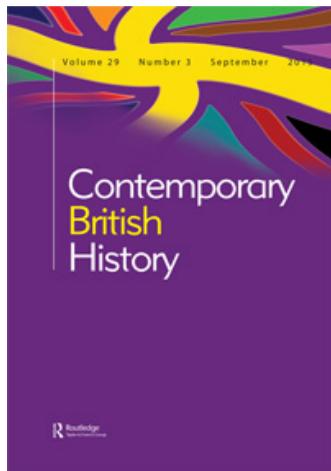


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# Talking to the Enemy? The Role of the Back-Channel in the Development of the Northern Ireland Peace Process

Eamonn O’Kane

*The back-channel between the British government and the republican movement was instrumental in advancing the peace process in the early 1990s. The mechanism was originally extremely helpful for the two sides, however, the mutual suspicions and competing priorities of the British government and the republican movement meant that the utility of the channel became questionable. This article argues that whilst the channel made a significant contribution to the emergence of the peace process, ultimately it was undermined by the actions of those involved and the need for politicians to take the lead in the process.*

*Keywords: Northern Ireland; Peace Process; Back-Channel; Duddy; Conflict Resolution*

The question of how to counter terrorism and whether to talk to terrorists has been one that has engaged scholars in recent years.<sup>1</sup> In part this debate has drawn from the experiences in Northern Ireland where the peace process that led to the 1998 Belfast/Good Friday Agreement was examined internationally to see what, if any, lessons could be learnt from it. A key component of this process was the link that existed between the British government and the republican movement via the so-called back-channel. The existence of this channel, which had functioned for over two decades, was unknown until it was exposed by *The Observer* newspaper in November 1993. It was several years before the identity of the main individual who acted as the link between the British and the republicans, the Derry businessman, Brendan Duddy, was exposed. Despite Duddy’s decision to go public about his role in 2008, a great deal of confusion has remained over what the functions of the channel were and the status the messages

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exchanged by those involved. The opening of the Duddy archive in Galway has shed more light on key aspects of the channel. Examining these documents, alongside the testimonies of those involved in the peace process, including the wealth of interview data contained in the surprisingly under-utilised 'Endgame in Ireland' archive at the Liddell Hart Centre for Military Archives (LHCMA) held at King's College, London, and the existing academic and journalistic accounts of the process, a clearer and somewhat surprising account of the back-channel emerges. Based on these sources, this article demonstrates that the channel was far more active than has often been suggested, but the status of what passed 'along' it and to what extent the messages truly reflected the intentions of those whom it was claimed had authored them, is highly problematic. The evidence suggests that those involved in the channel may have exceeded their brief on several occasions. Much of the recriminations and discrepancies in the accounts of the British government and republicans in the immediate post-1993 period can be, at least partly, explained by messages that were exchanged along the back-channel. As will be illustrated, an examination of the Duddy archive in comparison to other accounts of the process demonstrates that the differences and disagreements are partly a result of misunderstanding between some of the participants over what the role of those involved in the link should be and was. The tendency on occasion of those at the centre of the process to exceed their 'brief', often driven by frustration at the rate of progress, and a lack of clarity over the status of what was being passed between the sides, sometimes deliberately, sometimes unintentionally, caused confusion and subsequent recrimination. This article argues that whilst the back-channel was instrumental in the development and advancement of the peace process, it was ultimately undermined by the actions of those involved and overtaken by wider events and considerations.

## Background

The back-channel method of communication had been in operation, sporadically, since the early 1970s but its existence was largely unknown until *The Observer* broke the story of the contacts between the British government and the republican movement in November 1993. Even once the existence of the channel of communication became public knowledge, it was, and to an extent remains, largely unknown how the mechanism operated, who was involved and what its purpose was. The picture has become clearer in recent years due to some fine journalism by individuals such as Peter Taylor, Eamonn Mallie, David McKittrick and Brian Rowan.<sup>2</sup> The subject has also attracted some academic attention, principally by Niall ÓDochartaigh who has produced several important accounts of the channel, primarily focusing upon its use in the 1970s, and was instrumental in persuading Brendan Duddy to deposit his papers at the University of Galway.<sup>3</sup> With the passage of time, several of the key people involved on both sides have revealed aspects of their role. The makers of the television documentary on the peace process have deposited the transcripts of over 60 interviews at King's College London's LHCMA. In addition, several accounts and memoirs by politicians have shed new light on the period.<sup>4</sup> It is impossible to understand the events

of the early 1990s without examining the back-channel, but the new evidence illustrates that the high-risk strategy of some of those involved and the differing priorities of those they reported to, and sought to influence, meant that ultimately it had to be abandoned before it achieved what it set out to.

The back-channel was used only sporadically from the mid-1970s until the 1990s. The exception to this is the period of the 1980/81 hunger strikes where Duddy was involved.<sup>5</sup> The link was though kept open throughout the period due to intermittent correspondence between Duddy and MI5's Michael Oatley, who was Duddy's contact with the British secret service for much of the period from the 1970s through to the early 1990s. Although Oatley was posted abroad for some of the time, he continued to correspond with Duddy (e.g. the archive contains a letter from Oatley to Duddy from Kenya in 1975, one from Zimbabwe in May 1981, a Christmas card from Zimbabwe, 1981, a letter from London in April 1986 and a note with a press cutting of an editorial from *The Independent on Sunday* in 1990, on 'The futile search for compromise in Ulster', which Oatley annotated, 'It's a point of view!'<sup>6</sup>). It was the imminent retirement of Oatley in 1990 that led to the channel being reactivated again on a formal basis in order to introduce a replacement contact to Duddy. The Secret Intelligence Service, who operated the channel, sought political approval from the then Secretary of State for Northern Ireland, Peter Brooke. Brooke's observations on this illustrates not just that the existence of the channel was secret, but also how few people appear to have known of it and its composition. He records that it was on a 'need to know basis. I wasn't told of it until the issue of reactivation came up'. When John Deverell (Head of Intelligence Services in Northern Ireland) approached him about reactivating the Channel in autumn 1990, Brooke claims it 'did catch me mildly by surprise' as he was unaware of the link. Brooke recognised that this was 'a very serious decision'; it was 'a Rubicon that I was personally having to cross'.<sup>7</sup> But Brooke was not told the details of the channel, or who was involved, as knowledge of how the channel worked was 'extremely limited' and, according to Brooke, 'this was how it should be'.<sup>8</sup> There is, as ÓDochartaigh has noted, some confusion surrounding the shape of the back-channel and accounts differ as to its composition.<sup>9</sup> This is evidenced by the fact that the Secretary of State who authorised its reactivation was unaware that there were several people involved in the link between the British and the Republican Movement, asserting that there was only one individual involved.<sup>10</sup>

