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CRD pamphlet series

**Policing in a New Society**

**SERIES NUMBER 2**

**IRELAND, PEACEKEEPING AND POLICING THE `NEW WORLD  
ORDER`**

RAY MURPHY

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## CRD PAMPHLET SERIES: POLICING IN A NEW SOCIETY

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## INTRODUCTION

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The collapse of the Soviet Union and the end of the 'Cold War' has given rise to a situation where there is in effect one world 'superpower', the United States of America (US). The so called 'new world order' was intended to unlock the United Nations (UN) mechanism for the maintenance of international peace, and exploit opportunities for peacekeeping and nation building. Instead, there is a perception and fear in the Majority World that the UN is being exploited to police a world order based on the interests of the powerful few. This fear is linked to the lack of success in reforming the Security Council and making it more representative of, and accountable to, the membership of the UN as a whole.

Since the inception of UN peacekeeping, the army or 'Defence Forces' of the Irish Republic have played a significant role in such operations. Our acceptability as peacekeepers owed much to our traditional policy of military neutrality and our history. However, Ireland lies between two worlds with regard to peacekeeping - on the one hand, it has been the source of peacekeepers since the 1960s; on the other, it is a site of conflict where peacekeeping and a conflict resolution process is required. It is also caught between the two worlds of peacekeeping and enforcement action, both in the UN and Northern Ireland. The UN, which organizes peacekeeping, has also been caught between two worlds; firstly, between the geopolitical interests of the dominant powers in the UN Security Council, and those of the membership in the General Assembly and, secondly, until recently, between both sides in the 'Cold War'. These tensions are reflected in the fundamental division between peacekeeping and enforcement action. The tensions between peacekeeping and enforcement action are also evident in the Northern Ireland conflict. The most powerful actor in this situation is the British State - a permanent member of the Security Council. British military intervention in Northern Ireland in 1969 began under the guise of peacekeeping - to 'keep warring communities apart'. But the intervention had more to do with maintaining the Unionist dominated order than peacekeeping. Within a short time, the peacekeeping changed to enforcement action, with the security forces becoming aligned to the unionist bloc and embroiled in the conflict it was intended to resolve. Wider debates around peacekeeping and peace enforcement, therefore, have immediate implications for the role of the British military in Northern Ireland.

The recent Irish Government White Paper on Foreign Policy raised a number of important issues for Ireland. Key questions, however, remain unanswered. The Gulf War and more recent events in Somalia, Rwanda, and the former Yugoslavia place a responsibility on Ireland to re-define its role, especially in regard to UN

peacekeeping and similar operations. We need to examine whether military neutrality is appropriate or even relevant in the post 'cold war' era, and if the perception of Ireland in the Majority World is what we would wish it to be. This pamphlet seeks to explore these themes and the implications for Ireland of recent developments in international 'peacekeeping'. It begins by looking at the development of the peacekeeping in the UN. It then looks at the role of the Irish Defence Forces which, in the absence of external conflict, have been defined by the role in support of the civil power and as peacekeepers for the UN. It then examines some of the recent interventions by the UN which have moved away from peacekeeping and towards peace enforcement - threatening the legitimacy of the UN in the process. Finally, the analysis looks at the British Army role in Northern Ireland in the light of the earlier discussion of peacekeeping. The analysis records the movement away from a peacekeeping role and suggests that the British Army is unlikely ever to be able to play such a role in Northern Ireland.

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**AN AGENDA FOR PEACE?**

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In June 1992, the UN Secretary General Boutros Boutros-Ghali, published *An Agenda for Peace*. This was an important report which stimulated a major international debate about the role of the UN, and the international community, in securing and maintaining peace in the post Cold War era. The report expressed the optimism and confidence of the time, but these were to be very short lived. Recent events have highlighted the deficiencies in the UN system, in particular the controversy over UN action and policy in Somalia and Rwanda, and the failure to secure peace and protect Bosnia in the former Yugoslavia. There also exists a deep sense of unease surrounding the composition of the UN Security Council, and its role in the UN as a whole. These concerns were brought to a head by the UN role in the Gulf War and this led to a crisis of confidence in the Organisation among those outside its elite inner circle of international power brokers. Despite the noble aspirations of the Charter, for many millions the world is still a dangerous and miserable place in which to exist. War, famine, pestilence, and disease continue to ravage the peoples of this planet, especially those subsisting in the abject poverty prevalent in most states of the Majority World. These exacerbate pre-existing cultural, ethnic and political tensions. The end of the 'Cold War' has witnessed a resurgence of conflict, especially within states, as old enmities come to the fore.

The UN and the international system seem unprepared, ill-equipped and not too concerned about the potential consequences. Not surprisingly, in recent years the UN has come in for considerable criticism, much of which is merited. However, the criticism is sometimes misplaced in that it fails to identify the real problems of the Organisation as a whole and to recognise its many achievements. There is sometimes a failure to distinguish between the Secretary General and the Security Council given the dependence of the Secretary General upon the support and co-operation of the Security Council.

The Security Council has primary responsibility for the maintenance of international peace and security. In recent years, the threat of a permanent member of the Security Council exercising the right of veto once a peacekeeping force is established has diminished. The Council now plays a more central role in peacekeeping operations, which enables the Secretary General to carry out his duties without encountering the hostility associated with previous operations. Nonetheless, she or he is still vulnerable to attacks by major powers which disagree with her or his policies.

One of the primary purposes of the UN is the maintenance of international peace and security. It is, however, much more than just an international organisation concerned with these issues. Its responsibilities and concerns encompass broader

international economic and social matters, including colonialism, development, human rights, health and education. This reflects the view that such issues are inextricably linked to the maintenance of peace, as there can be little long term prospect for peace and conflict resolution without the achievement of some degree of political, economic and social justice. In the creation of the new international organisation in the post war period, these issues were made largely the responsibility of semi-autonomous agencies within the general framework of the UN organisation.

When the signatories of the UN Charter met in 1945, one of their primary aims was to provide the new Organisation with the means to maintain international peace. An earlier attempt to create an effective international organisation with similar responsibilities, the League of Nations, ultimately proved to be a failure. Those tasked with drawing up the UN Charter, i.e. the treaty intended to be the legal basis of the UN, were keenly aware of the deficiencies in the League of Nations.

They also wanted to avoid too close a linkage between the new organisation and a peace settlement following World War II. This was an obvious effort to profit from the mistakes of the founders of the League of Nations. Germany and the US had been especially vocal in their contention that the League was an instrument for upholding a dictated and unjust peace. This contention had much merit, yet, in many ways the structures and mechanisms of the UN as finally adopted could still be described as a revised and updated version of the former League. Therein lies one of the major reasons for many of the deficiencies and controversies regarding its operation today.

The US played a central role in the shaping of the UN. This reflected its unequalled military and economic power, and the world wide prestige and ideological leadership of its wartime president, Franklin D. Roosevelt. This power was shared by other members of what might be described as an elite club of major powers, which included the Soviet Union, Britain, and France and, later, China. These so called great powers were well aware of their corporate indispensability and were not shy about exercising their *'right'* to shape unfolding events as they saw fit.

The essentially conservative and aspirational nature of the UN was reflected in a number of significant Charter provisions. The most famous of the special privileges granted to the major powers was their permanent status on the Security Council and the right of veto. At the same time, the Charter stated that the UN was *'based on the sovereign equality of all its Members'*.<sup>1</sup> This was a noble aspiration, but it had no basis in reality. The point was put aptly by one Dáil Deputy in the course of the debate on Irish membership of the UN, when he asked: *'How can it be suggested that the Charter is based upon the sovereign equality of all its members if five members have the right to nullify the decisions of the remaining members'*.<sup>2</sup>

The new organisation, as conceived in San Francisco in 1944, was not without other flaws. It assigned primary responsibility for matters relating to international peace and security to the Security Council, with other responsibilities

being entrusted to the General Assembly. Peace was to be maintained by international co-operation, as embodied in the UN Organisation itself, rather than through some kind of new world governmental system. In spite of the fact that this created a ruling oligarchy that was to some extent imposed on the smaller states, the UN did not confer power where it did not in fact already exist. It merely reflected the reality of post World War II economic and political power. Unfortunately, peoples and nations not part of the formal state system were not represented at all.

The Charter, as finally adopted, contained two significant Chapters in relation to the maintenance of international peace and security. Chapter VI provides for the pacific settlement of disputes by, among other things, negotiation and adjudication; and Chapter VII contains the collective security provisions which were intended as the cornerstone of its policy in the maintenance of world peace. It is Chapter VII of the Charter that provides for enforcement measures under the direction of the Security Council as the central military instrument for the maintenance of peace and security.

