

Counterterrorism and just intelligence, an oxymoron? The ethical analysis of internment without trial in Northern Ireland

Eleanor Leah Williams

To cite this article: Eleanor Leah Williams (2023) Counterterrorism and just intelligence, an oxymoron? The ethical analysis of internment without trial in Northern Ireland, Critical Studies on Terrorism, 16:1, 42-61, DOI: [10.1080/17539153.2022.2116154](https://doi.org/10.1080/17539153.2022.2116154)

To link to this article: <https://doi.org/10.1080/17539153.2022.2116154>



© 2022 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group.



Published online: 28 Aug 2022.



Submit your article to this journal [↗](#)



Article views: 3481



View related articles [↗](#)



View Crossmark data [↗](#)



Counterterrorism and just intelligence, an oxymoron? The ethical analysis of internment without trial in Northern Ireland

Eleanor Leah Williams 

School of History, Anthropology, Philosophy and Politics, Queens University Belfast, UK

ABSTRACT

Northern Ireland is used as a case study internationally, from how to deal with terrorism to initiating peace processes. Internment was the first state action of the Troubles that was conducted throughout the whole of Northern Ireland. The general consensus surrounding internment is that it was a failure. But, was it ethical? Were there some “good” elements to internment? What specific parts of internment should the UK tell other states to avoid? Or was the whole practice, from start to finish, unethical? This article attempts to make these lessons clearer by analysing internment through an ethical lens. To do so, it uses the Just Intelligence framework proposed by Mark Phythian and David Omand. It argues that overall, internment was unethical. Whilst internment was properly authorised, it is mostly unethical because it was not proportionate, it was not necessary in the rural areas, it failed to discriminate, the intention behind it was dubious and it was ultimately unsuccessful. Internment exacerbated the conflict by fuelling the PIRA with recruits; shifted the conflict from being urban-based to a nationwide conflict; alienated Nationalists against the security services; and tarnished the local and global reputation of the UK government.

ARTICLE HISTORY

Received 15 February 2022

Accepted 19 August 2022


KEYWORDS

Ethics; Northern Ireland; internment; IRA; state intelligence

Introduction

Considerable time has now passed since the end of the Northern Ireland conflict. This allows us to make a balanced assessment of the first major security operation of the Troubles conducted throughout Northern Ireland, namely, internment without trial. Northern Ireland is a developed case study, with scholars continuously looking to draw lessons from the UK experience, making it a useful area to study through an ethical lens. This article is of significance because historically, internment has been used globally by the UK. It is imperative that techniques applied globally, especially by a leading democratic state such as the UK, are ethical. Whilst Omand and Phythian have drawn from Northern Irish cases to discuss certain ethical dilemmas, nobody has applied Omand and Phythian’s framework in depth to Northern Ireland.

This article attempts to contribute to the gap highlighted recently by scholars such as Crenshaw (2019, 705–724) and English (2021, 664) that there needs to be greater study of

CONTACT Eleanor Leah Williams  ewilliams08@qub.ac.uk

© 2022 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group.
This is an Open Access article distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives License (<http://creativecommons.org/licenses/by-nc-nd/4.0/>), which permits non-commercial re-use, distribution, and reproduction in any medium, provided the original work is properly cited, and is not altered, transformed, or built upon in any way.

terrorism and counterterrorism together. Jackson (2019, 740–55) calls for scholars to consider the intricate “relationship between state and non-state violence – between terrorism and counterterrorism”. He maintains that terrorism and counterterrorism studies need to have an ethical consideration. Furthermore, Jackson (2019, 749) calls for further research into the impact of violence, “including the ‘legitimate’ violence used to counter the ‘illegitimate’ violence” we disapprove of. English (2019, 666) further highlights that whilst there have been advancements in the field regarding the morality and proportionality of state intelligence responses to terrorism, “our understanding of long-term historical outcomes and their implications remains an area for further historical investigation”. This research aims to contribute to the critical gaps in knowledge these scholars highlight by providing an updated understanding of the ethical relationship between counterterrorism and terrorism.

Continuous violence from the PIRA (Provisional Irish Republican Army) drove the UK security services to their limits, “raising difficult questions about employing covert tactics so close to home” (Cormac 2018, 197). One of those controversial security operations was internment without trial, also known as Operation Demetrius. Certainly, many questions surrounded the introduction of internment in August 1971. Richardson (2006, 187) called it “the biggest political miscalculation of the entire conflict”. However, Hennessey (2005, 120–51) states that in military terms, internment was not a complete failure. He claims that internment brought an increase in intelligence which in turn put pressure on the PIRA. Bew, Frampton, and Gurruchaga (2009, 52) also claim that despite the disastrous start, internment was successful in arresting senior and influential Republican figures such as Gerry Adams, Ivor Bell and Brendan Hughes. They claim that by 1974 this impact was being felt in the Belfast PIRA.

Other academics have also studied Operation Demetrius in depth. The standout example is Martin McCleery’s *Operation Demetrius and its Aftermath*. McCleery provides an illuminating account of the impact that internment without trial had on the conflict itself. McCleery (2015, 75) demonstrates that the introduction of internment resulted in a major upsurge in PIRA activity and helped create a “core republican community that would be able to sustain the conflict until the hunger strikes¹ of 1981”. Interestingly, McCleery (2015, 75) implies that the institutionalised denial of any wrongdoing by the authorities in the Widgery and Compton Reports², only “compounded the polarisation between the nationalist community and the state”. McCleery provides a convincing argument that internment led to an increase in PIRA support. However, he does not evaluate whether these activities were in line with an ethical framework, as, in fairness, this was not the aim of the book. This article wishes to complement McCleery’s work by adding this dimension.

Shanahan’s (2009, 186) book, *The Provisional Irish Republican Army and the Morality of Terrorism*, analyses the Northern Ireland case in an ethical dimension through primarily focussing on the PIRA. Nonetheless, Shanahan does dedicate a chapter in the book to discussing the morality of some UK counterterrorist methods, including internment. Shanahan (2009, 186) touches upon Just War and consequentialism regarding internment and underlines that the operation “is difficult to justify from a perspective which takes rights seriously”. Indeed, Shanahan (2009, 226) accurately explains why it is vital that states act ethically, namely, so “that those engaged in counter-terrorism can maintain the moral high ground, not just in word but in deed, to that extent the terrorists’ activities

might come to seem morally unacceptable to the communities upon whose support they depend. This article wishes to complement and build on Shanahan's work by providing an in-depth ethical analysis of the internment operation and the impact it had on the conflict.

Many view internment as a military operation marred by weak intelligence. However, internment was partly introduced because there was a desperate need for better intelligence. This research adopts Gill's (2009, 214) definition of intelligence: "the mainly secret activities – targeting, collection, analysis, dissemination and action – intended to enhance security and/or maintain power relative to competitors by forewarning of threats and opportunities". Therefore, whilst internment was a military operation, it was also an intelligence operation, as one of its primary aims was to provide intelligence. Intelligence was obtained by some of those interned which led to further arrests and PIRA arms being uncovered. It is worth noting that the UK security services conducted operations prior to internment without trial, for example the Falls Road Curfew.³ Nonetheless, this article focuses on internment as it was the first major operation of the Troubles conducted throughout the whole of Northern Ireland. Internment was successfully implemented in Northern Ireland before the Troubles between 1939–1945 and 1956–1962. The 1956–1962 internment operation was "directly linked to the availability of intelligence to the security forces in 1971" (Sanders 2011, 241). However, these previous internment operations were conducted in coordination with the Republic of Ireland, which Operation Demetrius was not. The article explains later why this was particularly important.