It is now clear that there were three people involved in the channel that acted as intermediaries between the British and republicans. The three were Brendan Duddy, a former Catholic priest, Denis Bradley and Noel Gallagher, all of whom were based in Derry. The key individual was Duddy as he was the person with whom the British dealt. The other two did, on occasion, meet with the British representatives, but Duddy was the point of access. Denis Bradley claims that he had not been involved for several years but agreed to become re-involved in 1991 as McGuinness was distrustful of one of the members of the link and believed that he may have been 'turned' by the British intelligence.<sup>11</sup> As a result, Bradley claims, he agreed to get re-involved. Duddy emphatically denied this suggestion when asked by Peter Taylor if he was ever in MI5.<sup>12</sup> Noel Gallagher is the participant whose role has been least acknowledged and most

accounts do not name him; indeed, most references to him have been redacted from Duddy’s papers where he is referred to by the codename ‘Tax’ (he is though named in Brian Rowan’s book on the peace process, and by Mitchell Reiss<sup>13</sup>). Gallagher appears to have been close to McGuinness and, on occasion, he would see McGuinness alone and report to the others and when Duddy wanted to meet with McGuinness he would sometimes arrange this through Gallagher. Gallagher also appears to have close contacts with the Irish administration, particularly with Albert Reynolds, who was Taoiseach 1992–1994. Reynolds describes him as ‘my main contact in the North’, who was ‘well connected with some of the leading figures in the IRA’.<sup>14</sup> McGuinness was clearly the main intermediary for the republican movement and was the one to whom all three of the Derry contingent had close links. Duddy claims to have known McGuinness as a result of him delivering beef burgers to Duddy’s fish and chip shop in the late 1960s, Bradley had been the priest who officiated at McGuinness’ wedding and Gallagher had been McGuinness’ best man.<sup>15</sup>

On the British side Duddy’s main contact in the early 1990s was with MI5’s ‘Fred’, also known as Robert McLaren and Colin Ferguson. Fred became Oatley’s replacement in June 1991 when he arrived in Derry with a letter of introduction from Peter Brooke.<sup>16</sup> After his introduction Fred continued where Oatley had left off, developing a close relationship with Duddy and meeting him frequently. Fred worked with John Deverell, on the security side, and Quentin Thomas and John Chilcott in Northern Ireland Office, on the political side. After the British received the ‘conflict is over’ message in February 1993 (discussed below), the circle of those involved was extended to include the Prime Minister, John Major, the Northern Ireland Secretary of State Patrick Mayhew, the Foreign Secretary, Douglas Hurd, and, subsequently, a few other cabinet members, including the Home Secretary, Kenneth Clarke.

The back-channel was more than simply a route for passing messages between the Irish Republican Army (IRA) and the British government. According to Duddy, his role was not to be a message carrier ‘they had a thousand others, so it was the interpretation of the dialogue that was happening or not happening’.<sup>17</sup> This is a common theme in Duddy’s account, the view that his role was to be an interpreter of events in Northern Ireland for the British, and of British policy and direction for the republicans. This view of their role as being more than a conduit for messages is shared by Bradley who has argued that on occasions they needed to act in what might be seen as an unauthorised way, ‘at the specific, targeted, appropriate moment you have to go over the top otherwise, otherwise you’re useless’. This, as will be discussed below, included actually constructing messages themselves, which Bradley acknowledged could be seen as ‘leading policy and creating policy rather than either interpreting it or sending it on to the next person’.<sup>18</sup> Such actions were different from the presumption that existed when the channel was first exposed, which was that the link served as simply ‘go-betweens’ or conduits for information.

### **The ‘Bogus’ Use of the Channel**

Although a great deal of the interaction that passed along the back-channel was non-contentious and helpful for the British and republicans, as was to become apparent,

there was a great deal of ambiguity in some of the correspondence which led to controversy and confusion. When the link was exposed, both the British government and Sinn Féin produced accounts of their interaction. There were numerous differences between the versions of the messages. The British were subsequently forced to correct their documents claiming that the discrepancies were the result of 'typographical and transcription errors' (*The Independent on Sunday*, December 5, 1993). This was clearly embarrassing for the government and undermined faith in their account. In addition, though there were several messages that Sinn Féin claimed had not been sent by them. These were described in Sinn Féin's document as 'bogus'.<sup>19</sup> However, the information available in the Duddy archive calls into question how 'bogus' these messages were. If by bogus it is meant that they had not been written by Sinn Féin and Duddy had not been requested to send them, then it appears that they were indeed bogus. Sinn Féin suggested at the time that these messages were 'fabricated by the British Government whose authorship was attributed to Sinn Féin'.<sup>20</sup> However, if by 'bogus' we mean that the messages had not been passed via the back-channel to the British, then this is more problematic. The archive sheds new light on the status of these 'bogus' messages.

*February 1993: 'The Conflict is Over' Message*

Perhaps the most debated and influential of the 'bogus' messages was the one that the British government claimed to have received in February 1993. A fair amount has been written about the origins of the 'conflict's over' message which John Major records receiving 'from the leadership of the Provisionals, and had come through an intelligence link which we and they maintained for private communication'. The message stated, 'The conflict is over but we need your advice on how to bring it to a close. We wish to have an unannounced ceasefire in order to hold a dialogue leading to peace'.<sup>21</sup> This message was brought by John Deverell to John Chilcott. In his account of receiving the message Chilcott recorded that 'it was authorised by McGuinness, or so the channel asked us to believe'. On the question of the authenticity of the document Chilcott says that this was discussed with the Prime Minister and observed the fact that it had come via the back-channel was 'a matter of weighty importance in reaching that conclusion'. The conclusion was 'that it was authentic, it was from McGuinness and it was spoken with authority, and we didn't have any reason or evidence going the other way and we had more evidence of the message itself going in favour. And that is as far as I'm going'.<sup>22</sup> Martin McGuinness has always denied sending the message. There is still debate as to the exact provenance of the message and the case is a good example of both the advantages and problems of the use of the back-channel and also illustrates potential problems and tensions within the channel. Denis Bradley's account of the origins of the message is that it was a result of frustration at the lack of progress. In response to this frustration those involved in the back-channel decided to 'write something'. Bradley acknowledges that this was problematic as he could be accused of 'leading policy and

creating policy rather than either interpreting it or sending it on to the next person'. He claimed that they constructed a vague document that did not say that the conflict was over.