However, the latter provisions were seriously flawed as the basic premise of major power consensus in international affairs did not materialise. In this way, the provisions upon which so much depended were inoperable from the beginning and the former allies became classical victims of their own propaganda. The Charter places upon the Security Council the primary responsibility for the maintenance of international peace and security. The effectiveness of the Security Council in this regard was dependent on the co-operation of its permanent members and the availability of military forces. Instead, the use of the veto awarded to these members blocked many attempts to use the Council as intended. In hindsight, it is difficult to see how the drafters of the Charter could have expected this system to work. The so called '*big powers*' had a right of veto in the Security Council, yet it was they that posed the greatest potential threat to international peace. A conflict between two smaller states did not pose the same risk to world peace as that between the former Soviet Union and the US. Collective security was therefore unenforceable against the major powers and of much less importance against smaller states in terms of maintaining international peace. However, in examining the collective security provisions of the Charter, it is important to bear in mind that peace depends more upon the co-operation of the major powers than on the mechanisms contained in the Charter. While the threat or actual use of the veto may prevent the UN taking action, the real problem is a lack of consensus and co-operation among the major powers, and the veto merely reflects the reality of the international political world.

In the course of the UN action in Korea in 1950, the collective security provisions of the Charter were put into effect. However, this situation only lasted for a short period, and in effect, '*threw the UN blue mantle*' over an initiative already taken by the US. A dubious form of international legitimacy was thereby given to Western intervention in Korea, and the concept of collective security based

on unanimity in the Security Council was undermined further. While the UN General Assembly is largely a deliberative organ, there is a wide concurrence of functions between it and the Security Council in the maintenance of international peace. Ironically, it was the Korean conflict which provided the Assembly with a significant role in this area. The adoption of the so called '*Uniting for Peace Resolution*' in 1950, when the Security Council was prevented by the Soviet Union from discharging its responsibilities in connection with the collective measures in Korea, was a significant step in the development of the General Assembly's role. In effect, the resolution asserted the Assembly's right to exercise a residual responsibility in any threat or breach of the peace, when the Security Council was prevented from doing so owing to the failure of the permanent members to agree. In time, while the membership of the Assembly increased, its role in peacekeeping declined and from the 1960s onwards, resolutions authorising peacekeeping operations usually emanated from the Security Council.

The 'cold war' era between the US and the Soviet Union was marked at the UN by continual wrangling over the correct interpretation of the Charter provisions. The Charter's own ambiguity and failure to make provision for specific problems contributed to these disputes. In order to survive, the Organisation had to be capable of adapting to the changed political circumstances and this meant adopting roles not specifically provided for in the Charter which the International Court of Justice recognised by invoking the doctrine of implied powers. This doctrine offered no solution to the broader problems confronting the UN, as the majority of the disputes involving the interpretation of the Charter have a political background and concern powers expressly conferred on the Organisation. When the required consensus among the major powers did not materialise, it seemed the UN would be unable to fulfil a significant role in the maintenance of peace. The growth of regional self defence systems was an indication of the lack of confidence members had in the Organisation as the international guarantor of peace. In these circumstances, it was not surprising that the UN sought to circumvent the obstacles caused by cold war rivalries. It was against this background that peacekeeping by the UN evolved.

### **The Origins and Nature of Peacekeeping**

The concept of peacekeeping is neither defined nor specifically provided for in the UN Charter. Historically, it is by no means a concept associated exclusively with the UN. Consequently, it does not lend itself to precise definition. In the circumstances, it is not surprising that there is some confusion regarding what exactly constitutes peacekeeping. Indeed, it is sometimes easier to say that a particular mission or force does not possess the generally recognised characteristics of a peacekeeping operation, than it is to confirm that it fulfils the necessary criteria. Part of the reason for this is the looseness with which states adopt such terms. It has a distinctly positive resonance, and those charged with the government of states are

usually more concerned with public relations and opinion polls, than with legal criteria or political reality. For this reason, the term is often applied to controversial situations where states intervene militarily and then seek to justify or portray their actions as some kind of benign peacekeeping operation. One of the better and more recent definitions of peacekeeping, which embodies most of the principles normally associated with the concept, can be found in the Review of UN Peacekeeping:

*As the UN practice has evolved over the years, a peacekeeping operation has come to be defined as an operation involving military personnel, but without enforcement powers, undertaken by the UN to help maintain or restore international peace and security in areas of conflict. These operations are voluntary and are based on consent and co-operation. While they involve the use of military personnel, they achieve their objectives not by force of arms, thus contrasting them with the 'enforcement action' of the UN under Article 42.<sup>3</sup>*

The development of UN peacekeeping owes much to the efforts of a former Secretary General, Dag Hammarskjöld, and a similarly minded Canadian Prime Minister, Lester Pearson, to keep new conflicts outside of the 'cold war' confrontation. It grew alongside and sometimes became indistinguishable from the policy of preventive diplomacy. The lack of an express mention in the Charter has not inhibited the development of peacekeeping and may, in fact, have helped its establishment as a flexible response to international crises. However, its inherent flexibility may lead to misunderstandings regarding its true nature, especially when the establishment of a peacekeeping operation is not, strictly speaking, provided for in the Charter. It is not 'enforcement action' under Chapter VII, and nor is it mentioned under the pacific settlement provisions in Chapter VI. Although authorities have differed on the exact legal basis for such operations, some even submitting it lies somewhere between Chapter VI and VII, the International Court of Justice has held that peacekeeping is within the competence of the Organisation.

When the divisions of the Cold War blocked effective action by the Security Council, the concept of UN peacekeeping was invented. However, it should be stressed that peacekeeping is not the sole preserve of the UN. The concept predates the formation of the Organisation and peacekeeping missions continue to be organised outside its framework. In this way it can be argued that a peacekeeping force established and deployed by one or more states may legitimately profess to belong to some kind of internationally recognised category of peacekeeper. The British government sought to do this after the deployment of troops in Northern Ireland. In order to assess whether this claim can be sustained, it is useful to examine the general characteristics of peacekeeping forces. The recent Irish

Government White Paper on Foreign Policy summarised the conditions required for the deployment of traditional UN peacekeeping forces as follows(p.192):

- the consent of the parties to the conflict;
- the support of the Security Council;
- the willingness of the international community to commit personnel;
- impartiality in the discharge of the UN mandate;
- control of the forces vested in the Secretary General;
- the non-use of force by UN forces other than in self defence.

Peacekeeping operations were intended to end hostilities by peaceful means and create a climate in which the peacemaking process could be successfully applied. It was not intended as a permanent solution to international crises. This made it quite distinct from the enforcement measures envisaged by the Charter. The primary distinction between the two concepts was in relation to the associated issues of force and consent, enforcement action relying on the mandatory use of force, while peacekeeping avoided force, except in self defence, and required the host state consent for the admission of UN personnel. Nonetheless, both concepts are based on similar conditions - in particular the availability of military forces and the effective co-operation of members of the Security Council. Not surprisingly, there is considerable confusion regarding these very distinct and separate concepts.

Since no formal agreement for the provisions of troops to the UN has yet been concluded, member states are under no legal obligation to supply the Security Council with armed forces except on a voluntary basis. It is on this basis, in contrast to what was intended for enforcement action, that the small and middle powers usually provide the necessary troops to make up a peacekeeping force. The course of UN peacekeeping has not always run smoothly and the crisis which occurred during the operation in the Congo threatened the existence of the whole Organisation for a time. In this regard, financing peacekeeping has been a consistent and serious problem confronting the UN since it embarked on its policy of preventive diplomacy - although in reality was this problem more often reflected political divisions among members rather than genuine financial difficulties.

In spite of the controversy and problems encountered by peacekeeping missions, the concept has survived and developed. One of the primary reasons for its success is that it has combined adherence to basic principles with extraordinary flexibility. In particular, it has managed to maintain the essence of what is acceptable to UN membership at large, while at the same time adapting individual peacekeeping operations to the needs of particular circumstances. The legal authority for the creation of UN peacekeeping forces remain unsatisfactory and

there seems little prospect of a change in their ad hoc nature. While it may be argued that agreement in basic principles would lessen the opportunity for conflicting interpretations of the Charter and divisive controversies, there is merit in maintaining a flexible and adaptive approach to peacekeeping operations.