Ethical framework

Ethics, according to the online Collins Dictionary definition, is "a social, religious, or civil code of behaviour considered correct, especially that of a particular group, profession, or individual". To ordinary citizens, to behave ethically would perhaps entail being honest, not deceiving others, and not eavesdropping on others' conversations. But of course, if any intelligence officer practised such virtues in their work, they would not last very long in the profession. As Quinlan (2007, 2) explains, intelligence faces a dilemma because it unavoidably entails "doing something that is seriously contrary to the moral rules accepted as governing most human activity". Therefore, evidently, another "code of ethics" is needed for the intelligence world. The traditional ethical approaches used to judge the ethicality of intelligence are the consequentialist, deontological and the realist approaches. Nonetheless, they all fall short of providing a complete framework.

Erskine (2004, 359–381) presents how the three prominent ethical traditions, realist, consequentialist and deontological, might be practised in intelligence. Within the realist position, the sovereign has the duty to protect its citizens which thereby justifies most intelligence operations designed to protect the state. Realism sees moral reasoning as being defined by self-interest, which would be in the state's interest in this case. Erskine (2004, 365) explains that the realist approach does not argue that ethics is incompatible with intelligence, but rather that "acting in the national interest is itself complying with a moral principle". However, what is most troubling about the realist approach is that intelligence activities are justified if they serve the state no matter the harm to others, and therefore, any intelligence practitioner who contributes to this is commendable.

Consequentialism entails evaluating actions by the value of their consequence; thereby the ethicality of an action can be calculated by the results that come from it (Erskine 2004, 366–370). Put simply, according to consequentialists, the right course of action is the one which produces the most good. Omand and Phythian (2022, 56) explain that in ethical terms, intelligence officers are “natural consequentialists, wishing to have the acceptability of their methods judged by their results, for example in terms of terrorist plots uncovered and frustrated”. Positive outcomes of intelligence can be broad. They could include peace, national security, reduced casualties or no soldiers coming home in body bags (Erskine 2004, 367–368). A challenge of this approach is the debate on whether, and when, these outcomes are achieved. However, consequentialism does not regard some activities as “intrinsically wrong”. Erskine (2004, 367) explains how consequentialism could be used to justify the use of torture, if it maximised the good. Therefore, the consequentialist approach can justify very extreme means, as it focuses on the consequences rather than the act. Due to the broadness of the consequences and no clear line on when to stop thinking about the consequences, the consequentialist approach alone is not sufficient when analysing the ethicality of intelligence operations.

Finally, the deontological approach to intelligence focuses on the morality of the intelligence acts themselves, rather than how they serve the desired outcome. In effect, some acts are wrong and unethical, regardless of their consequences (Erskine 2004, 370–371). Several elements of intelligence collection would be prohibited on the grounds that any form of deception, manipulation or coercion fails to meet its absolutist criteria. This research agrees with Erskine, that realism and consequentialism fall short of providing restrictions or limits on the damage that intelligence could cause. This means that neither the realist nor consequentialist frameworks place an intrinsic limit on what sort of intelligence actions might be morally permissible. On the other hand, deontology fails to realise that intelligence can play an ethical role (Bellaby 2014, 7). Therefore, a deontological approach would almost always prohibit intelligence activities that the state believes necessary. Intelligence has proven advantageous for governments for centuries. Specialist agencies have accessed and analysed information that helps governments make better decisions (Omand 2020, 3). Good intelligence ensures that states understand more about the decisions they must make, making it less likely that they make bad decisions or are seriously surprised (Omand 2020, 4). Erskine (2004, 363) demonstrates that none of the three schools of thought are sufficient to judge the ethicality of intelligence activities. However, she admits that “determining who is morally responsible for either ‘intelligence failures’ or ‘inappropriate conduct’ is never going to be easy when dealing with multiple, multifarious actions that include complex organisations”.

Just War theory has also been applied to judge the ethicality of intelligence activities. However, Fabre (2022, 24) claims that when evaluating the ethics of intelligence, Just War theory is not as useful as originally understood because it is “too quick simply to say that, in just the same way as war must have a just cause, or be proportionate, so must espionage”. Fabre (2022, 24–25) admits that Just War is suitable for war. Nonetheless, she contests that it is not suitable for everyday intelligence for two main reasons. First, because it cannot theorise the use of peacetime instruments of policy. Second, according to Fabre, when the Just War theory justifies war it justifies killing, which she highlights is

not the same in intelligence. In her view, to spy and protect one's secrets does not involve killing. Whilst Fabre (2022, 25) admits that intelligence operations sometimes harm their targets, they do so in more complex and less obvious ways.

Omand and Phythian in their book mirror some of Fabre's concerns surrounding Just Cause and the justifying of killing. Omand, being the ex-director of GCHQ (Government Communications Headquarters) from 1996–1997, opened the floodgates to allow academic criticism of intelligence services without discrediting their work with the publication of *Securing the State* and, his joint book with Mark Phythian, *Principled Spying: The Ethics of Secret Intelligence*. They provide their own framework of *Just Intelligence* as they systematically address, in a dialogical form, the ethical challenges surrounding intelligence activities and how intelligence agencies can act more ethically. Their proposed ethical framework of Just Intelligence is derived from Just War theory. The Just Intelligence framework includes discrimination, proportionality, necessity and restraint, right intention, proper authority, and reasonable prospect of success.

The discrimination criterion requests that care be taken to ensure that civilians do not become unintended victims. The Just Intelligence framework also requires that any intelligence activity is proportionate to the desired outcome or the injustice that is witnessed. That is, intelligence activities should be conducted in a manner that even in the short-term, "the invasion of rights is proportionate to the alleged threat, but also to prevent surveillance being directed at the wrong person or conducted in such a way as to amount to intimidation" (Omand and Phythian 2018, 160). The criterion of proportionality is to ensure that the harm caused by intelligence activities is proportionate to the threat that it is meant to overcome, thus "placing a limit on the amount of harm allowed for a given action" (Bellaby 2022, 15).

The necessity and restraint criterion does not mean restraining from using intelligence, like one restrains from going to war until it is the last resort. As Omand and Phythian (2018, 90) write "(t)o wait until arriving at the last resort before beginning to collect intelligence on a threat is obviously too little too late". Rather, necessity in the intelligence context means "less than indispensable but more than merely admissible or useful" (Anderson 2015, 81). The right intention notion requires intelligence activities to be "characterised by integrity of motive on the part of those initiating and authorising operations" (Omand and Phythian 2018, 80–83). Emphasis is given to the importance of contemplating the unintended, as well as the intended, outcomes from their actions (Omand and Phythian 2018, 5). The notion of proper authority includes the necessity of right authority over an intelligence activity, which is validated by external oversight (Omand and Phythian 2013, 54). This, put simply, means that the intelligence activity is given the go-ahead by someone who is at a senior enough level "appropriate to the ethical risks that may be run" with the moral expertise to authorise the activities (Omand and Phythian 2022, 48).

Finally, Omand and Phythian (2013, 54) write that there must be a reasonable prospect of success for an intelligence activity to be deemed ethical. They stress that even if the activity appears proportional, "risks to agents . . . risks of collateral damage to others, and, not least, the risk of future operations and to institutional reputations if the operation were to go wrong" must be considered. This article also mirrors Omand and Phythian's

intertwining of consequentialist thinking throughout their framework, which becomes particularly relevant when assessing the success criterion.