We sent it, we gave it to Fred, I will swear to the day I die that Fred added the words we need help to get out of this conflict, I think Fred knew that with those words he could turn the rest of the people in the room round to engage with each other and Fred was doing what we were doing and adding on to it to make sure that it happened.<sup>23</sup>

This account has been questioned. Bew, Frampton and Gurruchaga support the idea that Bradley wrote the message and suggest that 'the truth would appear to be' that Fred 'had indeed been given such a message and, believing it to be genuine, he had passed it on to the government'.<sup>24</sup> Another recent examination of the peace process suggests that 'cock-up rather than conspiracy seems the most plausible explanation, as an *aide-m[oi]re* (drafted by several hands) following a meeting with McGuinness was confused with his own words'.<sup>25</sup> Taylor, on the other hand, suggests that the message was clearly meant to be sent. Taylor's account states that the message was written by Fred and 'reflected what Brendan (Duddy) believed the IRA's broad position to be . . . ' and then sent on to Major via MI5 and the original given to Duddy. Taylor suggests though that the 'unfortunate phrase' about needing advice on how to bring the conflict to a close may have been Fred's addition 'pour encourager'.<sup>26</sup> The version that is in the Duddy's archive does appear to be in Fred's handwriting (when compared with other examples of his writing in the archive). Duddy himself claimed that he did not send the message, telling Taylor in an interview that when the British released the message, in November 1993, he was interrogated by four 'very senior Provisionals'. Duddy convinced them that he had not sent the message, 'Let me put it this way: if I'd been guilty of anything, I wouldn't have liked to have been sitting in that room' (the *Guardian*, March 18, 2008). These accounts beg some questions. Given that Duddy was the conduit for message from the republican movement to the British government, if he had not sent the message, why is a version of it in his files? If Fred gave the message to him, he must have been aware that it had not come from republicans. What is clear though is that Duddy was angered by Bradley's claims and refutes his version of events. When Bradley first went public with his version in June 2001, Duddy privately sent him a note by recorded delivery, saying he was 'appalled' by his claims arguing 'your statement regarding the message is historically and verifiably untrue and bears no relation to the truth'.<sup>27</sup> (Duddy offered one other explanation of the message. In discussion with his son-in-law, Éamon Michael Downey, once the message was revealed, Duddy claimed that the message had been written by himself, Fred and Gallagher in London on 2 November 1993 to try and get discussion moving, but the British then had re-dated it to February as it justified their subsequent correspondence via the back-channel. This account is completely at odds with all the existing explanations, which all date it to February 1993; the debate is generally about its provenance rather than its occurrence. Indeed Downey himself records in the archive that he has 'serious reservations about this analysis').<sup>28</sup>

Although the origin of the message is debated, its impact is not; it was instrumental in increasing the level of engagement with the republican movement via the back-channel, but not, as the British claimed at the time, the cause of the reactivation of the back-channel, which had been reactivated when Fred went to meet Duddy with a letter of introduction from Peter Brooke in 1991. Whether the message marked an abuse of the process and the mechanism is though a difficult question. It is arguable that the peace process may not have materialised if the message had not been sent. The message, and the continuing confusion and debate over its origins and status, is, however, a very good illustration of one of the problems with the back-channel, which was to ultimately undermine its use. The status and provenance of some messages was far from clear.

*June 1993: The Offer of a 'Total Cessation'*

The second 'bogus' message is the one that was sent on 1 June 1993. By this stage, momentum that had appeared to be building around the issue of a possible (unannounced) ceasefire to be followed by direct talks between representatives of the British government and republicans had stalled. Fred, in a highly contentious direct meeting with two senior republicans (discussed in the next section) had indicated that in the event of an unannounced temporary ceasefire, the British would undertake direct talks with republicans. Duddy had delivered an authorised message from republicans to the British on 11 May (Duddy's account suggests that he was given the wording by McGuinness on 10 May and delivered it to the British as a 'speaking note' on 11 May). The message conveyed an offer from the IRA of a two-week ceasefire. There are though even problems in the delivery of what was an authorised message. In the version that the British released once the link was exposed, the description of the cessation as being 'of a short duration' were omitted, leading to claims from Sinn Féin that the British had doctored the message (*The Observer*, December 5, 1993, 13). However, Duddy's account suggests that he, Bradley and Gallagher had decided that the phrase was 'a real liability' and so he left it out when he read the message to the British.<sup>29</sup> The message stated that republicans wanted 'to proceed without delay to the delegation meetings. In order to facilitate this step we sought and received a commitment, which will permit you to proceed so that we can both explore the potential for developing a real peace process.'<sup>30</sup> However, the British did not endorse immediate talks, as republicans had hoped, and Duddy's account suggests an exasperated Fred had told him that whilst Deverell and Chilcott had been keen on the initiative, Major had discussed the issue with a wider group of cabinet colleagues, and had decided the government needed a longer period of cessation before they could enter into talks. Duddy records that on 28 May he was contacted by Fred 'asking if there was any hope of getting things back on the rails again . . . Fred requested that June (Duddy) request a formal reply from the British.'<sup>31</sup> In response to this Duddy sent Fred a message noting that

Mr Campbell, (McGuinness) speaking on behalf of his board of Directors said they were dismayed that they had not received a formal reply to their offer contained in the speaking note of 11 May 1993.