Would the process of setting down clear rules for the establishment and deployment of peacekeeping forces improve the current situation? Probably not, as the process of clarifying the rules would be more divisive than the current ambiguity. Strict rules might hinder an effective response, and be used as an excuse to evade responsibility. The success of peacekeeping owes a great deal to its ability to evolve and respond to different crises. Once its quintessential features are respected, i.e. consent and non-use of force except in self defence, peacekeeping can encompass other tasks such as election monitoring and nation building. The issues of consent and domestic jurisdiction raise difficult questions in the context of internal conflicts or civil wars. There were reservations about UN involvement in the Congo and Lebanon for these very reasons. However, internal conflicts frequently escalate into regional conflicts and involve breaches of customary and conventional international law, each of which removes the conflict from the reserved domain of domestic jurisdiction.

However, the international community and the UN has a responsibility not to shy away from complex and dangerous situations. Esoteric debates on legal principles have a value, but they should not be allowed to detract from the establishment and deployment of peacekeeping forces as facilitators of conflict resolution. The real issue is who will decide when peacekeeping forces will be deployed and their subsequent command and control. In this regard the role of the Security Council is vital, especially for middle and small powers like Ireland.

### **Peacekeeping, Enforcement Action and the Role of the UN Security Council**

The UN Emergency Force (UNEF), which was established and deployed after the British and French military intervention in the Suez in 1956, is generally regarded as the first true UN peacekeeping operation. The chief characteristics of the new force were that it was under the direction of the Secretary General, who appointed a neutral officer to command the force. The force was international in character, representing a wide geographic distribution. It did not include soldiers from any of the permanent members of the Security Council, or indeed, the so called 'major powers'. UNEF was intended to be a neutral interpositionary force, which operated with the consent and co-operation of the parties to the conflict. It could resort to the use of force as a last resort and then only in self defence. In this way, UNEF established a precedent and became a model for future UN efforts at peacekeeping. These, however, are the general principles governing the deployment of peacekeeping forces. They may be compromised in specific cases without

altering fundamentally the legitimacy or impartiality of a particular peacekeeping force.

The distinction between peacekeeping and enforcement action is fundamental. Nonetheless, this distinction can be somewhat blurred in certain instances. The grey area between peacekeeping and so called '*peace enforcement*' became a very controversial aspect of UN involvement in the Congo. With the end of the Cold War this distinction has become further blurred. Prior to 1990, the UN had authorised two enforcement missions, that against North Korea in 1950 and the Congo in 1960 (ONUC). However, it has since approved three more major operations of this nature, in Kuwait, Somalia and the former Yugoslavia.

The adoption by the UN of enforcement action resolutions under Chapter VII of the Charter has been one of its most controversial actions in recent years. There is general consensus that UN intervention of this nature is in accordance with international law and the UN Charter. Collective security and enforcement action is the ultimate sanction against recalcitrant states. However, the real problem is not the legality of such action, but the question of which states decide when it is appropriate and what are the criteria used? In fact, the practice of the Security Council of authorising states to use armed force does not correspond to the express text of Chapter VII of the Charter. The current practice allows the permanent members of the Council to determine and decide the agenda, thus facilitating a very selective and undemocratic response to international crises. The situation is made worse by the ambiguity surrounding the extent to which peaceful settlement procedures, including diplomatic efforts and diplomatic sanctions must be exhausted before military sanctions are applied. This was a source of controversy and debate before the adoption of Resolution 678 (1991), which authorised collective measures against Iraq and led to Operation Desert Storm.

In order to facilitate greater transparency and expanded participation by non-members, the Security Council announced recently that it would meet more often in open sessions. This was to enhance the credibility of the Council by improving the flow of information and ideas between members of the Council and other UN member states.

Reform of the Security Council is one of the crucial issues confronting the UN. It is inextricably linked to its current and future role in the maintenance of international peace and security, and the establishment of peacekeeping or enforcement missions. The composition of the Council was last changed in 1963. This took effect in 1965 and was intended to redress the under-representation of '*Third World*' countries. Recently, seventy-seven countries submitted proposals for Reform, along with the Non-Aligned Movement, the Caribbean Community, and African and Arab groups at the UN. While there is general agreement among States on the need for change, with some notable exceptions like Great Britain, the nature

and extent of the proposed reform remains a matter of some controversy. The countries of the South want substantive reform to allow a more equitable and democratic representation on the Council.

The countries of the North, in particular the permanent members, are more conservative. Their attitude might well be summed up as follows: if the Council can be made to work for us on occasion, why change things? The U.S., under President Clinton, is the least conservative of the current permanent members. This is significant as it is also the most powerful and may be able to persuade some of the other members of the need for reform. This is a political and legal necessity, as Article 108 of the Charter requires ratification of amendments by all permanent members of the Council before they can enter into force. There is still division in the U.S. with regard to reforms and the report of a bipartisan U.S. Commission on Improving the Effectiveness of the UN (the Leach Commission) shows the lack of consensus on even basic reform of the Security Council. While the majority of Commissioners favoured broad reform and the granting of permanent seats to Germany and Japan and to three *'Third World'* regions, a minority filed a statement of dissent. They felt that a more equitable representation on the Council would *'invite gridlock'* and turn it into a mini-General Assembly. The effectiveness of the Council would thereby be diminished significantly.

To those states and persons that see the need for reform as self evident, there may be a tendency to dismiss those opposed to change as conservative, elitist and primarily concerned with maintaining their own dominance. In any proposed reform that takes place, it nevertheless will be necessary to address these fears. Though the dissenters did not say so explicitly, it did seem that the minority held a deep suspicion of *'dictatorial, authoritarian and statist'* regimes that still form a majority of the UN and they felt that these should not be allowed immobilise what is seen by some as one of the few potentially effective organs of the UN. In this regard it is worth noting that some of the states most vociferous in their demands for a more representative and egalitarian Council, also adopt a hard line in relation to non-interference in their own domestic affairs. Columbia, for example, objected strongly to the Security Council practice of regarding human rights violations within a country as threats to international peace and security. Costa Rica, Ecuador and Paraguay held similar views. Many such reservations might be addressed in a reformed Council which did not possess the capacity or inclination to pursue a selective agenda decided by a powerful few. Criticism of current practice must be seen as more than mere obstructionist rhetoric of dictatorial regimes. When the permanent members of the Council argue that the Council will be ineffective if reformed, they really mean that it will no longer be manipulated with ease to serve the interests of a few states.

The Irish State supports an enlarged Security Council which would more accurately reflect the universal membership of the UN. In this regard it supports the

claims of Germany and Japan to permanent membership of the Council, but believes that an increase limited to these two countries would not sufficiently reflect current realities.<sup>4</sup> Any enlargement of the Council and of its permanent membership must be balanced and must redress the present under-representation of the Majority World countries of Latin America, Africa and Asia. The time has also come to consider modifying the veto and restricting its use to action under Chapter VII of the Charter.

The legitimacy of the Security Council derives from the commitment of all member States to confer primary responsibility for international peace and security on a body of limited membership. It is imperative that the Council recognise and represent the global membership of the UN. Although openness and transparency are words much in use these days, the fact remains that they imply a system based on consultation and consensus. The current practice does not allow this to happen.

The proposals by Ireland for reform are laudable, even if somewhat rhetorical. The thorny issue of whether Japan and Germany should have a veto, and the precise nature and extent of procedural and other reforms to redress the inequity in representation are nicely skirted around. The issues are too important to be left to achieving some kind of bland consensus within the framework of European Union Foreign Policy Co-operation. While cognisance must be taken of financial and/or other contribution to the maintenance of peace and security, the right of each member state to a say in decisions by the Security Council is indivisible. What is the relevance of all this to peacekeeping? Effectiveness and legitimacy are closely linked. In assessing the Security Council's role in peacekeeping or otherwise, it is apparent that the effectiveness of the Council is largely determined by its perceived legitimacy. The greatest threat to legitimacy is the lack of representativeness among the members of the Council. There must be a balanced and fair representation, which reflects the global membership of the UN and the realities of regional and global power. It must not be a tool for enhancing pre-existing hegemonic power; if anything, it should curtail and control the potential abuse which the possession of such power often entails. In deciding whether or not to initiate enforcement action or launch a peacekeeping operation, the criteria must be objective. UN peacekeeping was one of the more successful multilateral attempts to maintain peace and security. Despite recent setbacks, there is no reason why it cannot regain its lost credibility and adapt to the changed regional and global circumstances.

