts at political settlement in 1973 which were scuppered by unionist opposition and campaigns of civil disobedience from loyalist workers and paramilitaries. While at the level of government elites, the UK state might have had the right idea about how to go about solving the Northern Ireland conflict from at least the mid 1970s, their strategy was made inefficient and ineffective by the series of scandals and knee-jerk reactions which occurred throughout the 1970s and 1980s. The desire to normalise Northern Ireland was countervailed by an increasingly militaristic police force who took on a more robust policing strategy which continued to carry out controversial counter-terrorist operations throughout the 1970s and 1980s and a small number of high profile actions by the British army continued to play into the hands of republicans in portraying the UK state as having double standards and being duplicitous in their approach to law and order. Furthermore, Thatcher’s strident unionism, and her approach to the Northern Ireland conflict was tempered by how she has been personally affected by the conflict, with the loss of close personal friends and political allies in IRA attacks, and the attempt on her life, coupled with her desire to present her government as unwilling to bend to terrorism made achieving political cooperation with the Republic of Ireland and the securing of a political settlement all the more difficult.

Douglas Porch describes the early 1970s for the British army as the ‘least successful phase of the thirty-year campaign’. D. Porch, Counterinsurgency, p. 268.
As with ETA, as the IRA’s fortunes waned and they struggled to conduct high profile attacks to show their continued military ability, they made some strategic mistakes which soured their relationship with the nationalist community. Behind the scenes talks between the republican movement and the British government continued and despite the bombing of targets in Great Britain, the urge to respond with punitive punishments or vastly increased security powers was resisted in the 1990s, allowing for the peace talks which eventually led to the Good Friday Agreement. Crucially, the UK state efforts to consolidate peace did not only entail the constitutional settlement. Conciliatory measures were introduced in the shape of prisoner releases, and police reform which went a long way to helping those parties on the political extremes to placate their hardliners. While the RUC had been reformed at various junctures during the conflict, it was the transition from RUC to PSNI in the new atmosphere of relative peace and stability that was instrumental in improving the image of the UK state in Northern Ireland. 50/50 recruitment procedures, root and branch restructuring of the police, and a newly appointed chief constable from outside Northern Ireland ensured that the organisational culture of the old RUC faded away and were replaced with a more professional and politically neutral police service.

The case studies I selected for investigation are not carbon copies of each other. There are substantial differences in the history and character of the three states in question. The United Kingdom state for example can be characterised by its stability, in contradistinction to the much more turbulent pasts of France and particularly, Spain. Furthermore, the states differ greatly internally. The relationship between the executive branch of the state and the coercive arms of the state differs between our cases and the disparate histories of the states has meant that these relationship have been more or less strained, better or worse funded and resourced. Crucially, the relationship in each of our cases between the central seat of government and the region in which the conflict was concentrated has varied, all of which are factors which will in themselves continue to shape the state in particular ways. Furthermore, the terrorist organisations and political climate into which they emerged and operated differ vastly from case to case. As such, the variance in the level of violence, the
nature of threat and the wider political atmosphere in each of our cases necessitated a very different kind of state response. And thus the way in which the UK, Spanish and French states attempted to deal with sub-state terrorism was at times vastly different. Although this kind of close case study analysis has illuminated the great differences between each of case studies, we see that there are elements present in each of the cases which give them something of a family resemblance. All three case studies examine what might broadly be called ethno-nationalist campaigns of political violence, in that the principal sub-state protagonists in each of the conflicts were agitating for ethno-nationalist aims rather than for overtly religious, or ideological purposes, although there are elements of religious and ideological justification to each conflict. Indeed, in each of our case studies, it could be said that we see examples of the partial failure of state building, and the inability of state elites to establish a hegemonic ideology in the regions where the conflicts are centred. Additionally, the cases we have examined have all been drawn from the late 20th and early 21st centuries, and each of the states in question are all western European based states which have undergone (or were undergoing at the time) processes of decolonisation. It stands to sense thus, that the character of these states will perhaps resemble each other more closely than if we were to take case studies from different periods in history, campaigns of terrorism fought for vastly different ends, or states which are based culturally, socially and geographically in very different parts of the world.