Mr Campbell, instructed me to say that having placed on the table the offer of a total cessation and their hopes for the future of all the peoples in these islands that they are dismayed that no formal reply has been received. (Duddy)<sup>32</sup>

This, again, appears to be an example of those involved in the back-channel exceeding their brief. In this case, Duddy sent a message, at the request of Fred, to the British government, specifically claiming that it came from McGuinness. In Sinn Féin's account, the message is dismissed as 'bogus'<sup>33</sup> which by the criteria of whether it was a message from the republican movement to the British government, it does indeed appear to be. However, a message was sent via the channel to the British, albeit apparently without the knowledge of the republican leadership. The message would have been contentious, given that an offer of a 'total cessation' could be interpreted as something beyond a cessation of 'short duration', specifically of two weeks.

There is little doubt that there was increasing frustration around this time on the Derry end of the back-channel. A few days after this message, Noel Gallagher announced he was quitting and he, Duddy and Bradley discussed whether the situation should be made public (by telling the leader of the Social Democratic and Labour Party (SDLP), John Hume, of the events) in order to put pressure on Britain. McGuinness was also sceptical about the value of the channel by this stage and suggested it should be dropped. However, Fred arranged a meeting for Duddy with Deverell who said that Chilcott and the NIO wanted to have one last 'crack at it' in an attempt to get Major to agree to reduce the cessation period demanded from three months to seven days.<sup>34</sup> Duddy persuaded Gallagher to agree to remain involved in the back-channel for one more year, an indication of Gallagher's importance to the link.<sup>35</sup>

#### *November 1993: The Offer of a 'Total End of Hostilities'*

The final 'bogus' message was instrumental in the end of the back-channel's operation. The condition that the British were demanding from republicans before they would agree to the direct meetings that republicans craved, an extended ceasefire period of three months, was not reduced. As a result, the initiative had largely stalled by November 1993. On 2 November, Duddy met Fred and a message was sent to the British government that again purported to be from the republican movement. It noted the frustration of republicans that the British had not acted on their offer a temporary ceasefire on 11 March. The message asked, 'In plain language please tell us through the Link as a matter of urgency when you will open dialogue in the event of a total end of hostilities.'<sup>36</sup> The problem, again, with this message, which Sinn Féin subsequently labelled 'bogus', was that it was not sanctioned by the republican movement. It appears to have been drafted by Fred and Duddy at their meeting in London and was actually sent from Fred's London fax number rather than from Duddy in Derry to London.<sup>37</sup> A substantive reply was then sent to Sinn Féin via Duddy on 5 November noting that 'Your message of 2 November is taken as being of the greatest importance and significance'. Controversially the message stated, 'You ask about the sequence of events in the event of a total end to hostilities. If, as you have

offered, you were to give us an unequivocal assurance that violence has indeed been brought to a permanent end ...'.<sup>38</sup> These messages suggested that the IRA were offering a permanent end to the armed campaign, which was a departure from what the 11 March message had been designed to indicate. When Sinn Féin received this reply they made Duddy send a message to London disavowing the 2 November message.

I refer to the conversation that took place in London at 5pm on 2 November 1993. I was not instructed or authorised by the P.A.C. [Provisional Army Council] to agree too (sic) or say anything on their behalf that day. They are most unhappy with what has since developed, with reference to the meeting at Dundary on 5th November 1993, was not at the P.A.C making or request. This position must be corrected and the record set straight.<sup>39</sup>

Duddy offered an account of the events of early November a few months later in a letter he sent to 'Elizabeth' from Lazarote on 28 February 1994. According to Duddy, both he and Fred 'were angry' when they met in a London hotel on 2 November 1993. Fred believed that Major was 'attempting to side-line the Sinn Féin position by coming to the joint declaration agreement with Reynolds/Spring' (This is a reference to talks between the two governments including the Irish Tanaiste, Dick Spring, about a joint statement on a possible way forward for Northern Ireland. This became the Downing Street Declaration (DSD), signed 15 December 1993). As a result, Fred 'scribbled a number of questions on the hotel notepaper. All the questions had been asked before but the combination of the way they were written and used proved to be better'. Duddy records that he returned to Derry too late to inform Sinn Féin about the actions on 2 November and could not reach them until 5 November as they were away at 'a secret meeting'. When he presented the British reply to them on the 5 November (Bradley was also at the meeting) 'Sinn Féin felt tricked, betrayed and outsmarted. They made the decision there and then that I had set it up'.<sup>40</sup>

These three 'bogus' messages illustrate the problems in interpreting the communication that passed along the back-channel between the IRA and the British government. They are the result of a number of factors, including the frustration of the intermediaries at the lack of progress, a lack of clarity over what the roles of the intermediaries were, the differing and not always compatible agendas of the main protagonists in the conflict and the result of the numerous stages that such messages had to pass through before they reached their intended recipients. These issues were also highlighted in the message that Duddy sent to the British, claiming to be from McGuinness, on 22 March 1993 in the aftermath of the IRA's bombing of Warrington, which had killed two children. The message noted that 'It is with total sadness that we have to accept responsibility for recent action. The last thing we needed at this sensitive time was what has happened'. Duddy told the journalist Brian Rowan that 'Warrington exploded in the middle of the movement forward and I apologized to them [the British]. It needed to be heard by the other side to allow things to move on. They [the British] needed it, and I gave it to them'. Rowan notes that Duddy had tried to contact McGuinness 'using a third party' and thought, incorrectly, he had

permission to contact the British, which was incorrect.<sup>41</sup> The papers in Duddy's archive suggests that McGuinness had indicated to Noel Gallagher that he was upset by Warrington and asked that a message be sent to this end to the British, but this was subsequently denied by Sinn Féin and the message was described as 'bogus'.<sup>42</sup> The message was undoubtedly helpful in keeping the process going for the British. Chilcott noted that '... the fact that we had the channel we used and that there was a response which was different in kind meant it was possible to go on from Warrington, tragic and awful though it was'.<sup>43</sup>

### The Question of 'Engagement'

The use of the back-channel was driven by expediency on the British side and necessity on the part of the republican movement. For the British the channel was expedient as it enabled them to get messages to the top of the republican movement but offered the insulation of not dealing directly with those associated with terrorism. As John Chilcott argued, 'We always flagged and signalled those in advance through the back-channel because it was so important that they didn't pick up wrong messages or fail to pick up the right ones'.<sup>44</sup> For republicans, however, the back-channel was more problematic. Sinn Féin would have preferred not to work via the intermediaries but had to use this channel, given the unwillingness of the British to deal directly with them whilst the violence continued. The attempt to move to direct talks with the British was one of the main themes of the back-channel communications in the period. On 18 February 1992, Fred sent a message to the republican movement via Duddy noting the

difficulties intermediaries face. For that reason we see that there is, in principle, no fully adequate substitute for a direct exchange between authorised representatives.