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## THE IRISH DEFENCE FORCES AND UN OPERATIONS

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It has become commonplace for Irish Defence Force personnel to participate in UN and other international peacekeeping and related activities. Since Ireland's admission to the UN in 1955, the Irish Defence Forces have contributed around 40,000 troops to peacekeeping missions throughout the world. A large number of Irish officers have also participated in UN observer missions since 1958. In this way, peacekeeping duties are a significant element in Irish military life and a concrete manifestation of Ireland's commitment to the UN and the maintenance of peace. Ireland's tradition of active membership of both the League of Nations and the UN has assisted in establishing the peacekeeping tradition. The effects of Ireland's policies at the UN, its history under colonial rule and non-membership of any military alliance combined to give it *'middle'* power status. Though this status may be overrated in terms of its significance for Irish neutrality, it is generally agreed it made Irish soldiers more acceptable as international peacekeepers than they otherwise might have been.

Despite the ongoing significant involvement in peacekeeping operations, there is surprisingly little public debate on the issue. There seems to be a general acceptance that such activities are good for the Defence Forces and the international community at large. This may be correct but it is not something which should be assumed without further analysis and thought. Each UN operation is unique, and the decision whether to participate or not should be made on the basis of an open and informed debate at all levels.

In 1993, Ireland passed legislation allowing troops participate in a UN *'peace enforcement'* mission in Somalia. This did generate some public debate on whether this country should participate in new kinds of military action by the UN. However, enforcement action under Chapter VII of the UN Charter is not a recent phenomenon. The possibility of Irish involvement in such operations was discussed at length in the Dáil in 1946, when the question of Irish membership was discussed. In fact, peacekeeping missions, such as those in Lebanon and Cyprus, were not envisaged under the Charter, and grew from the need for some kind of UN response during the Cold War years. Nonetheless, the end of the Cold War has not led to a new international consensus on the framework for UN peacekeeping or peace making.

### **Irish Admission to the UN**

In July 1946, the Dáil debated the issue of Ireland's application for admission to membership of the UN and its implications. Many of the deputies

present displayed a keen awareness of the commitments involved and with considerable foresight at the time drew attention to the inherent weakness in the collective security provisions of the UN Charter, which were to be the cornerstone of the Organisation's policy for the maintenance of international peace and security.

The Taoiseach, de Valera, emphasised the '*serious obligation contained in Article 25*' which provided that the members agreed to accept and carry out the decisions of the Security Council; and the military significance of the enforcement provisions contained in Chapter VII.<sup>5</sup> He argued in favour of getting rid of the veto and thereby trying to get larger states to accept the rule of law. While comparing Ireland's position with that of Sweden and Portugal, he seemed to anticipate, from his experience with the League of Nations, that Switzerland would find the obligations incompatible with her neutrality. This probably reflected his personal experience as a former President of the League of Nations. He had advocated radical reform of the League, which if implemented, would have significantly eroded the concept of national sovereignty. He went to great lengths to stress the importance to smaller states of playing a positive role in the League, independent of pressures from the larger states in the system. Not surprisingly, he had advocated positive action against aggression in Ethiopia and Manchuria. Only too well aware of the failure and weakness of the League, he showed little enthusiasm for a successor based on similar premises.

Despite the principle of the sovereign equality of all its members, it was evident that Ireland would not rank equally with larger and more influential states. Many Deputies shared a common concern for the military obligations imposed by admission as there was no indication at that stage what level of contribution would be expected from a country such as Ireland. In the event, when the motion was passed those who considered many of the contributions made during the debate would have been aware of the potential for Irish military involvement in UN enforcement action under the provisions of the Charter. The fact that the concept of preventive diplomacy or peacekeeping was not referred to by any deputies is not surprising as its development had not yet been considered by even the most imaginative observers.

In December 1955, over nine years after it had applied for membership, Ireland was admitted to the UN along with a number of other countries. This was to ensure that the balance within the Organisation among states perceived to be aligned remained unchanged. The '*package deal*' for this arrangement between the US and the USSR was so delicately balanced that Ireland's membership was in doubt up to the last minute. By this time the concept of collective security and enforcement action had been made redundant by the Cold War and replaced by the UN policy of political military control of local conflict by politically impartial essentially non coercive methods. While Ireland had not played any significant part in this transformation, it did create a new significant role as '*peacekeeper*' or '*middle*

*power policeman*'. It was against this background that peacekeeping became a central feature of Irish foreign policy in the early nineteen sixties. While it may be argued that this foreign policy has been largely no more than declaratory without consequential action - Ireland in terms of her size and resources has made substantial contributions to UN peacekeeping operations right up to the present day.

The establishment of the United Nations Emergency Force (UNEF) in 1956 was the first practical application of Dag Hammarskjold's concept of preventive diplomacy. The actual peacekeepers in this force were not the so called '*Great Powers*' but rather small and middle power intermediaries such as Ireland, drawn from sources acceptable to both parties. The success of this force laid down foundations and precedents with regard to future peacekeeping forces and the principle of non-coercive moral authority was also used in the setting up of smaller observation and verification missions.

### **The Defence Forces and the Peacekeeping Tradition**

The organisation and role of the Irish Defence Forces is currently under assessment and reform. While this is long overdue, any changes should take account of the factors that combined to render the Defence Forces suitable for peacekeeping operations. The Defence Forces have been traditionally a small and well integrated force in Irish society. In recent times, most of the duties performed have been in aid to the civil power, or as a stand-by force to maintain essential services during serious industrial disputes. They do not possess any heavy support weapons usually associated with the modern armies of larger states and they are accustomed to operating without such equipment. In 1986, The Chief of Staff, commented publicly that much of the equipment was either obsolete or obsolescent.<sup>6</sup> In this way the role of the Defence Forces has been more in the nature of a gendarmerie than a modern army. These factors, together with the emphasis on adaptability and ability to operate independently of large scale supporting forces, have combined to make them suitable for UN peacekeeping missions. However, they have also contributed to the ambiguity surrounding the role of the Defence Forces in modern Ireland.

The first indication of Ireland's potential suitability as a UN troop contributor State came in 1958, when officers participated in an observer mission in Lebanon. Such missions became a tradition which expanded and at the time of writing there are fifty four Irish observers with different missions around the world. However, Ireland's first major involvement in peacekeeping came two years later when Irish troops departed for the Congo (Zaire) in July 1960. In all 6,197 Irish personnel served with the peacekeeping force in the Congo and 26 of these lost their lives. This was in a very real sense a baptism of fire for Irish peacekeepers. It is very much to the credit of the soldiers involved, and the Irish Government of the day, that neither wavered in their support for the UN at a time when it was undergoing its

most serious crisis to date. An Irish contingent was still in the Congo when a request was received for another unit to participate in the UN peacekeeping Force in Cyprus. Between April 1964 and October 1973 over 9,000 Irish personnel served with this Force. At one stage there were over 1,000 troops in Cyprus while the strength of the Army was less than 8,000 personnel. Given the relatively small size of the Defence Forces, a large number of officers have also served in senior Command and Staff appointments with UN peacekeeping missions.

At present there are over seven hundred Irish soldiers serving in UN or other peacekeeping missions throughout the world. Most of these are in Lebanon where a large Irish contingent has been part of UNIFIL since 1978. Although it is a difficult and often hazardous mission, nowadays it is seldom an international newsworthy item. There have been thirty seven Irish casualties with this peacekeeping Force, fourteen of whom were killed in action.<sup>7</sup> This again underscores Ireland's commitment to UN peacekeeping and the high price that participation in such operations entails. It is not surprising then that fulsome tributes to Irish UN personnel are commonplace.

In 1984 the Defence Forces were described by one commentator as '*a small but highly professional Defence Force*', and he went on to say that Ireland '*faces the essential dilemma of all small nations seeking to provide their own security with limited resources ....*', while at the same time '*Irish troops have served with distinction in the Congo, Cyprus and the Middle East in UN sponsored peacekeeping activities*'.<sup>8</sup> The primary role of the Defence Forces is to defend the State against aggression. However, its capacity to fulfil this mission is hampered by its lack of adequate resources. In such a situation it may well be asked why the State maintains a standing army at all? The answer probably lies in the historical background to the foundation of the Irish State. The perceived threat to the democratically elected government and the institutions of the State has always been greater from within the State than from any potential foreign aggressor, except for a period during World War II. The independent State of Ireland has never been invaded and its soldiers have not participated in any foreign wars. Security and defence matters are seldom topics of public debate and when they do arise it is usually in the context of European integration and neutrality. Unlike most other European countries, the ministerial portfolio of Defence is regarded as a minor cabinet post. Successive Ministers for Defence from different political backgrounds have not been known for their political dynamism or significant contribution to public debate on security or defence. The Department of Defence and the Irish military authorities have been equally reticent. The lack of policy and debate on defence issues reflected a general lack of ideas and interest at all levels. In recent years, the formation of representative associations within the Defence Forces has improved this situation, but the overall level of public debate and knowledge remains abysmally low.