This article is based on the conviction that Omand and Phythian's Just Intelligence framework is the most appropriate to ethically evaluate internment, as it provides a clear checklist to determine whether an intelligence activity is ethical or not. Whilst Omand and Phythian present significant and accurate research on ethical intelligence, they do not test their ethical approach against the Northern Ireland case study. Gendron (2005) and Quinlan (2007) endorse this framework as an appropriate one to apply ethics to intelligence activities. This article applies Just Intelligence because it "offers a practical moral guide that acknowledges the necessity of war and specifies grounds when it is justifiable yet seeks to set limits on its conduct" (Gendron 2005, 414).

Background

For nearly three decades, Northern Ireland was overwhelmed by sectarian violence between the Protestant and Catholic communities. The PIRA's central aims included communal defence of the Catholic communities, and eventually, the achievement of a united and fully independent 32 county Ireland (English 2016, 100). Nonetheless, the UK state and Loyalist paramilitaries, such as the UVF (Ulster Volunteer Force) and UDA (Ulster Defence Association), sought to keep Northern Ireland within the UK. The conflict came to an end in 1998 with the signing of the Good Friday Agreement, which ensured that Northern Ireland remained in the UK for as long as the majority of the population wished. Over 3,500 people died during the conflict.⁴

The Prime Minister of Northern Ireland Brian Faulkner was considering internment since he entered office in Spring 1971. Growing PIRA violence during 1971 was supplying the Stormont administration with increasingly more ammunition for this initiative. McCleery (2015, 15) states that the final straw for Faulkner came in mid-July 1971 when the PIRA bombed the *Daily Mirror* newspaper offices just outside Belfast. This was the most expensive explosion of the Troubles so far. At the end of July, Faulkner telephoned Reginald Maudling, who was UK Home Secretary at the time, to inform him that his whole cabinet came to the conclusion that internment was now necessary.

In early August 1971, Faulkner travelled to London to attempt to get the UK government to endorse his internment plan. With civil disorder continuing in Northern Ireland and the PIRA becoming increasingly dominant, Stormont applied pressure on the Westminster government to introduce Faulkner's plan of internment without trial (English 2003, 139). Technically, Faulkner did not need UK Prime Minister Edward Heath's permission to undertake the mission. Nonetheless, if Faulkner wanted to use the British military, whom inevitably he needed if he were to have any chance of conducting a successful operation, he needed Heath's approval. He stressed to Heath that he would feel unable to govern if his wishes should not be granted. Whilst internment was successful in previous decades, in those cases the measure was introduced on both sides of the border. If internment was not introduced in sync with the Republic of Ireland, key Republican individuals could easily escape to the south. Critically, Dublin had made clear that it would not participate.

Heath faced a conundrum: either give what Faulkner, his party and his Unionist Protestant constituents wanted, or alternatively face another resignation from

a Stormont Prime Minister (Taylor 1997, 64). James Chichester-Clark had resigned as Northern Ireland Prime Minister in March 1971. Therefore, the UK government wanted to avoid another resignation, especially as they believed Faulkner's resignation would bring in a more hard-line government (McCleery 2015, 16). Reverend Ian Paisley's hard-line Unionist movement was gaining momentum and was already politically threatening Faulkner's UUP (Ulster Unionist Party), who had been the largest party in Northern Ireland for the preceding five decades. Heath was warned by Cabinet Secretary, Burke Trend, to be wary of employing internment before it was necessary. Furthermore, senior military advisors had also warned Heath of the dangers of carrying out such an operation. The General Officer Commanding Northern Ireland, Sir Harry Tuzo, and Chief of the General Staff, Sir Michael Carver, stated that they were against internment. The British Army's view was that they could defeat the PIRA without internment (McCleery 2015, 15). According to McCleery, there were concerns within the UK government that international opinion would be unfavourable towards internment and that internment would be in contravention of the ECHR (European Convention on Human Rights) (McCleery 2015, 18).

Nevertheless, internment occurred. It appears that the UK government did not want to get further entangled in Northern Ireland and did not want to provoke Ulster Unionists. According to McCleery (2015, 33), internment was undertaken for three main reasons. First, the operation was conducted to provide much needed intelligence about the PIRA for the UK security services. Second, McCleery claims internment was intended to intimidate Nationalists in the hope of reducing the PIRA's support. Internment's final aim was to appease the hard-line Unionism growing in Northern Ireland, with the Paisley movement threatening Faulkner (McCleery 2015, 33).

Operation Demetrius commenced in the early hours of the 9th of August 1971, as 3,000 troops swooped on cities, towns and villages across the whole of Northern Ireland. The way internment was conducted was inevitably going to rupture relations between the minority Catholic community and the security services (Burke 2018, 76). Men were arrested in the middle of the night. Doors were smashed in, and homes upended, which nurtured an undeniable feeling of burning injustice from the people "whose husbands, fathers, brothers and sons had been maltreated" (Bradley and Feeney 2011, 78; Bennett 2013, 275; Taylor 1997, 93). As Burleigh (2008, 114–115) suggests:

Heavy-handed deployment of police or soldiers against entire populations has invariably been one of the best recruiting mechanisms for terrorist organisations. No one appreciates armed men kicking the door down, man-handling women and rifling through possessions.

In the first 24 hours, 342 people were arrested, 178 evaded arrest, 116 were released within 48 hours and approximately 100 individuals who had no paramilitary involvement were held for over 48 hours (Leahy 2020, 342; Aldrich and Cormac 2016, 293; O'Balance 1981, 149; Newbery et al. 2009, 631). There is widespread consensus that the intelligence on which internment was based was insufficiently accurate. Many key members of the PIRA leadership were based in the Republic, and those who were not, had gone on the run, allegedly forewarned of the likelihood of internment (English 2003, 139–140). Even Heath claimed that the intelligence used to conduct internment was "hopelessly out of date" (Heath 1998, 429; Moloney 2007, 101; Holland and Phoenix 1996, 72). Operation Banner (2006, 219), the Army report into the Troubles, agrees with Heath:

The Army and RUC were poorly prepared: suspect lists were badly out of date and detention facilities were inadequate. The former led to many of the wrong people being arrested and the latter meant that those arrested could not be properly segregated during screening.

Subsequent to the inaccurate intelligence, many of those interned were either completely innocent or inactive Republicans. Therefore, many individuals that were wrongfully interned, were usually released within a day or two, which added to the widespread public perception that internment was a bungled operation (Burke 2018, 77; TNA: CJ 4/1290 Paper written by Mr. Gowdy).

Only Catholics were interned in the initial period of Operation Demetrius. This convinced many that the security services were fundamentally repressive (English 2003, 139–140; Conclusions of a meeting of the cabinet held at Stormont Castle 17 August 1971, PRO NI CAB 4/1609/17; McKittrick and McVea 2000, 80–81). Whilst Loyalists were later interned in February 1973, the initial discriminate nature of internment immediately inflamed moderate Nationalists and alienated them from the authorities (Leahy 2015, 345; English 2003, 140; Edwards 2010, 318–319). As Sir John Peck, the then UK Ambassador to Dublin said: “Internment attacked the catholic Community as a whole. What was worse, it was directed solely against the Catholics, although there were as many Protestants who provided just as strong grounds for internment” (McKittrick and McVea 2000, 81).