However, our position on the circumstances necessary for this exchange is well understood and we do not foresee any change in them. Unfortunately, these circumstances do not exist at present, nor (despite certain statements) do we detect in action on the ground any signs that they are yet evolving. Therefore, our own ability to contemplate preparatory steps is inhibited.<sup>45</sup>

The British had in the past met directly with those representing the IRA. For example Ted Heath noted in his memoirs of Willie Whitelaw's meeting members of the IRA in July 1972, 'a lot of fuss was made subsequently about such meetings by those who have little grasp of British history' and suggested historically the British had been willing to allow representatives to meet terrorists in various parts of the world, 'endeavouring to put an end to terrorism and establish a peaceful regime'. Heath suggested 'The Good Friday Agreement in 1998 underlines the same point'.<sup>46</sup> During the hunger strikes in 1981 the Thatcher government worked through the Duddy link to deal with the IRA leadership to try and end the strikes. Thatcher's stance was that she would not negotiate with the IRA but her official biographer argued that she 'went against her public protestations about not negotiating with terrorists, and actively did so, though

at a remove'. Charles Moore concludes that 'Most damaging to her reputation, had it been known, and to her conscience was that she did, in effect, negotiate with terrorists. She never quite admitted this, even in private, but it was so.'<sup>47</sup>

The issue rests, of course, on what we mean by 'negotiating', 'talking' and 'direct'. In his book, Mitchell Reiss notes that after Whitelaw no Cabinet member met with an IRA/Sinn Féin leader for over twenty five years. Instead, the go-betweens were confined to intelligence officers and civil servants.<sup>48</sup> Even this though perhaps overstates things as the British position was that they would only deal with republicans at one remove, so the intelligence officers spoke to Duddy and his colleagues rather than directly with Sinn Féin. It was this desire to keep a distance between those who were directly connected to the British government and intelligence services and the IRA which led the British to deal through the back-channel, and was a source of frustration for the republican movement. This was breached in early 1991 and March 1993.

Michael Oatley met Martin McGuinness in early 1991 just before he retired. Taylor states that this meeting was unauthorised and, in Duddy's account of it, is unclear whether Michael Oatley knew he was to meet McGuinness, but Taylor records that Oatley briefed Chilcott after the meeting, a fact that Chilcott acknowledged but described his meeting as with a 'recently retired intelligence officer'.<sup>49</sup> The second direct meeting was the one with Fred on 23 March 1993. This meeting was more problematic. The British position remains that this was unauthorised and suggests that Fred was acting on his own initiative without authorisation. Chilcott has stressed this arguing, 'What didn't happen—and I think this is important for the historical record—there was no authority given, and indeed it was explicitly withheld, for personal contact between an authorised British Government official and members of the Sinn Féin IRA leadership'.<sup>50</sup> What the Duddy archive indicates though was that the Head of the Intelligence Services in Northern Ireland, John Deverell, was aware of the proposed meeting and was originally to meet McGuinness and Gerry Kelly, along with Fred. On 21 March (the day after Warrington was bombed by the IRA) Duddy met Deverell and was told that it had been agreed that there would be an exploratory meeting.<sup>51</sup> A decision was subsequently taken to cancel the meeting and Fred did, by his own admission, 'exceed his brief' in attending the meeting on 23 March, but it appears that Deverell had originally authorised a meeting. As a result, Chilcott's statement is presumably accurate as Fred had been instructed not to attend the meeting; authority had been withheld from him. However, it is interesting that very senior people in the security services appeared to be contemplating meeting Sinn Féin before a ceasefire was implemented. Indeed, according to Bradley, who was also present at the meeting, the purpose of Fred attending was to stress that there could not be talks with the British without a ceasefire and the meeting was to explore the logistics of creating conditions whereby a round of talks could be held between Sinn Féin, Deverell and Chilcott's deputy, Quentin Thomas, with plans for Chilcott to join the talks at a later stage. The talks were to be held in Scotland or in Europe and underpinned by an unannounced two-week ceasefire and would take place 'one

minute' after the ceasefire came into place.<sup>52</sup> What both Duddy and Bradley's accounts agree on is that Fred was asked in an interval in the talks whether he was going too far in what he was saying and how far up this had been authorised. Bradley claims that Fred asserted 'This is cleared right up to John Major', Duddy records that he asked Fred if he was 'overstepping his brief in his anxiety to get dialogue going'. Fred responded that 'he had overstepped his brief in having the meeting in the first place but all of his replies to the questions asked by Walter [McGuinness] were as had been agreed by his superiors'.<sup>53</sup> Credence is given to the argument that Fred's actions in meeting republicans may not have been as unauthorised as suggested by a message he sent Duddy on 18 August:

could you tell your friends that they are inadvertently causing great difficulties for me by their frequent references to my having met them. This was only known of by very few people and *officially* my instructions were only to speak to you. The problem is that these notes are seen by 7 or 8 people, all of whom know that such a meeting is contrary to our stated policy. Grateful if you could explain the situation otherwise things are going to come adrift.<sup>54</sup>

Politically, the subsequent revelation that Fred had met McGuinness and Gerry Kelly was indeed difficult for Britain as it undermined their position of no talks before a ceasefire. As Chilcott argues,

The object we were trying to get to was a situation where violence had ceased, one would hope permanently, but at any rate sufficiently to enable direct political contact to happen. I mean that was the whole objective, the interim objective. And that remained the objective for several years. That was why the one unauthorised meeting that we know about was so unfortunate, 'cause it probably delayed it, at least on the British side. Whether it advanced it on the republicans' side is another matter.<sup>55</sup>

The incident does suggest that there may have been a slightly different approach between the security services and the senior politicians and civil servants. The back-channel was obviously primarily political in its objectives but was operated by MI5. As indicated earlier, Brooke and Mayhew were not kept informed on a regular or detailed basis of how the channel was being used. Mayhew noted that he 'stood well back from it' and both the Cabinet Secretary and Mayhew have stated they were unaware of the Fred meeting.<sup>56</sup> As things progressed though whether and how to advance the process were political decisions that needed to be taken by politicians. Several factors can explain why the subsequent problems emerged.