While the Defence Forces are supposedly organised and trained to fulfil a primary role in the defence of the State against aggression, their most important function evolved to that of providing military assistance to the civil power. Internal security tasks expanded due primarily to the conflict in Northern Ireland and became the major operational involvement of the Defence Forces. In this way much of the day to day work of the army over the past twenty years has in fact been the performance of duties of a police nature. This is one of the reasons why Irish troops have adapted so successfully to a UN peacekeeping role where the duties performed to date have also, for the most part, been of a police character. However, this raises the issue of the role of the Defence Forces in a democracy. There has been too little debate on the police functions performed by the Defence Forces within the State. Is it appropriate for soldiers to guard civilian prisoners and escort large consignments of money? Should this aid to the civil power be extended to the 'war' against drugs or similar activities. The answer must surely be no - this is not their function. Aid to the civil power should be within a specific time frame and mission. Otherwise they may become assimilated into the internal security apparatus of the state, and their role in a democracy will be blurred even further.

Despite the various 'new' roles fulfilled by the Defence Forces in aid to the civil power, there was no radical reorganisation in the structure or training of the Forces in the past twenty five years. Since World War II the Irish army has suffered from a lack of purpose and a certain ambiguity regarding its role. Ireland's initial refusal to join NATO, largely on account of partition, and the adoption of a policy of military neutrality meant that the army was denied any international role. At the same time, neutrality also meant that the State maintain a credible military deterrent as a tangible manifestation to the outside world of its determination to protect and maintain freedom and independence. However, a country of Ireland's size and resources could not afford the required investment in its armed forces organised along conventional military lines. As a result, the Defence Forces became run down in the 1950s and early 1960s. The situation the army found itself in during this period has been succinctly stated by one commentator as follows:

*Much (of the army's) equipment became increasingly outdated, and although some items, such as small arms and uniforms were renewed, this was done without any clear idea of the army's mission. More seriously, opportunities for training were limited and career prospects were restricted. Only in the early nineteen sixties did large scale participation in United Nations peacekeeping operations lift professional morale out of the routine rut of state ceremonials, guard duty, civilian emergencies and horse shows.<sup>9</sup>*

### The Implications of Participation in Peacekeeping

There has been considerable research into the characteristics of peacekeeping forces. Jackson identified four characteristics in particular which render a military force suitable for UN peacekeeping missions.<sup>10</sup> The first is an emphasis on a high degree of adaptability in the military sector, including an ability to operate independently of large scale supporting forces; a major emphasis on the differentiation of skills and the development of initiative in professional training; a distinctly non-political role, and finally, a high degree of discipline combined with a democratic professional structure. The Defence Forces as structured at present satisfies all of these requirements. The first two requirements are straight forward and could be said to be necessary characteristics of any small viable military force. Furthermore, since the end of the Civil War and the establishment of the modern Irish State, the army has avoided any involvement in politics. There has never been a suggestion of partiality by the army made by any deputy in the course of Defence and other debates.

The success of the army's participation in peacekeeping forces to date is evidence that it has a sufficiently high level of discipline. Further evidence is provided by the manner that the army carries out the many and varied roles that it is called upon to fulfil. The soldiers are drawn from all sections of Irish society. The majority of these personnel live in homes alongside their civilian counterparts and not in barracks or on military bases. This has further assisted the integration of the army in Irish society, as well as helping to foster its democratic ethos.

The Defence Forces' involvement in UN Operations has been considerable. When one considers the small size of the Defence Forces and the fact they are generally several thousand men below authorised strength, the contribution has been enormous. Even in absolute terms the contribution is impressive - in 1986 the Irish battalion was the second largest in UNIFIL.

It is difficult to access in general terms the impact that this involvement has had on the Defence Forces. Nonetheless, it is evident from conversations with serving and former personnel of the army that what is generally referred to in Irish military circles as '*overseas service*' has always been viewed as a welcome respite from the day to day barrack routine at home. It has also boosted morale, especially in the early 1950s when the Government first agreed to contribute large numbers of troops to the peacekeeping operation in the Congo. UN service has increased the wages and salaries of serving personnel by way of overseas allowances; a factor not to be overlooked when considering the number of volunteers of all ranks for service with the UN. However, it was the new sense of purpose which the army felt in the 1960s that provided the most significant boost to morale. The Irish Times in 1963 summed up the effect:

*there had been created a better public image of the army. This had been achieved by much mention in the speeches of politicians at home and abroad. The national newspapers have given it much publicity albeit somewhat dramatic and hysterical at times ... there was the enormous benefit in experience that active service gives ... (and) ... Irish troops did at last receive adequate pay in terms of overseas allowances.<sup>11</sup>*

More importantly, from a military point of view, peacekeeping operations provide an ideal training ground for an army of Ireland's size and resources. This is especially true in Southern Lebanon today, owing to the general operational environment of the UN Force there. The training and exercising of at least two battalions for UN service annually is probably the most obvious non-monetary benefit of Ireland's present level of commitment to UNIFIL. Contributions to other missions allow officers in particular to hold command and staff appointments in international forces which would otherwise not be open to them. This experience, though difficult to quantify and evaluate, is recognised as being of immeasurable benefit to the training and other standards associated with professional armies.

The equipment, training and other military aspects of Irish involvement with the UN today compares very favourably with that of in the early 1960s. The first army battalions that formed up for UN duty in the Congo were not well equipped for the mission ahead and nor were they well informed politically of the situation there. One retired senior officer recalled how the Irish soldiers arrived to the sweltering heat of Central Africa in heavy 'bullswool' uniforms and with bolt action rifles.<sup>12</sup>

Ironically, the fact that Irish troops are accustomed to working without heavy support weapons has worked to their favour on peacekeeping operations. While the basic infantry soldier is well equipped and supported at that level, on an overall basis the army does not possess expensive military hardware. As weapons and equipment of this nature are not permitted in a peacekeeping role, the Irish soldier adapts particularly well to peacekeeping duties as he is unaccustomed to depending upon this type of equipment anyway. The army's role within the State is also such that few soldiers experience live combat situations and most incidents involving Irish soldiers on UN service are more in the nature of skirmishes than full scale battles. This generally means that the army is unaccustomed to firefights and resorting to the use of force. As a result of this, they can be very adept at resolving confrontations by negotiation and mediation. This is an especially useful trait in a mission that seeks to establish a degree of peace and security in an area by establishing a UN force comprised of international armies.

The most important function fulfilled by the Defence Forces is currently in aid to the civil power. Such a role is not dissimilar in certain respects from that performed on peacekeeping operations. This means that the experience gained by

all ranks is of direct benefit to the maintenance of internal security in Ireland. As the operational basis of the Defence Forces both at home and on UN service is the use of minimum force only, there is no question of having to retrain personnel on their return from service abroad. This can occur in the case of larger contributor states such as France and Britain.

One aspect of Irish involvement in UN peacekeeping duties has received a number of adverse reports in the media. These reports give the impression that Ireland has been losing considerable sums of money owing to participation in UN activities, especially in Lebanon. This impression is incorrect as the policy of contributing troops to UN operations can be financially advantageous to the State, despite a shortfall in the overall reimbursement due from the UN. This was especially evident in 1986 when a former Secretary of the Department of Defence informed the Committee of Public Account that Ireland had made some five million pounds profit from its involvement in UNIFIL, and would at that time have made a further net gain of nearly sixteen million if defaulting nations had paid their dues at the UN. This was confirmed by the Secretary of the Department of Foreign Affairs who said:

*There has been no additional cost to the Irish taxpayer for keeping troops stationed in Lebanon over and above what it would have cost to keep them in Ireland.<sup>13</sup>*

In this way the financial implications for Ireland of involvement in peacekeeping operations are not as simple as might appear at first glance, and it can be argued that, far from being a loss making exercise, such involvement can be a net contributor to the Irish exchequer.

There are other issues concerned with Irish involvement with UN operations which have been neglected. There is the question of the effect on partners and children of long periods of absence from the home. This is closely linked to the effects that long periods of absence have on family and other relationships. Too little attention has been focused on these problems. Many military personnel admit freely to difficulties when they return from UN duty. The structure of the Defence Forces is hierarchical and patriarchal, and while individual members are sympathetic and understanding, the organisation itself, by its nature, may not be so. There is an urgent need to make independent and confidential counselling from outside the Defence Forces available to such personnel. Likewise, the Defence Forces neglected for too long the possible effects of post traumatic stress on personnel serving with UN forces. Although certain recent criminal trials and newspaper reports have highlighted the issue, reports of a sensational nature do not assist in encouraging acceptance and awareness of this very real problem. There is a need for empirical research on a range of issues connected with overseas service,

i.e. relationship/marriage difficulties; causes and number of medical and compassionate repatriations, self inflicted injuries, suicides and aggressive or violent behaviour such as the killing of three comrades at a checkpoint in Lebanon in 1982.<sup>14</sup> Although the Defence Forces have come a long way in terms of welfare and support services in recent years, there is still much work to be done in this area.