However, that states however different, are ‘peopled’ is something which applies across time and space. As such, the conclusions reached in Chapter Four which highlights some of the factors which have driven and shaped the individual responses of the states we analysed, will also be factors determining the response of any state faced with sub-state terrorism. As I set out in the introduction, and demonstrated through the case studies, no two states will have the same internal dynamics, and so the factors outlined in Chapter Four will affect state response to terrorism in different ways and to varying degrees. However, in any case, a close analysis of the nature and character of a state, its history and development and attention to the factors I set out will help us to understand why states respond in particular ways.
I highlighted the emotional impetus for particular types of response to terrorism; how terrorism, designed to evoke certain emotions amongst its direct and indirect targets naturally affect state personnel. Given that state personnel, especially those in the coercive arms of the state tasked with the kinetic responses to sub-state violence, are so frequently the direct target of terrorist violence, this is no surprise. Additionally, attacks on members of an individual’s ‘community’ can have a strong emotional resonance. This community can be the ethnic, linguistic, religious, political, geographical or a familial group, but of course can also extend to work colleagues, or indeed any other type of community which the individual perceives themselves to be a member of. As such, we might understand how frustration, anger, fear, or the desire for revenge might become a factor in determining how each member of state personnel with counter-terrorist responsibility might act. In this way, we see how important it is to consider the emotional impetus for responses to terrorism.

Secondly, I identified the role that the character of state organisations can have in shaping the response to terrorism, and the need for state leaders to have an awareness of this to ensure effective and proportionate response. It is easy to understand given the historical engagements, strong unit culture, and standard operating procedures often found in the coercive arms of the state how they can represent a rather blunt instrument to dealing with terrorism. While in particular instances, the availability of professionally trained armed units of soldiers or police might be necessary for quelling the most astringent political violence, the predisposition to use force more suitable for warfare can stoke anti-state sentiment and lead to an escalation of the conflict which seldom produces a positive outcome in terms of healing community divisions, or strengthening the perceived legitimacy of the state. Furthermore, we saw how the tendency for armies and police forces to be drawn disproportionately from particular sectors of the wider population, especially in divided societies can increase tension and add to the perception of injustice, inequality and unfair treatment. Thus, care should be taken by states to ensure that the state, particularly the coercive arms of the state, are drawn from across society, remain apolitical, and are trained specifically in dealing with low level terrorist
campaigns, rather than simply attempting to adapt tactics and strategies more suitable for conventional wars or highly volatile insurgencies.

Thirdly, I highlighted how the division of labour necessitated by the delegation of power by the state to its subsidiary organisations has created problems of intra-state cooperation and competition, and the effect that this has on counter-terrorism. The rigidity of behemoth organisations means that they are often slow to adapt to developing situations. Frequently, when a new terrorist campaign emerges, the state is caught off guard. Thus, the creation of new channels for communication and cooperation between disparate organisations, often with vastly different structures, standard operating procedures and cultures can be a difficult task. We saw how often, despite the organisations all being under the umbrella of the state, they have their own discrete set of interests, aims and objectives, which are often mutually clashing and competing. Thus, while the state may have an extensively developed apparatus at its disposal for counteracting terrorism, the implementation of counter-terrorism action can often be frustrated because of bureaucracy and intra-state politics.

Finally, I highlighted how the counter-terrorism strategy of the state can be as much a political tool as it is an effective tool for bringing political violence to an end. The highly emotive and shocking nature of terrorism means that it often occupies a central position in political discussions and debates whatever its relative importance. As such, the continuity of a particular strategy to dealing with terrorism, or indeed the implementation of a new counter-terrorism strategy can frequently be with other aims and objectives in mind than solely the reduction of violence and the maintenance of order. I illustrated how the adoption of certain approach to terrorism can be designed to send unambiguous messages to opponents from rival political parties or factions, to silence one’s critics, for electoral gain, or indeed to help build international alliances, or strengthen relations with other states. This assertion further underlines the importance of understanding terrorism and counter-terrorism as political acts situated within the wider context of historical and political development of intra-state and inter-state politics.
We as academics should be rightly suspicious of those who present universal theories which purport to explain manifestations of a particular phenomenon, whatever its geographical, political or historical context. In this thesis, I have demonstrated precisely the importance of taking into consideration just those contexts and the difference that this will necessarily have on our understanding of the motivations and the outcomes of responses to terrorism. We have seen how only through paying attention to the idiosyncrasies of each situation and studying closely both the development of the state and the movement or milieu from which the sub-state terrorist organisation emerges, can we fully understand the engagement of both state and sub-state actors and the trajectory of the conflict. Despite the variances between individual states, which of course are essential to understandings of terrorism and counter-terrorism, the factors affecting the response to terrorism emanate from the peopled nature of the state, and thus, can be applied to all states faced with terrorism perpetrated by sub-state actors. In every case of counter-terrorism, we must strive to understand the effect that emotional responses, the character of state organisations tasked with responding, problems of cooperation and intra-state competition, and political motivations have in tempering responses, if we are to properly understand and explain counter-terrorism and violent conflicts more generally.