### Problems in Utilising the Channel

First, the failure of the British to authorise a follow-up to the Fred meeting before a cessation of violence, as republicans, and indeed Duddy, were demanding, (see Duddy's account of conversations with Fred 29–30 April, for example) frustrated both the republican movement and the Derry link of Duddy, Gallagher and Bradley. The account of Duddy's conversations with Fred 27–30 April, shortly after the IRA had

bombed the Nat West Tower in London for example, are full of requests for a further meeting between McGuinness and the British ‘for clarification’ before a ceasefire. Fred repeatedly replied over the next few days that he could not get permission for another meeting.

Second, related to this, the decision by the British to insist on a longer period of cessation before they would move to talks was problematic for those in the back-channel and republicans. Duddy’s archive illustrates increasing frustration amongst the three at what they saw as a lack of progress and an unwillingness by Britain to act in the way that Fred had appeared to indicate they would. Fred had suggested at the meeting that if there was a ceasefire by the IRA, talks with republicans would follow immediately. To this end Duddy relayed the message from McGuinness to the British on 11 May that contained an indication that there was the offer of a cessation of violence. Duddy’s narrative of the following days suggests Fred indicated that Chilcott was keen on the development and drew up a plan for the cessation to be followed by one to seven days of logistics followed then by delegate meetings. This was put to Major on 17 May and discussed by Major, Douglas Hurd (Foreign Secretary), Chilcott and Sir Roderic Braithwaite (advisor to Major and Chair of the UK Joint Intelligence Committee), the meeting was adjourned and reconvened the following day and widened to include Kenneth Clarke (Home Secretary), who was not supportive. The initiative failed as Major wanted a longer period of cessation. Major noted that they ‘needed a fire-break—a period of time between the message and the beginnings of talks if we were able to engage in a proper dialogue with the movement. And we fixed upon a period of three months.’<sup>57</sup> This angered Duddy and the back-channel.

Third, the periodic high-profile acts of violence by the IRA placed great strain on Britain’s willingness to engage with republicans. On 19 March Britain had given Duddy a substantive document, known as the nine paragraphs. This outlined their interpretation of the situation, and included the observation that ‘The position of the British Government is that any dialogue could only follow a halt to violent activity. It is understood that in the first instance this would have to be unannounced’<sup>58</sup> (though, as noted, Fred did meet McGuinness and Kelly a few days later). The following day the IRA bombed Warrington, which led some in the British government to question the use of the link and the conditions necessary before direct talks with republicans. The Cabinet Secretary, Robin Butler, suggests that that bomb was instrumental in making Britain believe it needed a longer period of cessation.<sup>59</sup> Similarly, the bombing of the Opera House in Belfast, which coincided with the discussions within the government on the move to a three-month period of cessation, caused further reflection. Mayhew argued that,

it came after the Opera House one, when I am afraid everyone said, ‘well that’s it—at least for the time being that’s it’ as it was felt ‘who can argue now against those who believed all along that this was hard cop soft cop stuff?’ And I can’t think of anything more harmful to the process than that.<sup>60</sup>

Butler suggests that the continuing violence and the impact that this had on public opinion made it more dangerous to be seen having exchanges with the IRA.<sup>61</sup>

The fourth reason for the decision by the British to act in a way that the republican movement, and the Derry link, saw as unacceptable was only tangentially connected to the back-channel. What needs to be borne in mind is that the back-channel initiative was only one strand of activity in a very fluid situation in the early 1990s. In addition to this form of interaction between the British and the republican movement, there were also the talks going on between the SDLP leader, John Hume, and Sinn Féin President, Gerry Adams; between the two governments (which led to the Downing Street Declaration in December 1993); between Albert Reynolds's advisor, Martin Mansergh and Martin McGuinness; contacts between the Irish Taoiseach, Albert Reynolds and one of the link, Noel Gallagher; and between a priest based in West Belfast, Fr Alec Reid, and John Hume and Gerry Adams. Whilst the talks between the two governments were largely known about, all the other strands were, on the whole, carried out in secrecy (although the Hume–Adams initiative became public knowledge). To further complicate matters, most of those who were involved in some strands were completely unaware of the existence, let alone the content, of the other strands. This was something that Duddy alluded to when he recorded in his account of events in July 1993, 'We have Republicans dealing directly with the British, Gerry Adams dealing with Hume, Mr Reynolds dealing with Mr Major, and the two Martins dealing with each other. It is extremely difficult to know who knows the least or for that matter who is bluffing whom.'<sup>62</sup>

Ultimately, several of these strands came together, notably in the DSD and conclusively with the IRA ceasefire of August 1994. It is the convergence of these strands that explains the developments in the peace process and the trajectory it takes by late 1993/94.

### **The End of the Back-Channel**

The existing British accounts of the back-channel initiative suggest that the problems caused by the insistence of a three-month ceasefire before talks and the unwillingness to authorise (further) direct meetings largely marked the end of the importance of the channel. Butler suggested that the belief in the government that the offer of a two-week cessation was too short and the continuing violence led to the conclusion that 'this initiative wasn't going anywhere' and so 'it lay fallow until November',<sup>63</sup> a view echoed in Major's autobiography when he notes that the 'Provisionals renewed contact through the channel on 2 November'.<sup>64</sup> The reality, however, was that regular contact continued between Fred and Duddy throughout the period, again illustrating the problem of identifying the status of contacts between the parties and the extent to which such contacts were shared with Fred's political 'masters'. The contacts between Fred and Duddy in this period increasingly reflected the exasperation felt by the Derry trio on the lack of progress. It was this exasperation that led them to take the decision to inform John Hume of their actions. The relationship between Hume and Duddy is interesting, with Duddy viewing Hume as both an important figure and a liability. The link discussed on several occasions whether they should reveal their activities to a