Participation in peacekeeping operations has been the most significant development in the Defence Forces since their establishment and is now a substantial part of military life in Ireland. In this way, Defence Forces personnel have made a real contribution to the cause of world peace. It has also enhanced the image of the Defence Forces as a disciplined and well integrated military force both at home and abroad. A number of factors have combined to render the Defence Forces suitable for peacekeeping duties. Although it is difficult to assess the impact UN service has had in general, soldiers of all ranks are unanimous in their belief that it has improved considerably both training and morale in the Defence Forces.

The decision to allow Irish troops participate in the UN enforcement mission in Somalia was one of the most significant developments in Irish defence and foreign policy in recent years. The need to pass enabling legislation in Ireland arose from the dualist nature of our legal system, rather than any new obligation undertaken by the State in relation to UN membership. The emphasis on conventional military training and structures within the Defence Forces, and the internal security role performed in aid to the civil power, render the Defence Forces especially suitable for all UN operations. This, however, is something that should not be taken for granted. The current review and restructuring of the Defence Forces organisation should take cognisance of the importance and evolving nature of Irish participation in peacekeeping operations. The Defence Forces must be given the means and resources to maintain the capacity to respond to requests to contribute to such operations, when appropriate. There is a very real danger that this could be undermined by current government neglect.

Although Ireland was not tarnished by the policies pursued by other contributors to the missions in Somalia, participation in any enforcement operation is risky. Apart from the obvious physical danger, there are other more fundamental issues to be considered. The real agenda of the larger powers may not be apparent at first, and small or middle powers run the risk of being dragged unwittingly into an intervention that owes little to the noble aspirations of the UN Charter. Humanitarian intervention and international law are not high on the priorities of those states whose motives and policies are determined by the *realpolitik* of international relations and domestic concerns.

None of the foregoing should be construed as arguments against involvement in UN operations. On the contrary, the human, political and military implications of

participation in individual missions should be assessed and evaluated on an ongoing basis. Then, an informed decision can be taken on the basis of all the facts. This may lead to accusations of naiveté, especially as we must now compete with other states to participate in such operations. The end of the Cold War has witnessed the industrial-military complex of both camps searching for a new identity and *raison d'être*. The recent UN sponsored military operations have provided what both enthusiasts and critics see as a means for armed forces to resist pressure to rationalise and reduce their capacity. Proposals from smaller states indicate that this is not simply a concern of the larger powers. Nonetheless, Ireland should not be afraid to decline to participate in any UN operation when this is the right course of action to take. Peacekeeping was confined usually to small and middle powers, whereas enforcement action is dominated by the larger powers. With the UN in financial crisis, there may be little alternative but to hand over enforcement operations to regional bodies such as NATO. This has serious implications not just for the UN, but for smaller states like Ireland that are not part of any formal military or regional alliance. Nonetheless, our military neutrality and history - the very factors that exclude us from such alliances - make Irish soldiers especially acceptable as traditional peacekeepers. The need for contributors to such operations will continue, and Ireland is especially well placed to support and contribute to the myriad of tasks that such missions involve.

The proposal in the White Paper on Foreign Policy that we consider joining the Partnership for Peace (PFP) has been controversial. To date, the debate has been emotive and not especially well informed. The leader of Fianna Fail, Bertie Ahern, asked if we would 'have British troops back in the Curragh, the French off Bantry bay, the Germans off Banna Strand, the Spanish in Kinsale and the Americans in Lough Foyle?' Such a response from the main opposition party does not instil confidence in the level of debate. It is difficult to take issue with the first three stated objectives of the PFP, namely, transparency in defence planning, ensuring democratic control of defence forces, maintenance of capability and readiness to contribute to UN and the Organisation for Security and Co-operation in Europe (OSCE) operations. However, the development of co-operative military relations and compatibility with NATO, albeit for peacekeeping/humanitarian purposes, raises important issues for Ireland. The Defence Forces could benefit from, and contribute to, the stated objectives of the PFP. It is, as the name implies, a partnership for 'peace', and it includes most of the other 'neutral' European states, including former Warsaw Pact members. Ireland is already a member of the UN, the EU and the OSCE, so why not join the PFP also? Since the establishment of the North Atlantic Co-operation Council (NACC) and the PFP, the dividing line between the pan European OSCE and these more recent bodies under the general umbrella of the Western military alliance is becoming increasingly blurred. Despite this, there are significant differences. The OSCE is intended to promote and

strengthen democracy and the rule of law, in particular, by encouraging respect for human and minority rights. We have an obvious interest in promoting these rights and international agreed rules of behaviour at every level, and providing a link with and support for, the peoples of the Majority World. Membership of the PFP may dilute our independent identity even further, and it will make forging and maintaining such a link more difficult. Ireland must avoid any formal partnerships with nuclear powers and some of the major arms producers in the world. It must be prepared to take a real, and not just a rhetorical stand on fundamental issues. Chief among these is the non-use of nuclear weapons, or any weapons of mass destruction, as instruments of national or collective defence. We must also seek the control and curtailment of the trade in arms. But can we do this and be partners in military co-operation with the major arms producers and nuclear powers, however limited in nature and noble its stated aspirations?

The issues are complex, and the dilemmas confronting Ireland are evident in the debate about participation in the UN, but NATO led, multinational force in the former Yugoslavia. Military neutrality, however, should not preclude Irish participation in this multinational force, if and when it is appropriate to do so. In reality, it is a NATO force operating under the blue mantle of a UN resolution. In military terms, Ireland does not possess the capacity to make any significant contribution to such large scale operations. Nonetheless, there are some issues that Ireland cannot remain neutral in respect of - the genocide, ethnic cleansing, mass rapes, and other crimes against humanity perpetrated in the former Yugoslavia are but one example.. The reality is that it has taken a NATO led force to impose some measure of peace, and prevent the seemingly endless slaughter of so many innocent civilians, especially in Bosnia. The risks of involvement for Ireland are not insignificant, but the duty to act as responsible member of the international community is compelling, in particular, given the shameful record of Ireland and other European countries throughout the conflict in the region.

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## PEACEKEEPING IN THE NEW WORLD ORDER

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The basic principles of peacekeeping were gradually established and gained acceptance during the Cold War. However, recent events have changed the perception of UN peacekeepers. The end of the Cold War witnessed the industrial-military complex of the larger states searching for a new role. NATO is among those organisations whose function and role needs redefinition. Recent UN military operations have provided an opportunity for NATO and similar forces to resist pressure to rationalise and 'downsize'. The role of NATO and the Security Council in recent UN interventions has given rise to grave concerns about the use of the UN as a flag of convenience by the 'First World'. There is now a crisis of confidence as the general public and national governments expect less from what is seen as an ineffective mechanism for conflict resolution. Because of this it is useful to examine two of the recent failures of the UN - in Somalia and Bosnia - in some depth in order to suggest ways of addressing the developing crisis of UN legitimacy.

### **Somalia**

The initial efforts by the UN in Somalia turned out to be a series of blunders. Food distribution and co-ordination among UN agencies was ineffective. This was in stark contrast to the work done by Irish and other NGOs and the Red Cross (ICRC). The UN operation was centralised and, in some cases, co-ordinated from neighbouring countries. The bureaucratic approach of UN headquarters in New York worsened the situation. The failure to listen to advice from those in the UN Forces (UNOSOM) on the ground and the bizarre failure to recognise the need to consult and respect the clan and local leaders in Somalia worsened matters. In many instances the UN is used as a scapegoat for the failure of member states to respond to international crises. In Somalia, however, the UN Organisation and its agencies actually hampered and undermined any prospect of success for the overall UN mission there.