UK Home Secretary, Reginald Maudling, also urged Faulkner to lift “some Protestants if you can” (Fenton 2018). Evidence suggests that the authorities did not intern Loyalists concurrently with the Republicans, because the UK government wanted to avoid a two-front war, which would have severely stretched the UK security services which were already under pressure. Second, if one of the key reasons to conduct internment was to appease hard-line Unionism, it would not make political sense to intern hard-line Unionists. Whilst internment may have made political sense to Faulkner, it failed to consider how internment would impact the Nationalist communities. If the UK state had interned more relevant individuals from both communities, the Loyalist communities would have been unhappy. However, perhaps if the measures were imposed on both sides, the Catholic community would not have reacted in the manner that it did. Nonetheless, it is impossible to prove this, and interning Loyalists and Nationalists could have simply produced a two-front war. Evidently, the fact that only Catholics were interned initially alienated the Nationalist community and led many to believe that there was no peaceful way out of the situation.

The way internment was conducted infuriated the Nationalist community. Fuel was further added to the fire when it became common knowledge that fourteen internees were subjected to five notorious techniques to wear down subjects, including: wall standing, hooding, subjection to noise, sleep deprivation, and deprivation of food and drink (Aldrich and Cormac 2016, 292; CJ 4/968 Minutes of a meeting held in room 262 old War Office on 23 and 24 July 1975). These techniques were usually applied by RUC (Royal Ulster Constabulary) Special Branch interrogators working under the guidance of the Army Intelligence Corps (Aldrich and Cormac 2016, 293). Those subjected to these techniques included Republicans, Republican sympathisers and civil-rights activists (McCleery 2015, 65). Taylor highlights that this “special treatment” was not the first time such techniques were used by the UK state.

Indeed, they were applied as a counterinsurgency weapon in Palestine, Malaya, Kenya, Cyprus, the British Cameroons, Brunei, British Guiana, Aden, Borneo and in the Persian Gulf (Taylor 2001, 65). The Parker Committee⁵, however, claimed that the techniques were key in helping to:

- identify up to 700 members of the PIRA;
- provide over 40 sheets giving details on the organisational structure of PIRA units;
- aid propaganda techniques and relations with other organisations;
- discover individual responsibility for approximately 85 unsolved incidents;
- and provided details regarding possible PIRA operations, arms caches, safe houses, and supply routes (Taylor 2001, 72; Parker Report).

Colonel Dewar (1996, 55), who served in Northern Ireland, described the techniques as “inevitably frightening and psychologically disorientating, and intentionally so”. The use of these techniques was found by the ECHR to have amounted to “inhumane and degrading treatments”. Former Special Branch officer, Matchett (2016, 129), claims that the use of the techniques was “bad professional misjudgement” and was Special Branch’s “lowest moment of the conflict”. Omand (2010, 272) stresses that the memory of the use of these techniques is still prominent. He stresses that the fall-out from those activities polarised communities in Northern Ireland and overseas, for years to come.

Furthermore, Leahy claims that internment, particularly the use of the five techniques, provided a boost to the Tyrone PIRA in terms of numbers. He points to “reports surrounding the internment and alleged physical mistreatment of Paddy Joe McClean, a teacher from Tyrone”, to partly explain new and increased support in Tyrone and elsewhere. Due to the uproar against the techniques, Heath banned these practices for the rest of time, admitting that such techniques were wrong to use (Omand and Phythian 2018, 63). All those subjected to the techniques were compensated by the government for ill-treatment (McCleery 2015, 65).

Ethical evaluation of internment without trial through just intelligence

Right intention

According to Omand and Phythian (2018, 78–83), the right intention criterion requires intelligence activities to be “acting with integrity and having no hidden political or other agendas behind the authorisation of intelligence activity”. Arguably, Operation Demetrius was introduced with some good intention by the UK government. Internment was introduced successfully in 1939–1945 and 1956–1962, therefore it is unlikely that Faulkner nor Heath foresaw such a strong opposition to internment in 1971 (English 2003, 140). Whilst Heath was warned of introducing internment until the last resort, evidence suggests he did not expect the violent backlash, especially in the rural areas. Whether this was due to ignorance or lack of interest in Northern Ireland is up for debate. Nevertheless, prior to the late 1960s, the House of Commons usually allocated fewer than two hours a year to discussing Northern Ireland (Andrew 2009, 602). Moreover, until the Troubles began, MI5 knew more about Anglophone Africa than it did about Northern Ireland. This is especially troublesome as the monitoring of external threats is not a primary function of MI5 (Andrew 2009, 618). Therefore, in all fairness to Heath, little

was known about Northern Ireland at the time, making deciding which policies to implement there even more difficult. Indeed, Andrew (2009, 618) accurately claims that “(h)istorical ignorance goes far to explain British policy and intelligence failures in Northern Ireland in the 1970s”.

It appears, however, that Heath did approve internment on political grounds rather than security reasons. Leahy (2020, 241) accurately implies that Heath’s disinterest in Northern Ireland led him to endorse policies that would preserve the status quo politically and maintained generally liberal democratic principles of law and order. Preventing Faulkner from resigning was one of the primary reasons Heath backed internment. Evidence suggests that Faulkner did not introduce internment with the right intention, as one of the primary reasons he introduced the measure was due to pressure from Ian Paisley’s ultra-Unionist movement. Additionally, it is suggested that Faulkner wanted to antagonise the Nationalist community and drive support away from the PIRA (McCleery 2015, 32). This article maintains that these hidden political agendas are ethically dubious intentions for carrying out such an intensive large-scale security measure.

Necessity

Northern Ireland was not peaceful prior to the operation. There were over 300 explosions, 320 shooting incidents and over 600 people treated in hospital for injuries in the first seven months of 1971 (Taylor 2001, 66). As aforementioned, the bombing of the *Daily Mirror* newspaper offices just outside of Belfast in mid-July 1971 was the biggest bombing of the Troubles at that point in time (McCleery 2015, 15). Therefore, arguably, some security response was necessary. Intelligence was required because the UK security services had little information on the Republican movement at the beginning of the conflict. As English (2009, 127–128) suggests, intelligence is the most vital element to counterterrorism. However, the British Army went into Northern Ireland blind. They had to depend on the RUC for intelligence, which ultimately was out of date and inadequate (Leahy 2020, 39). There was a need for a security operation to obtain information, howbeit, perhaps internment, especially the manner internment was conducted, was not the answer. The way the operation was conducted was unnecessary. It is difficult to find any positive results of upending homes and smashing doors in. Such sentiments are mirrored by Conservative MP, David James, as he visited Northern Ireland in mid-January 1972:

Internment and the selective searching of Catholic areas for men and arms proved the last straw. Any reasonable man will understand that troops in danger of being sniped at do not ring doorbells, but the effect within a small community, of doors being kicked in, floorboards ripped up and the breadwinner taken away for interrogation in the middle of the night is equally understandable. Furthermore, the sight of such hardliners as Mr. John Taylor and Captain John Brook in army vehicles during search operations served only to convince the local inhabitants that London is dancing to Belfast’s tune. For the first time the ghettos started looking to Dublin and banging their dustbin lids (DEFE 13/1672, Report on Northern Ireland visit, January 1972).

This statement is significant, as David James was a Conservative MP and in his own words “at the time I was one of those who welcomed [internment]”. Ultimately, these actions only antagonised families. Furthermore, the use of in-depth interrogation was completely

unnecessary, especially in the cases of the innocent individuals who were subjected to the techniques.

Implementing internment throughout the whole of Northern Ireland was also not necessary. MI5 had in fact suggested to the Home Office in March 1971 that the internment operation should be confined to solely Greater Belfast (Urwin 2016, 26). McCleery (2015, 99–100) accurately highlights that the fact that MI5 suggested this implies that they did not regard the PIRA outside of Belfast as a significant threat. As highlighted later on, prior to internment, the violence was primarily confined to the two main cities of Belfast and Derry/Londonderry. Violence was comparatively low in the rest of the six counties.