wider public, effectively in an attempt to embarrass the British and expose the fact that they had been offered a ceasefire and backtracked. The way in which this could be done was to reveal the details to John Hume. Originally, this idea was rejected as Duddy records that Hume is a 'valuable ally' but 'his personal ambition' and tendency to leak 'make it impossible from experience to give him the true position'.<sup>65</sup> In June 1993, the Derry link suggested to McGuinness that they tell Hume, but McGuinness was against this as he did not want to hand over the republicans' position to the SDLP. Duddy was also though clearly concerned about Hume's health by the latter stages of the back-channel. In a memorandum he prepared for republicans summarising what he saw as the situation on 30 September 1993, he notes that, Hume is 'shattered, internally wrecked and he must be protected. To recognise the physical and mental stress is not enough. This man will and cannot survive without help. He may not even survive with help and another tragedy in the history of our country will unfold'.<sup>66</sup> Eventually Hume was informed of the initiative (about which he was apparently unaware) though there is some confusion over this with Bradley's account suggesting the three in the link decided to tell him and called Hume to a meeting. Duddy's account suggests that he told Hume alone.<sup>67</sup> But this marked the end of their active involvement and apparently angered the republicans. Adams argued that this was a 'potentially dangerous and foolhardy decision breaking all the rules which go-betweens must adhere to'.<sup>68</sup> Republicans had lost faith in both the process and Duddy himself. On 26 November 1993, two days before the link was exposed by *The Observer*, Duddy was instructed to transmit to the British the message: 'As a result of difficulties, of which you are aware, we wish to replace Mr Brown. We would welcome your advice on how to proceed with this. We will forward our suggestions in the near future'.<sup>69</sup> The fact that Duddy had effectively to send his own letter of dismissal to the British is illustrative of the fact that he was the only direct line of communication that the republicans had to the British, something that they had long been unhappy about.

### Conclusion: Examining the Impact of the Back-Channel

What then was the impact of the back-channel? There are both positive and negative aspects. In terms of the positives, the channel was a key component in the process of helping the British to decide that there was a constituency within the republican movement that was considering a new approach. It fed into the re-evaluation of the situation that was underway in British policy making circles. Chilcott argues that a view within government circles 'was beginning to build from all those sources in the beginning weeks and months of 1991 that something might happen, that there was change afoot'.<sup>70</sup> Similarly, from the republican side the use of the channel was instrumental in engaging the movement politically and facilitating this engagement that the Adams/McGuinness wing was increasingly interested in pursuing. The British intelligence services valued the link highly with Stephen Lander (Director General of the Secret Service, 1996–2002) stating 'without the back-channel there would have been no peace process'.<sup>71</sup> This view is echoed by Peter Taylor, who has argued 'Without

Duddy, it's unlikely there would have been the historic IRA ceasefire the following year that led to the Good Friday agreement—and ultimately to the peace that Northern Ireland enjoys today' (the *Guardian*, March 18, 2008).

In terms of criticisms, there are several problems with the back-channel. Many of these stem from the view that the three members of the channel (and potentially Fred) had of their role. Although the communications that passed from Derry to London via the channel may have fed into a reinterpretation in the government of republican thinking, it is clear that on occasions it was the intermediaries' interpretations of the IRA's thinking rather than necessarily the thoughts of the IRA itself that London received. The perception of themselves as being mediators rather than simply facilitators or conduits was at times problematic. When things did not develop the way they believed they should this frustration led them to seek to move the process forward by offering interpretations and analyses that could be misconstrued by the British. This is most evident in the debate around the 'bogus' messages discussed above. The frequency of the contacts between Duddy and Fred (and Duddy and Oatley in the earlier period) meant that it was potentially difficult to distinguish between what were messages from the republican movement and what were the arguments of the back-channel. There was clearly an awareness within the group that this was a departure and Bradley's observation that they were at times acting in a way that could be construed as 'leading policy and creating policy rather than either interpreting it or sending it on to the next person' is relevant. The fact that something came via the back-channel gave it legitimacy in Britain's eyes. Fred is also clearly complicit in this regard.

The back-channel does need to be viewed as part of a series of initiatives that were being explored during the period. Understandably for those involved it was seen as central and key, but other initiatives ultimately came to be prioritised over it by mid-to late 1993. The back-channel also suffered because, as Bradley argued, 'we had no access to the actual centres of power'.<sup>72</sup> The elongated chain that they were part of could lead to a problem of 'Chinese whispers' with statements being misconstrued.

The reason why the back-channel ultimately 'failed' is also worth considering. The view of the Derry link is that the British got cold feet and effectively backed off from their own initiative and the process they had set in train in 1991. Perhaps a simpler and more persuasive argument is that other strands became seen by those involved in the British and republican sides as more important/encouraging. Britain had reservations about dealing with the republican movement whilst the violence continued, which are clearly highlighted throughout the back-channel correspondence. Republicans did not like using the link as they did not fully control it. This was difficult for those who were involved in the back-channel to accept, and their actions to try and keep the channel, and what they saw as the momentum, going were instrumental in its destruction.

The case also highlights some other interesting issues regarding the relationship between elements of the security services and their political 'masters'. The channel was largely an initiative of the security services and the politicians were (and sought to be) insulated from it. This had positive elements (as noted) but, given the wider objective

of what became the peace process, it meant that it had to be led by politicians and once this happened the risks associated with the back-channel were re-evaluated and were perhaps deemed to be too high by those involved.

The opening of the Duddy papers has provided some important and revelatory information that has enabled a fuller picture of the links between the British government and the IRA in the early 1990s to emerge. However, it is of course still only a partial account, given the absence of access to the relevant British papers for this period. Important questions still remain, which can probably only be answered once the British documentation is available to historians. These questions include, had Deverell originally authorised the meeting between Fred and republicans, and was he planning to attend, as Duddy suggests? Who, if anyone, in the NIO knew of the meeting? This is an interesting question, given that Fred claimed at the meeting that what he was saying had been authorised by his superiors and his suggestion that it had been 'unofficially' sanctioned. The role of Fred and the extent to which he exceeded his brief is also important. Whilst it is clear from what he said at the meeting in Derry that he had exceeded his brief in attending, what is less clear is whether his role in the construction and distribution of the 'bogus' messages was known to his MI5 and/or political masters? What is unclear is whether Fred was really acting on his own initiative here or if his superiors were aware of the dubious authenticity of some of the correspondence that they were being told were direct messages from the republican leadership. This will not be known until the British files are opened. Those involved in the communications who have spoken publicly (e.g. Chilcott, Butler, Mayhew and Major) maintain that they believed that the messages came from the republican leadership, and Duddy's account suggests that he believed that Fred was, like himself, highly frustrated at the lack of progress after March 1993. Although we cannot yet know how widespread the knowledge of the provenance of the messages were on the British side, it is clear that in the short term the messages did move the process forward and encouraged the dialogue between the two sides, which was advantageous, but in the longer term the lack of clarity undermined the back-channel and its utility.