UN intervention in Somalia arose from the urgent need to respond to the famine and appalling suffering of the Somali people in their war ravaged country. The response was slow and deliberate, each Security Council resolution expanded and modified the role of UNOSOM. As the situation deteriorated and the operation floundered in late 1992, the Secretary General faced up to the dilemma and outlined five options. The first was to continue with a peacekeeping, i.e. consensual and non forceful mission. This option did not seem viable, given the nature and scale of the problems confronting the UN in Somalia. A second option was to withdraw, but this would have been an unacceptable public admission of failure by the UN, the Secretary General and the international community. A further option was to be

more assertive and forceful in the capital, in the hope that this would have an influence in the country as a whole. Alternatively, a UN enforcement mission could be launched under its own command and control. However, it is doubtful that the UN had the capability or capacity to do so then or now. Not surprisingly, when the US indicated that it would be prepared to spearhead a UN - sanctioned forceful mission to establish a secure environment for humanitarian operations, the Security Council agreed. At first the US was reluctant to become involved. Then American public opinion changed to favour intervention. The Secretary General Boutros-Ghali also put pressure on President Bush pointing out, among other things, the growing perception among the countries of the South that the US manipulated the UN only when it served US interests, as in the Gulf War. Even before the operation was mounted there were those who questioned whether it was appropriate or necessary.<sup>15</sup> In any event, it should have been evident from the beginning that the conflict in Somalia was not going to be of the short, sharp, overwhelming kind that politicians and military planners, especially in the US, believe is vital to sustain a public consensus for involvement.

In December 1992, acting under Chapter VII [enforcement action], the Security Council adopted Resolution 794 authorising the use of '*all necessary means possible*' to establish a secure environment for humanitarian relief operations. This was a familiar UN euphemism for authorising the use of force. According to the preamble to Resolution 794, the scale and complexity of the situation in Somalia was unique, and it required an immediate and exceptional response. As '*Operation Restore Hope*' was getting into full swing, Boutros Ghali promised the people of Somalia that the Force would '*feed the starving, protect the defenceless and prepare the way for political economic and social reconstruction*'.<sup>16</sup> The Security Council also authorised the US to deputize on its behalf, and, significantly, linked human rights issues to a threat to international peace and security.

One of the main criticisms levelled at US policy was the failure to disarm the warlords. The newly elected President Clinton was more receptive to calls for more resolute action in Somalia. In January 1993, the United Task Force (UNITAF) adopted a more aggressive approach. Not surprisingly, the security of aid workers and Somali civilians deteriorated. In this instance the US was following the advice of the Secretary General. The US had intervened in the first instance to secure humanitarian relief, in this regard they were reasonably successful. It was when UNITAF followed the advice of UN headquarters that the situation deteriorated. It seemed that the UN forces were going to war and didn't even know it.

In March 1993, the Security Council adopted Resolution 814 authorising '*all necessary measures*' against armed attacks on UN personnel. This authorised the use of force against militias that refused to disarm and it put UNOSOM II on a collision course with them. At the time there were those who considered that Somalia was a relatively easy military problem. It was thought that the credibility of

the UN was at stake, and Somalia was the place to make a stand and show resolve after the debacle in former Yugoslavia. The stakes were being raised significantly. The use of retaliatory force by the US from June 1993 raised fears that the relief operation had been transformed into a campaign against one major warlord, General Aidid. Ireland, Italy and others called for a review, but by this time UNOSOM was fighting its own war in Somalia.

Impartiality is an essential element in any peacekeeping operation. Once a UN force embarks upon the use of force for reasons other than self defence, this will be the first casualty. The amount of force employed in Somalia was inconsistent with the concept of peacekeeping, while at the same time insufficient to achieve the objectives of an enforcement action mission. Nevertheless, the scale, intensity and frequency of the use of force converted the US troops into a hostile force of occupation in the eyes of many Somalis, and endangered all other troops, including the Irish contingent, associated with the UN mission. UNOSOM's role began to suffer from confusion in relation to its mission in an environment which was changing for the worse. The partisan policy adopted in the area of conflict undermined the fragile consensus in favour of the original intervention and deployment.

There were aspects to the UN military intervention in Somalia that were particularly reprehensible. The defence offered to claims of excessive zeal in the use of force had an all too familiar ring: provocateurs mingled in the crowds and fired first; collateral damage was minimal and civilian casualties were exaggerated; the *'terrorists'* used women and children as human shields and so on. Reputable organisations like the International Red Cross disputed the UN version of events. The director of one US agency accused the UN of resorting to the tactic of *'the big lie - Vietnam style'*. There were other parallels between the conduct of UN forces in Somalia and British forces in Northern Ireland. According to Amnesty International, some of the civilians killed by UN or US forces seem to have been the victim of the use of lethal force in breach of human rights and international humanitarian law conventions. In addition, hundreds of Somalis were held in administrative detention. What made matters worse in the case of Somalia was that this was done on behalf of the international community by the very organisation committed to setting, promoting and enforcing human rights standards by state governments.

### **Bosnia**

When the US and some of the major European powers were under pressure to respond to events unfolding in Bosnia, the cheapest and most expedient solution was to deploy UN peacekeepers. This was opposed by the UN Department of Peacekeeping and the Secretariat. There were many problems associated with Bosnia, chief among them being the lack of any peace agreement. After the

recognition of Bosnia as an independent state and its admission as a member of the UN, the only effective way of preventing the genocide, ethnic cleansing and other atrocities, was enforcement action under the collective security provisions of the UN Charter. Indeed, UNPROFOR was deployed, and with an ill conceived mandate and insufficient means, forced to play the role of impartial observer to some of the worst crimes against humanity since World War II. The international response was characterised by the incoherence and vacillation of the European Union and the US. The presence of UNPROFOR troops, often in exposed and untenable military locations, actually precluded NATO air strikes and forestalled military intervention on the Bosnian side. In 1993 the UN established a number of so called 'safe havens', the plan was bitterly attacked by the Bosnian UN Ambassador, Mr. Muhamed Sacirbey. He referred to one of these 'havens', Srebrenica, as an 'open concentration camp', where disease, hunger, and despair replaced the shells and bullets as the tool of genocide. It was just another of the thinly disguised diplomatic initiatives to mitigate the need and responsibility for more resolute and comprehensive measures. The gap between the reality of Bosnia and the rhetoric of the international community became evident in 1995 with the fall of Srebrenica and Zepa. The small number of lightly armed Dutch peacekeepers in Srebrenica said they could do little to prevent the genocide. As the tragedy unfolded, an evidently shocked Dutch UN commander described how he witnessed a cross between the events portrayed in the film's 'Sophie's Choice and Schindler's List' taking place around him. Resolution 836 of the Security Council, which mandated the UN to protect the enclaves, might just as well never have been passed. In one of the most shameful events of recent years, an as yet unascertainable number of people were segregated and taken away to be killed. Such an atrocity was both predictable and preventable. It happened before our very eyes and we failed to respond. In the face of such atrocities, neutrality is not an acceptable option. The token UN presence did not relieve the major powers and UN member states of their responsibilities. The awful truth is that no-one ever intended to defend the 'safe havens'. What was Ireland's response to the ongoing Bosnian crises? The Irish Government went along with seeking a consensus within the framework of EU foreign policy, a policy that was characterised by what the US called British footdragging and appeasing the Serbs. This says more about Irish foreign policy than any analysis of the recent Government White Paper, which, like the international response to Bosnia, is strong on rhetoric but lacking in substance.

### **Lessons for the future**

In contrast to what happened in Bosnia, the initial deployment of US troops in Somalia was a qualified success in expediting the distribution of food to those that needed it most. However, it was the neo-colonial attempt to shape and mould future Somali political arrangements that led to disaster. The UN had qualified successes

in Cambodia and elsewhere, but Somalia showed the limitations of the Organisation when faced with a challenging military and political engagement. In an Organisation where, according to the Secretary General, *'duplication is widespread; co-ordination is often minimal; bureaucratic battles aimed at monopolizing a particular subject are rife, and organizational objectives are sometimes in conflict'*<sup>17</sup>, such failures are hardly surprising. Too often UN officials hide behind the coat-tails of the permanent members of the Security Council and attribute all the deficiencies in an operation to their supposed political masters. But they too, from the Secretary General down, must accept responsibility. Unlike the former UN special rapporteur for human rights in the former Yugoslavia, Mr. Tadeusz Mazowiecki, or Ambassador Sahnoun in Somalia, and a number of US state department officials, there were no public resignations of UN officials over some fundamental policy issue; nor have there been any public challenges to the actions of the Council or Secretary General. This does not bode well for the future. The extraordinary optimism evident in the document, *'Agenda for Peace'*, now seems somewhat misplaced. The old Cold War rivalry and the veto can no longer be held responsible for UN inaction. The single biggest deficiency in the thinking behind this document is the acceptance of the conventional view of state sovereignty. This panders to the realpolitik political conservatism of the developed world and the paranoia of despotic rulers. There is a need to rethink this issue and assess how it has served the peoples of Somalia, Rwanda, Yugoslavia and elsewhere.