Discrimination

According to the Just Intelligence framework, care should be taken to ensure that innocent civilians do not become unintended victims. Nonetheless, the indiscriminate nature of the internment operation ruptured relations between the authorities and the Nationalist community. As mentioned, out of the 342 people arrested in the first 24 hours of internment, only 55 of the internees were actual PIRA men (Leahy 2020, 342; Aldrich and Cormac 2016, 293; O'Balance 1981, 149; Newbery et al. 2009, 631). Further, as highlighted above, 116 people were released within 48 hours and approximately 100 individuals who had no paramilitary involvement were held for over 48 hours. And, all those interned in the initial years of internment were Catholic, none were Protestant. The state failed to discriminate between Catholic civilians and PIRA members which alienated the minority Catholic community from the authorities. It must be noted that the internment programme did improve in discriminating between civilians and terrorists as the operation progressed by 1975, and Loyalists were interned from 1973 onwards. However, the indiscriminate nature of the initial phase of internment had already ruptured relations.

Authority

The criterion of proper authority includes the necessity of right authority over an intelligence activity, which is validated by external oversight (Omand and Phythian 2013, 54). Heath gave the go-ahead to Operation Demetrius after being pressured by Faulkner. As mentioned, whilst Faulkner could have authorised the internment operation without Heath's approval through the Special Powers Act, he needed Heath's consent to use the British Army. Nevertheless, even nearly 50 years later, it is extraordinarily difficult to pin down who was responsible for making the decision regarding the use of the five techniques (Taylor 2001, 68). Whilst the Northern Irish government authorised the general use of interrogation when they decided to introduce internment, they did not explicitly authorise the use of the five techniques or whom would be subject to them (McCleery 2015, 62). The ambiguity surrounding the authorisation of the five techniques contributed significantly to the escalation of violence and estrangement from the authorities. As Omand and Phythian (2018, 79–83) state, "confidence disappears rapidly when, after a scandal, who authorised the operation is not clear, and the paper trail is absent".

Proportionality

The Just Intelligence framework insists that the violation of rights must be proportionate to the threat faced. Evidently, internment was not a proportional operation to tackle the problem. There was growing violence in the urban areas of Belfast and Derry/Londonderry

prior to internment. However, there was little and very occasional violence in the rural areas, despite their history of militant Republicanism. Up until that point in the Troubles, there were only two successful intended-target PIRA killings outside of Belfast and Derry/Londonderry prior to the 9th of August 1971 (Leahy 2020, 250). It is also worth noting that those two successful killings were in 1970. This figure demonstrates that the rural areas posed a very minimal threat to Northern Ireland's security prior to the introduction of internment. This is not to argue that the operation carried out in Belfast and Derry/Londonderry was proportionate; the figures highlight how starkly disproportionate it was in the rural areas.

Reasonable success

Omand and Phythian stress that even if the operation appears proportionate, the state must consider the risk of collateral damage, future operations, and institutional reputation if the operation goes wrong (Omand and Phythian 2013, 54). As mentioned earlier, there were three primary aims of internment: (i) to gather much needed information; (ii) to antagonise the Nationalist community and subsequently drive support away from the PIRA; and (iii) to appease the growing hard-line Unionist voices (McCleery 2015, 32). Faulkner claimed that internment was successful because during the period following internment, PIRA arrests and ceasing of weapons increased. Hennessey (2005, 120–151) implies that internment provided the UK security services with intelligence on the PIRA and allowed them to make arrests. As mentioned earlier, this new intelligence led to the arrest of senior and influential figures such as Gerry Adams, Ivor Bell and Brendan Hughes (Bew, Frampton, and Gurruchaga 2009, 52). However, it came at a cost and created new PIRA recruits, thus meaning even more intelligence was now required.

In the short-term, internment succeeded in appeasing hard-line Unionism. Nonetheless, due to the Nationalist uproar following internment, violence on the streets of Northern Ireland exacerbated with a dramatic increase in PIRA support. Whilst Loyalists were active prior to internment, the huge upsurge in PIRA activity led to an increase in Loyalist violence. Alongside the escalation of confrontation between the minority community and the authorities over Operation Demetrius, Unionists' attitudes subsequently hardened. In September 1971, the month following the introduction of internment, the UDA was formed; in October 1971, the DUP (Democratic Unionist Party) was formed (McCleery 2015, 60). The DUP was a hard-line Unionist party led by Ian Paisley who would campaign against any future peace moves with the Republicans, such as the 1985 Anglo Irish Agreement and the 1998 Good Friday Agreement. By 1972, the UDA had approximately 40,000–50,000 members.

Any positives which came from internment were "overshadowed by the long-term propaganda benefit they provided to the republican movement in terms of recruitment" (Leahy 2020, 22). Leahy accurately suggests that a sizeable minority of the Nationalist areas began supporting the PIRA following fundamentally divisive measures. Internment, instead of driving support away from the PIRA, propelled Nationalists into the arms of the PIRA (Andrew 2009, 619). Former PIRA volunteer, Séanna Walsh, claims that, "After internment the war really started between the IRA and the British army in nationalist areas. With internment there was a step change in the relationship with the British army" (English 2016, 138). Walsh would argue this point. However, leading Loyalist Jackie McDonald agrees with this argument:

If you think what made the Provias . . . If there had been no loyalist paramilitary retaliation to what they were doing, and no internment, it (the Provisional campaign) might have lasted two or three or four or five years. But there were major events that happened, that swelled the ranks of the IRA . . . with the UDA and UVF killing Catholics; internment; Bloody Sunday- all these things made the IRA. (Quoted in English 2016, 108).

The internment operation escalated the conflict in a manner unseen before. This point is reiterated by Brian, the Lieutenant Colonel who commanded the First Battalion, the Gloucestershire Regiment:

(internment) was a complete disaster. It turned a large number of the nationalist population, who at the time had been firmly on our side . . . against us . . . The nationalist population didn't trust the security forces anymore and . . . in any internal security operation- and that's what Northern Ireland was- hearts and minds are the most important part of it, and internment destroyed it. (Quoted in Taylor 2001, 102).

Colonel Dewar (1996, 54) concurs that internment "was a political disaster nor was it effective in military terms". A soldier from the Parachute Regiment told Taylor (2001, 78) in an interview that:

we thought that our success rate, both in terms of arrests and with people being interned, would ultimately force the IRA to recognise that continued violence was no longer working. I think we underestimated the support the IRA had from the local population and I think we probably overestimated our own capabilities.

Consequently, internment was a momentous propaganda victory for the Republicans, and alienated Nationalists from the UK state for years to come (Aldrich and Cormac 2016, 292). A wide range of individuals, from human rights lawyers to the British Army, to former ministers who were involved in Northern Ireland, all agree that internment without trial, and the five techniques which followed, were a major mistake that served to generate sympathy for the Republican cause (Edwards 2010, 324; English 2003, 140–141; Foley 2013, 59).

William Whitelaw (1989, 78), the Secretary of State for Northern Ireland at the time, stated: "Internment did nothing to stem the deterioration in the situation. On the contrary, it remained a source of discontent and spur to more violence". No matter how many lives the UK state claims internment saved, the reality is that following internment, the death toll soared. In the first week of internment, twenty people died. Sixteen of them were killed by the British Army and two were killed by the PIRA. Only two of the sixteen killed by the Army were PIRA members (Taylor 2001, 75). Operation Demetrius led to scores of young men and women flocking to the PIRA, whereas older, more moderate Nationalists resigned from their public positions in disgust (Moloney 2007, 102; Hume 1996, 70; Kerr 2011, 21). Approximately 200 Catholics resigned from the UDR (Ulster Defence Regiment) which was already an overwhelmingly Protestant infantry battalion within the British Army (Burke 2018, 77). In 1970, 18% of the UDR was Catholic, following internment this figure plummeted to 3% (Potter 2001, 29).