Future research on terrorism and counter-terrorism should consider the complexities of the state that have been dissected in this thesis. While the study of terrorism is riven with difficulties and problematic trends have developed in the past, the story is not all bleak. Some scholarly works of serious value have been produced, which take into consideration some of the key concerns raised in this thesis. It is encouraging, for example to see a body of work emerge which stresses the importance of effective intelligence. States too have realised the value of intelligence led approaches to terrorism. However, the recent scandals caused by the surfacing

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of documents leaked by NSA operative Edward Snowden have highlighted how this too can become a blunt instrument when misused, making it difficult to isolate useful intelligence from the noise associated with wide scale surveillance, eroding civil liberties, and damaging trust in the state.

The need for a synchronised approach to counter-terrorism has been made all the more pertinent since 9/11 and the efforts of states to create and foster counter-terrorism and security cooperation across national borders. While the state remains the primary actor in defending populations against terrorism, supra-national counter-terrorism efforts bring with them extra levels of bureaucracy and organisations which need to be coordinated, diverse organisational practices and cultures, and the variegated priorities of nation states. Some of the problems of state response to terrorism highlighted in this thesis have been identified already by those scholars investigating supra-national counter-terrorism efforts. Javier Argomaniz, analysing EU counter-terrorism efforts post-9/11, raises a number of issues. Firstly, cooperation rises and falls on the agenda depending on the length of time since the last major attack, moving to the top of political agendas in the aftermath of particular atrocities, and falling down the list of priorities in periods of relative peace and stability. Secondly, states have found themselves torn in two directions, desiring the security benefit that closer cooperation and harmonisation on counter-terrorism would bring to all EU member states, but showing a reluctance to cede power to European institutions; again an example of how the multitude of preferences and political considerations of the executive branch of the state affect the course of counter-terrorism endeavours. Wyn Rees points out in terms of transatlantic cooperation, that multilateral cooperation on internal security is increasing, that external security cooperation with the EU has remained difficult as a result of the differing agendas of the EU member states and the USA. Additionally, he highlights the continued ad hoc arrangements with regards to transatlantic intelligence sharing, owing to suspicion of other states and of institutional intransigence from the US security

11 Ibid, p. 34.
organisations. Importantly, as Amy Zegart has highlighted, the tendency when discussing action by states in the international domain, is to adopt realist approaches which ignore domestic factors, treating states as unitary actors. While those adopting Bureaucratic Politics or New Institutionalist models of thinking may be inclined to dig deeper, into the ‘black box of the state’, considerations which look only at the institutions in question, rather than the people who compose these organisations, the informal cultures and potential for visceral responses by state personnel (acting either within or out-with their remit) will continue to miss important detail which can illuminate the complexity of responses to terrorism. As the apparatus for defending against terrorism becomes larger and more diffuse, it may become more difficult for states and academics alike to identify the hand of individual actors, be they state elites or low-level state operatives and its effect on counter-terrorism. Obviously, the coordination across borders on issues of counter-terrorism can represent a positive development resulting in an increase in peace and security for populations across the globe. There is the risk however that states and academics alike will come to view these matters in a depersonalised way, seeing only rational institutions and policies and failing to acknowledge the individual actors and their agency which have had such an impact on the course of the conflicts presented here.

Countering terrorism is a difficult job. The successes, in terms of security policies acting as effective deterrents to those who might otherwise seek to pursue their political aims violently is impossible to measure. Similarly, in the chaos of prolonged violence with numerous actors operating in complicated political and social atmospheres, it can be difficult to disaggregate the effectiveness of particular state organs, of policy shifts, of actions, and of words so as to understand what works and what does not. We hear in the media only of the failures, when states fail to prevent attacks, or when their actions in the course of counter-terrorism infringe on civil liberties. These issues must of course be taken seriously, and the attention received and outrage generated when state personnel err is usually justified. It provides additional incentives for states to strive to find the balance between liberty and

security. It is doubtless that mistakes will be made in the future course of counter-terrorism efforts. States are after all ‘peopled’ and people are imperfect. And indeed, as discussed earlier, particular campaigns of terrorism might end, but terrorism as a tactic seems unlikely to disappear in the future, but there is reason to be optimistic. History provides no indicator of the future. Analysis of history, both our own and of others, helps us to identify the mistakes of the past. It is my hope that this thesis might in some way contribute to an awareness of the historical difficulties of state counter-terrorism policies, so as to inform debate and discussion concerning the road ahead.
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