The increasing knowledge of the actions of those involved in the back-channel in the early 1990s, their motivations, frustrations and aspirations, although still only partial, is another important part of the jigsaw of the peace process. It raises issues not just for our understanding of what happened in Northern Ireland but also of wider significance in relation to questions around the role of intermediaries in conflict resolution initiatives, decision-making within British government circles, relations between intelligence services, the civil service and politicians and of how governments should interact with those who use violence for political ends. The reconfiguration of Northern Ireland that resulted from the peace process has been a focus of international attention, the quest to understand how and why it happens continues. The back-channel played an important part in the development of the peace process but its contribution is arguably still somewhat misunderstood.

## Notes

- [1] Ancram, 'Dancing with Wolves'; Bew, Frampton and Gurruchaga, *Talking to Terrorist*; Neumann, 'Negotiating with Terrorists'; Taylor, *Talking to Terrorists*; and Toros, 'We Don't Negotiate with Terrorists!'
- [2] Mallie and McKittrick, *Endgame in Ireland*; Rowan, *How the Peace Was Won*; and Taylor, *Talking to Terrorists*.
- [3] ÓDochartaigh, 'Together in the Middle'; ÓDochartaigh, 'The Contact'; and ÓDochartaigh, 'The Longest Negotiation'.
- [4] Major, *The Autobiography*; Powell, *Great Hatred Little Room*; and Reynolds, *My Autobiography*.
- [5] Hennessey, *Hunger Strike*; and ÓDochartaigh, 'Together in the Middle'.
- [6] Duddy Archive, POL35/88; POL35/172, POL35/174; POL35/222.
- [7] Interview with the author, 21 July 2000.
- [8] Brooke, interview transcript, LHCMA.
- [9] ÓDochartaigh, 'The Contact'.
- [10] Brooke, interview transcript, LHCMA.
- [11] Bradley, interview transcript, LHCMA.
- [12] Taylor, *Talking to Terrorists*, 45.
- [13] Rowan, *How the Peace Was Won*, 41; and Reiss, *Negotiating With Evil*, 68.
- [14] Reynolds, *My Autobiography*, 288, 161.
- [15] *The Guardian* 18/3/2008; Reiss, *Negotiating With Evil*, 49; and Reynolds, *My Autobiography*, 161.
- [16] Duddy Archive, POL35/227 (11).
- [17] *Ibid.*, DVD, POL35/666, 1.5.
- [18] Bradley, interview transcript, LHCMA.
- [19] Sinn Féin, *Setting the Record Straight*.
- [20] *Ibid.*, 5.
- [21] Major, *The Autobiography*, 431.
- [22] Chilcott, interview transcript, LHCMA.
- [23] Bradley, interview transcript, LHCMA.
- [24] Bew, Frampton and Gurruchaga, *Talking to Terrorists*, 118.
- [25] Cochrane, *Northern Ireland*, 127.
- [26] Taylor, *Talking to Terrorists*, 38.
- [27] Duddy Archive, POL35/415.
- [28] Duddy Archive, POL35/262.
- [29] *Ibid.*, POL35/266.
- [30] Sinn Féin, *Setting the Record Straight*, 23.
- [31] Duddy Archive, POL35/266.
- [32] *Ibid.*, POL35/287.
- [33] Sinn Féin, *Setting the Record Straight*, 26.
- [34] Duddy Archive, POL35/266.
- [35] *Ibid.*
- [36] *Ibid.*, POL35/318.
- [37] *Ibid.*
- [38] *Ibid.*, POL35/319.
- [39] *Ibid.*, POL35/320.
- [40] *Ibid.*, POL35/340.
- [41] Rowan, *How the Peace Was Won*, 44–5.
- [42] Duddy Archive, POL35/266; Sinn Féin, *Setting the Record Straight*, 21.
- [43] Chilcott, interview transcript, LHCMA.
- [44] Interview with the author.

- [45] Duddy Archive, POL35/241.
- [46] Heath, *The Course of My Life*, 438.
- [47] Moore, *Margaret Thatcher*, 612 & 617.
- [48] Reiss, *Negotiating With Evil*, 77.
- [49] Chilcott, interview transcript, LHCMA.
- [50] Ibid.
- [51] Duddy Archive, POL35/266.
- [52] Bradley, interview transcript, LHCMA.
- [53] Ibid.; Duddy Archive, POL35/266.
- [54] Duddy Archive, 307 (emphasis in the original).
- [55] Chilcott, interview transcript, LHCMA.
- [56] Mayhew and Butler, interview transcripts, LHCMA.
- [57] Major, interview transcript, LHCMA.
- [58] Sinn Féin, *Setting The Record Straight*, 19.
- [59] Butler, interview transcript, LHCMA.
- [60] Mayhew, interview transcript, LHCMA.
- [61] Butler, interview transcript, LHCMA.
- [62] Duddy Archive, POL35/266.
- [63] Butler, interview transcript, LHCMA.
- [64] Major, *The Autobiography*, 444.
- [65] Duddy Archive, POL35/266.
- [66] Ibid., POL35/315.
- [67] Bradley, interview transcript, LHCMA; Duddy Archive, DVD, POL35/667, 2.2.
- [68] Adams, *Hope and History*, 145.
- [69] Duddy Archive, POL35/327.
- [70] Chilcott, interview transcript, LHCMA.
- [71] Andrew, *Defence of the Realm*, 783.
- [72] Bradley, interview transcript, LHCMA.

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