The disgust and anger experienced by the Nationalist community is exemplified in the following statistics. Membership of the PIRA more than doubled during this period. In July 1971, the PIRA had 500 members, but by the end of the year that number had jumped to 1,300 (Operation Banner 2006, 3–2). This figure excludes those who were interned. In the six months prior to internment, there were 25 deaths across the island of Ireland; in

the six months following the introduction of internment, there were a staggering 185 deaths (Leahy 2015, 342). In the seven months of 1971 before internment, the PIRA had killed ten soldiers; in the five months following internment, they killed 30. In the five months prior to internment, there were 382 bombings; in the same timeframe following internment, there had been 1,022 bombings (Carver 1989, 412). In the year following internment, 109 soldiers, along with 29 UDR men were killed in Northern Ireland. This figure is higher than the number of soldiers killed in any one year during the recent conflicts in Iraq or Afghanistan, respectively (Aldrich and Cormac 2016, 296). Subsequent to the upsurge in violence, the number of British Army battalions increased from 13 to 16 by October 1971 (McCleery 2015, 58).

This increase suggests that the security services were under strain and pressure due to the increase in PIRA membership, and thus escalating the conflict. Maudling, who was UK Home Secretary at the time, later said “the experience of internment . . . was by almost universal consent an unmitigated disaster” (Bradley and Feeney 2011, 77). Evidently, internment succeeded in antagonising the Catholic population. Nevertheless, this did not derive support away from PIRA, but the exact opposite. Even twelve years later in 1983, the UK state was considering reintroducing internment, however, a government analysis of the internment option noted: “On balance the introduction of detention could lead to a surge of sympathy for the terrorist groups and an upsurge of violence (as happened in 1971/2 after the introduction of internment) rather than a diminution of violence” (CJ 4/4444, Internal Measures to Curb Terrorist Violence, 1983). The counter-productive nature of internment and the explosion of collateral damage that followed made any future state operation much more difficult and haunted the UK state for decades to come.

Internment was unsuccessful, as it not only failed to drive support away from the PIRA but pushed many into the arms of the Republican cause. Before internment, there was steady support for the PIRA in urban areas, however, as mentioned, the rural areas were comparatively quiet with infrequent violence. Nonetheless, in the year following internment, there was a 600percent increase in people killed outside of the two main cities by the PIRA (McCleery 2015, 3). As mentioned, there were no successful intended-target PIRA attacks in the rural areas in the seven months before the introduction of internment. However, this figure rose to 10 in the last five months of 1971. In 1972, rural PIRA units killed 46 intended targets (Leahy 2020, 249). In Heath’s (1998, 429) memoirs, he remarks on the violence on the streets of Belfast and Derry/Londonderry following internment. Nonetheless, what he perceived the most startling was how the violence had flooded into the rural areas – “to the smaller towns which were normally relatively peaceful”.

Internment marked a shift within rural PIRA units, particularly the East Tyrone PIRA who were particularly dangerous up until the 1990s, and the South Armagh PIRA who carried the PIRA to the 1990s peace talks (Leahy 2020, 81–107, 164–198). As Leahy explains, in areas like south Armagh, there was always a dormant Republicanism from the war of independence in the 1920s. Internment triggered these rural Republican heartlands to become militant again. This is not to argue that internment was the sole reason for the rural PIRA uprising, nevertheless, it appears to have been the straw that broke the camel’s back. With a huge increase in recruits, the South Armagh PIRA became the most notorious brigade which carried out most of the PIRA attacks in England (Leahy 2020, 45). Internment managed to transform the situation from a conflict which was largely

contained to the urban areas, to a conflict which spanned across the whole of Northern Ireland. Clearly, internment marked a definitive shift in the nature of the Troubles.

Omand (2010, 12) stresses that “maintaining community confidence in the actions of the state” is imperative. Furthermore, Omand and Phythian emphasise that the potential damage to institutional reputation must be considered prior to an operation. Internment and the use of the five techniques had a major impact on public opinion internationally. Furthermore, internment shifted the conflict from being against Stormont to against the UK state, as former Republican volunteer Tommy McKearney explains:

I think (internment) was one of the seminal moments in Northern Ireland. Prior to that, it was reasonable to argue that the problem was confined to the Stormont Regime, that it was a localised problem ... It transferred the responsibility from Belfast to ultimately rest in London. (Interview with author 17/2/21).

This growing condemnation of the UK state also went beyond the Nationalist communities of Northern Ireland. The operation attracted condemnation from human rights bodies, both at home and in the Republic of Ireland, Europe and the United States (McKittrick and McVea 2000, 77; Operation Banner, 17). Simultaneously, Anglo-Irish relations plummeted, and the UK’s standing in the world fell dramatically (McKittrick and McVea 2000, 94). The UK was berated by the ECHR. Soon after internment, the major financial assistance for the PIRA began to flood in from sympathetic Americans (McKittrick and McVea 2000, 94). The Dublin Minister for External Affairs, Patrick Hillery, was mobilising criticism of the UK in the UN (United Nations). Faulkner admits in his memoirs that “Ted Kennedy was bitterly criticising British policy and initiating congressional hearing on Ireland to provide a platform for these criticisms” (Faulkner 1978, 140). Heath (1998, 429) also admits in his memoirs that internment was condemned by “world leaders as undemocratic”. For the UK government, which was accustomed to being dominant on the international stage, this global criticism was unprecedented and moreover, humiliating. Whilst Tuzo claims the information gathered through internment was valuable, he admits that the PIRA “won a propaganda victory” (McCleery 2015, 36–37). Operation Banner (2006, 220), summarises the failure of internment well: “Both the reintroduction of internment and the use of deep interrogation techniques had a major impact on popular opinion across Ireland, in Europe and the US. Put simply, on balance and with the benefit of hindsight, it was a major mistake”.

Promptly after the introduction of Operation Demetrius, Joe Cahill, the Commander of the PIRA Belfast Brigade at the time, gave a press conference at which he claimed that “only 30 of PIRA men had been detained” (McCleery 2015, 59). Unbeknown to Cahill, many miles away, 29-year-old Colonel Muammar Gaddafi was watching. It was after this press conference that Cahill claims that “Gaddafi’s roving ambassador began making contact through intermediaries with him” (Anderson 2002, 231–238). In November 1972, the first DC3 Aircraft full of guns and rocket launchers arrived from Libya. This shipment of weapons was the first tangible indication of the scale of weaponry Gaddafi was prepared to provide the PIRA (Spotlight 2019). The PIRA’s relations with Libya is significant. Prior to the Libyan connection, the movement often found itself in a position where it had more volunteers than arms. Former Republican volunteer, Tommy McKearney, explains that often they would have ammunition but no guns, or they would have guns but not enough

ammunition (Spotlight 2019). The Libyan connection eliminated this problem and provided a serious escalation in weaponry.

By 1975, Gaddafi's regime had supplied the PIRA with \$3.5 million (Moloney 2007, 9). The PIRA acquired more arms from Gaddafi's regime than it could use, which gave the organisation the capacity to carry out its campaign (Andrew 2009, 738; Taylor 2001, 272). As Andrew (2009, 623) explains, the large-scale smuggling from Libya transformed the PIRA's capability and capacity. Those Libyan weapons, particularly by the 1990s, allowed the PIRA to regularly attack England. This demonstrated a poignant and constant danger to the UK state, or at the very least, a nuisance that was not going away. However, it must be noted that it is difficult to prove causation in human behaviour. Perhaps Gaddafi would have reached out to the PIRA even if internment was not introduced.

Conclusion

English (2009, 127–128) accurately claims that the history of terrorism teaches us “in particular that large-scale military force used against civilians has tended to be counter-productive”; internment was no exception. State action can have an enormous impact on the success of terrorism and the evolution of conflicts. English (2016, 258) accurately implies that “how far terrorism works will depend partly on how well states . . . manage to respond to it”. Evidently, the UK government inaccurately responded to the increasing threat of violence in 1971, which in turn exacerbated the situation to a whole new level and into a nation-wide conflict. Indeed, the UK government failed to recognise their own role in how they could contribute to the emergence and development of Republican terrorism. English (2016, 256) rightly suggests that a “calm, measured, patient reaction makes most sense, rather than the clumsy overaction” witnessed in the initial years of the Troubles. Terrorism and counterterrorism are not two separate entities; rather, these seemingly opposite and contradictory forces are interconnected and influence each other frequently. Essentially, terrorism and counterterrorism are intertwined. Internment, as well as the Northern Ireland case, illustrates this well.

Therefore, was internment ethical? As the above assessment demonstrates, internment was authorised by a proper authority, as it was authorised by Northern Ireland Prime Minister Faulkner and UK Prime Minister Heath. What is more ambiguous, is who authorised the controversial use of the five techniques. The ethical analysis has also demonstrated that a state measure was perhaps necessary in the urban areas, as violence was steadily increasing in urban areas. However, there was no need to introduce internment outside of Belfast and Derry/Londonderry. Nor was there a need for the operation to be conducted in the manner that it was. Evidence also suggests that, whilst it was a difficult decision for Faulkner and Heath to authorise internment, both ultimately approved the initiative on primarily political grounds. As mentioned, Omand and Phythian (2018, 78–83) note that the right intention criterion requires intelligence activities to be “acting with integrity and having no hidden political or other agendas behind the authorisation of intelligence activity”. Faulkner and Heath failed this test.

Overall, internment was not proportionate to the situation. The operation was not proportionate to the violence witnessed in Northern Ireland at the time, especially in the rural areas where violence was infrequent and minimal. As mentioned, the rural areas

were relatively inactive prior to internment, therefore introducing a fundamentally intrusive measure was not proportionate to the threat the rural areas posed to national security. Internment without trial was also unethical because it failed to discriminate between Catholic civilians and PIRA volunteers, which further alienated this community from the security services and the UK state as a whole. By the latter years of internment, the security services improved and became more targeted in who they interned. However, the failure to discriminate in the early stages tarnished the UK's reputation, alienated the Catholic community from the authorities and increased PIRA recruits.

In terms of internment's success, whilst this article recognises that internment was effective by 1975, in the short-term, it led to an explosion of anger by Nationalists, who subsequently turned against the security services (Leahy 2020, 20; McCleery 2015, 53–96). The increase in violence following internment and the counterproductive nature of the initiative compounds how unsuccessful internment was. Whilst internment generated some valuable intelligence, overall, the operation failed to achieve its aims. Internment transformed the Troubles into a nation-wide conflict; tarnished the UK state's reputation locally and internationally; and fuelled the Republican movement with enough recruits, finance, weapons and wider support until the hunger strikes of the 1980s (McCleery 2015, 75).

Overall, internment was unethical. Accumulatively, it is clear that internment was unethical because it was not successful, it was not proportionate to the situation, it failed to discriminate between Catholic civilians and PIRA volunteers, it was not necessary in the rural areas, and it was not conducted with the right intention. However, there were ethical elements to internment; for instance, it was properly authorised. Internment played into the hands of the PIRA. Essentially, internment drove much of the dynamics of the Troubles, certainly in the early 1970s, but also thereafter too. Internment was a definitive turning point in the conflict; it marked a line in the sand, a point of no return.

Notes

1. The 1981 hunger strike was an effort by Republican prisoners to get Special Category Status, which the government had withdrawn in 1976. Bobby Sands was elected as a member of parliament during the strike. Sands and nine others died in the hunger strike. Approximately 100,000 people attended Sands' funeral.
2. These were the reports into Bloody Sunday and Operation Demetrius.
3. The Falls Road Curfew involved 3,000 British soldiers sent to impose a curfew on the Falls Road area, a predominantly Nationalist area of Belfast, in July 1970.
4. For more on Northern Irish conflict see: Richard English, *Armed Struggle: The History of the IRA* (London, 2003); Ed Moloney, *A Secret History of the IRA* (London, 2007); Peter Taylor, *Provos: The IRA and Sinn Fein* (London, 1997); Peter Taylor, *Brits: The War Against the IRA* (London, 2001); Brenden O'Brien, *The Long War: The IRA and Sinn Fein* (Dublin: 1999); David McKittrick & David McVea, *Making Sense of the Troubles: A History of the Northern Ireland Conflict* (London, 2012); Gerry Adams, *Before the Dawn: An Autobiography* (Dublin, 2017).
5. This was a government committee of inquiry chaired by Lord Parker in 1972.

Acknowledgements

I express my sincerest thank you to Professor Richard English, Dr Thomas Leahy, and the WIN Writing Group.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Notes on contributor

Eleanor Leah Williams is a PhD candidate at Queen's University Belfast researching the ethicality of state intelligence during the conflicts in Northern Ireland and Colombia. Author Email: ewilliams08@qub.ac.uk

ORCID

Eleanor Leah Williams  <http://orcid.org/0000-0002-8728-4135>

References

- Adams, G. 2017. *Before the Dawn: An Autobiography*. Dublin: Brandon Book Publishers.
- Aldrich, R., and R. Cormac. 2016. *The Black Door: Spies, Secret Intelligence and British Prime Ministers*. London: William Collins.
- Anderson, B. 2002. *Joe Cahill: A Life in the IRA*. Dublin: O'Brien Press.
- Anderson, D. 2015. "A Question of Trust: Report of the Investigatory Powers Review." Accessed March 17 2020. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/434399/IPR-Report-Web-Accessible1.pdf
- Andrew, C. 2009. *The Defense of the Realm: The Authorised History of MI5*. London: Penguin Group.
- Bellaby, R. 2014. *The Ethics of Intelligence a New Framework*. Abingdon: Routledge.
- Bellaby, R. 2022. Intelligence and the Just War Tradition: the need for a flexible ethical framework. In: Miller, S. Regan, M. Walsh, P. F. National Security Intelligence and Ethics. New York: Routledge, pp. 7–20.
- Bennett, H. 2013. "'Smoke Without Fire'? Allegations Against the British Army in Northern Ireland, 1972–5." *Twentieth Century British History* 24 (2): 275–304. doi:10.1093/tcbh/hws006.
- Bew, J., M. Frampton, and I. Gurruchaga. 2009. *Talking to Terrorists: Making Peace in Northern Ireland and the Basque Country*. London: Hurst and Company Publishers.
- Bradley, G., and B. Feeney. 2011. *Insider: Gerry Bradley's Life in the IRA*. Dublin: O'Brien Press.
- Burke, E. 2018. *An Army of Tribes: British Cohesion, Deviancy and Murder in Northern Ireland*. Liverpool: Liverpool University Press.
- Burleigh, M. 2008. *Blood and Rage: A Cultural History of Terrorism*. London: Harper Press.
- Carver, M. 1989. *Out of Step: Memoirs of a Field Marshal*. London: Hutchinson.
- Chenoweth, E., R. G. English, A. Stathis, and K. 2019. *The Oxford Handbook of Terrorism*. Oxford: Oxford University Press.
- Cormac, R. 2018. *Disrupt and Deny: Spies, Special Forces, and the Secret Pursuit of British Foreign Policy*. New York: Oxford University Press.
- Crenshaw, M. 2019. "Constructing the Field of Terrorism." In *The Oxford Handbook of Terrorism*, edited by E. Chenoweth, R. English, A. Gofas, and S. Kalyvas, 705–724. Oxford: Oxford University Press.
- Dewar, M. 1996. *The British Army in Northern Ireland*. London: Arm and Armour.
- Edwards, A. 2010. "Misapplying Lessons Learned? Analysing the Unity of British Counterinsurgency Strategy in Northern Ireland 1971–76." *Small Wars and Insurgencies* 21 (2): 318–319. doi:10.1080/09592318.2010.481427.
- English, R. 2003. *Armed Struggle: The History of the IRA*. 2nd ed. London: Macmillan.
- English, R. 2009. *Terrorism: How to Respond*. Oxford: Oxford University Press.
- English, R. 2016. *Does Terrorism Work: A History*. New York: Oxford University Press.
- English, R. 2021. *The Cambridge History of Terrorism*. Cambridge: Cambridge University Press.

- Erskine, T. 2004. "As Rays of Light to the Human Soul? Moral Agents and Intelligence Gathering." *Intelligence and National Security* 19 (2): 359–381. doi:10.1080/0268452042000302047.
- "European Commission on Human Rights: Ireland V UK, 25 EUR CF. HR 1978".
- Fabre, C. 2022. *Spying Through a Glass Darkly: The Ethics of Espionage and Counter-Intelligence*. Oxford: Oxford University Press.
- Faulkner, B. 1978. *Memoirs of a Statesman*. London: Butler and Tanner.
- Fenton, S. 2018. *The Good Friday Agreement*. London: Biteback Publishing.
- Foley, F. 2013. *Countering Terrorism in Britain and France: Institutions, Norms and the Shadows of the Past*. Cambridge: Cambridge University Press.
- Gendron, A. 2005. "Just War, Just Intelligence: An Ethical Framework for Foreign Espionage." *International Journal of Intelligence and Counterintelligence* 18 (3): 398–434. doi:10.1080/08850600590945399.
- Gill, P. 2009. "Theories of Intelligence: Where are We, Where Should We Go and How Might We Proceed?" In *Intelligence Theory: Key Questions and Debates*, edited by P. Gill. S. Marrin. M. Phythian. Abingdon: Routledge.
- Heath, E. 1998. *The Course of My Life: My Autobiography*. London: Hodder and Stoughton.
- Hennessey, T. 2005. *Evolution of the Troubles*. Dublin: Gill and Macmillan.
- Holland, J., and S. Phoenix. 1996. *Phoenix Policing in the Shadows: The Secret War Against Terrorism in Northern Ireland*. London: Hodder and Stoughton.
- Hume, J. 1996. *Personal Views: Politics, Peace and Reconciliation*. Dublin: Trinity House.
- Jackson, R. 2019. "Revising the Field of Terrorism." In *The Oxford Handbook of Terrorism*, edited by E. Chenoweth, R. English, A. Gofas, and S. Kalyvas, 740–755. Oxford: Oxford University Press.
- Kerr, M. 2011. *The Destructors: The Story of Northern Ireland's Lost Peace Process*. Essex: Good News Digital Books.
- Leahy, T. 2015. "The Influence of Informers and Agents on Provisional Irish Republican Army Military Strategy and British Counter-Insurgency Strategy." *Twentieth Century British History* 26 (1): 122–146. doi:10.1093/tcbh/hwu026.
- Leahy, T. 2020. *The Intelligence War Against the IRA*. Cambridge: Cambridge University Press.
- Matchett, W. 2016. *Secret Victory: The Intelligence War That Beat the IRA*. Belfast: Matchett.
- McCleery, M. 2015. *Operation Demetrius and Its Aftermath: A New History of the Use of Internment Without Trial in Northern Ireland 1971-1975*. Manchester: Manchester University Press.
- McKittrick, D., and D. McVea. 2000. *Making Sense of the Troubles: A History of the Northern Ireland Conflict*. 3rd ed. London: Vicking.
- Moloney, E. 2007. *A Secret History of the IRA*. London: Penguin.
- Newbery, S., B. Brecher, P. Sands, and S. Brian. 2009. "Interrogation, Intelligence and the Issue of Human Rights." *Intelligence and National Security* 24 (5): 631–643. doi:10.1080/02684520903209381.
- O'Balance, E. 1981. *Terror in Ireland: The Heritage of Hate*. California: Presidio Press.
- O'Brien, B. 1999. *The Long War: The IRA and Sinn Fein*. Dublin: O'Brien Press.
- Omand, D. 2010. *Securing the State*. New York: Oxford University Press.
- Omand, D. 2020. *How Spies Think: undefined Lessons in Intelligence*. New York: Penguin Random House.
- Omand, D., and M. Phythian. 2013. "Ethics and Intelligence: A Debate." *International Journal of Intelligence and Counter-Intelligence* 26 (1): 38–63. doi:10.1080/08850607.2012.705186.
- Omand, D., and M. Phythian. 2018. *Principled Spying: The Ethics of Secret Intelligence*. Oxford: Oxford University Press.
- Omand, D., and M. Phythian 2022. *The Technoethics of Contemporary Intelligence Practice: A Framework for Analysis*. In: M., S. M. W. Regan, P. F. National Security Intelligence and Ethics. New York: Routledge, 39–60.
- "Operation Banner: An Analysis of Military Operations in Northern Ireland." 2006. https://www.vilaweb.cat/media/attach/vwedts/docs/op_banner_analysis_released.pdf
- Potter, J. 2001. *A Testimony to Courage: The Regimental History of the Ulster Defence Regiment 1969-1992*. Barnsley: Pen & Sword Books.

- Quinlan, M. 2007. "Just Intelligence: Prolegomena to an Ethical Theory." *Intelligence and National Security* 22 (1): 1–13.
- Richardson, L. 2006. *What Terrorists Want: Understanding the Enemy, Containing the Threat*. New York: Random House.
- Sanders, A. 2011. "Northern Ireland: The Intelligence War 1969–1975." *The British Journal of Politics and International Relations* 13 (2): 230–248. doi:10.1111/j.1467-856X.2010.00416.x.
- Shanahan, T. 2009. *The Provisional Irish Republican Army and the Morality of Terrorism*. Edinburgh: Edinburgh University Press.
- "Spotlight on the Troubles: A Secret History." 2019. <https://www.bbc.co.uk/iplayer/episodes/m0008yrj/spotlight-on-the-troubles-a-secret-history>
- Taylor, P. 1997. *Provos: The IRA and Sinn Fein*. London: Bloomsbury Publishing.
- Taylor, P. 2001. *Brits: The War Against the IRA*. London: Bloomsbury Publishing.
- Urwin, M. 2016. *A State in Denial: British Collaboration with Loyalist Paramilitaries*. Cork: Mercier Press.
- Whitelaw, W. 1989. *The Whitelaw Memiors*. London: Aurum Press.

Archives

National Archives, Kew
UK Representative, Home Office and Northern Ireland Office: CJ 4/968.
Cabinet Office: CAB 4/1609/17.
Ministry of Defence: DEFE 13/1672.

Interviews with author

Tommy McKearney, Interview with author, via Zoom, 16 February 2021.