The situation in Somalia also exposed the contradiction between the reality of clan war and the peacekeeping principle of non-intervention. The unfolding events showed that the US and the UN forces failed to appreciate the contradictions and inconsistencies in their confused roles of peacekeeping, peacemaking and *'peace-enforcement'*. When this became apparent, it was already too late and the only realistic policy option was to withdraw. Similarly, in the 1980s India's intervention in Sri Lanka and US intervention in Lebanon involved a similar confusion in roles and a practical incompatibility in their implementation. Despite possessing the weaponry of a superpower, the US Marines were reduced to that of a militia in Beirut. Their resort to heavy naval bombardments and similar tactics only served to highlight their own vulnerability. As in Somalia, their tactics and approach were in stark contrast to those adopted by the Italian contingent. The US became clearly identified with one of the parties to the conflict, Amin Gemeyal's regime. They became increasingly identified as the enemy, and thereafter their continued presence was an obstacle to achieving peace and reconciliation in Lebanon.

A similar dilemma confronted the Indian Government in 1990 regarding the presence of India's Peacekeeping Force in Sri Lanka. After the death of over one thousand Indian peacekeepers, the soldiers were withdrawn. This was mainly due to the fact that their continued presence had become one of the obstacles to achieving a

peaceful resolution of the conflict there. Nevertheless, the debacle of UN involvement in Bosnia and Somalia should not be allowed to consign UN peacekeeping to some classical mode belonging to the Cold War era. It is a concept for which many soldiers from diverse backgrounds, including Irish personnel, have made the ultimate sacrifice. It has also stood the test of time and countless applications. In the proper circumstances, it is an ideal conflict resolution facilitator. Unfortunately, it can be called upon to fulfil impossible tasks. We have seen particularly the disastrous implications of peacekeepers losing their impartiality and becoming drawn into peace enforcement and identification with one side in a conflict. This clearly has implications for the analysis of policing, peacekeeping and the role of the British army in Northern Ireland. The international comparative perspective and the recent development around peacekeeping and peace enforcement in the UN throw particularly useful light on the history of British Army involvement and the prospects for peacemaking in Northern Ireland.

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**BRITISH MILITARY ROLE IN NORTHERN IRELAND**

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The British military presence in Northern Ireland is not commonly perceived as that of a peacekeeping force.<sup>18</sup> The role of the British armed forces is defined in unequivocal terms as *'the defeat of terrorism in support of the RUC'*.<sup>19</sup> However, their role was not always defined in such unambiguous military terms. At the beginning of 1969 there were in the region of 2,400 British troops stationed in Northern Ireland. These were there as a matter of course, and they did not fulfil any special security function outside the normal purpose of military forces throughout the remainder of the United Kingdom. Soldiers moved freely, lived outside barracks and settled locally. As the state entered a period of crisis with the development of the civil rights campaign, British soldiers were told to keep on their guard and not to get involved, but apart from this life went on as normal and it appears that nobody realised the army would be involved at all.

At first, army units were made available for guard duties at key installations, mainly electricity and water supply units in remote areas. At this stage there was no public mention of keeping the peace between two communities, or restoring and maintaining law and order. The deployment of the British army was in furtherance of a particular security policy decided by the Northern Ireland Government, in consultation with the British Government. It was also the beginning of the British army's role as an instrument of policy of both Governments in the affairs of Northern Ireland. Although the task of the army at this early stage was not of major significance, it was an important policy initiative. It marked the beginning of what was to quickly escalate into the very significant military involvement in the internal security of Northern Ireland which continues to the present.

After serious disturbances in August 1969, British Troops were deployed on the streets of Derry for the first time. Their appearance was greeted with relief by both sides and produced an immediate calming effect. Much of this was because, rather than assist the police, they acted as a *'third force'* interposing themselves between both sides. This was important since the RUC were already seen as partisan and unacceptable in nationalist areas. Those in nationalist areas had good grounds for such fears. Districts such as the Falls and Ardoyne in Belfast, had been the subject to sustained attack by rioting mobs. Many members of these mobs were armed and some were serving members of the RUC and 'B' Specials. The failure of the police to protect the nationalist community and their conduct during disturbances was the cause of bitter controversy and resentment. This had led to the establishment of a special Commission of Inquiry under Lord Cameron, which was very critical of police conduct.

In the circumstances, it was not surprising that some sections of the Nationalist population should have welcomed the arrival of British troops in 1969. However, in hindsight, it is too easy to portray this welcome in an exaggerated and sentimental fashion. The initial reaction was certainly one of relief. Anything was better than that which had gone before. It bears emphasis, however, that the motivation behind the arrival of the Troops was the restoration of public order rather than the defence of Catholic areas - this distinction had huge implications in the longer term.

The Unionist Government saw the British army as playing an unambiguous role in support of the police. The fact that the police may have contributed to the level of civil unrest does not seem to have been a major factor in determining what role the army should play. Furthermore, reinforcing the RUC in a situation where they had become unacceptable to large sections of the nationalist population posed serious risks for the army which did not seem to be fully appreciated by the British Government. In order to succeed, the military needed to establish an independent operations and intelligence network that did not rely exclusively on RUC assessments. Because pre-existing military structures were organised along these lines, and there had already been a small British army presence, this would have been a relatively easy task militarily, and might have gone some way in preventing the army being perceived as, and actually becoming, another wing of the security apparatus. However, it would have required a radical policy shift by the British Government to allow the military make an independent assessment of the situation and decide on a plan of action accordingly. There were also serious constitutional difficulties to be addressed.<sup>20</sup>

Very quickly, the public statements by both the British and Northern Ireland Governments made it clear that the army's mission was to reinforce the police, and restore 'law and order'. Although the army was still under command of the British Government, the key issues of management and deployment were determined '*in full and regular consultation*' with the RUC.<sup>21</sup> In this way, the army still relied exclusively for their intelligence information on the RUC. One former British army officer recalled how, having received a comprehensive brief from the police on the security situation in nationalist areas, there was no mention of the threat from loyalist para-military groups. When he enquired about information on loyalist or Protestant groups, he was informed that there was none available.<sup>22</sup> This, then, was to be the basis of army decisions on the deployment and management of troops. Although the British Government did make some effort to keep control of the implementation of security policy, this was primarily intended to placate international criticism of the manner in which the Northern Ireland Government had handled the issue.

In the early days of British army deployment in Northern Ireland, the military authorities seemed open minded to the nature and causes of the conflict. They

showed a willingness to negotiate with the community-based Central Defence Committees in order to resolve the problem of the barricades and other issues. Furthermore, they were willing to take action to prevent Loyalist attacks on nationalist areas. Because of this, the first serious conflict involving British troops was with Loyalists.

The Unionist establishment perspective, however, was that the army was there to *'help and defend'* the Unionists. As a result of the disturbances two units which were to be involved in controversies over the next twenty five years were flown in to Northern Ireland for duty. With the arrival of the Marine and Parachute Regiments on the streets, neither trained nor prepared for soldering in a civil conflict, and growing pressure being exerted to adopt a tougher policy, it was only a matter of time before the army became embroiled in the conflict it was originally intended to help resolve.

As the troops adopted a progressively tougher policy and became more identified with the RUC and a pro-Unionist stance, they became less acceptable to nationalists. In early 1970, serious clashes occurred between troops and youths from the nationalist Ballymurphy estate. Following these clashes General Freeland told a press conference that the law would be rigorously applied against throwers of petrol bombs and that they would be shot dead, after a warning, if they persisted.

Despite the changing security situation, and the involvement of the army in clashes with the Nationalist population, they still saw themselves fulfilling a peacekeeping role. The inconsistencies in this perception of their role were striking. While on the one hand General Freeland was saying that troops needed to be very strong on the ground *'and show an absolute determination to keep the peace'*; his response to the IRA threat of retaliation was that *'the army had tremendous fire power and weapon power, and if they want to take us on with weapons we shall always win'*.<sup>23</sup> This could hardly be described as the statement of a peacekeeper. While it would be unreasonable to expect that any military or security force should not respond to petrol bombing and other similar attacks, the use of force in those circumstances should always be minimal. The language and actions of the army were irreconcilable with their declared policy to keep the peace.

Some of the worst clashes between troops and members of the nationalist population occurred in June 1970, and led to disturbances in West Belfast which saw the imposition of a military curfew on the Falls Road area. This event marked a watershed in British army relations with the nationalist community in West Belfast, and word soon spread to other nationalist areas.

During the course of the curfew the local residents complained that excessive force was used, doors were smashed, floorboards were ripped up, furniture and religious objects broken or damaged. There were also allegations of looting and that money was taken from certain houses. The operation was a public relations disaster, which was not helped by the escort the army provided for two Unionist Ministers to

tour the area afterwards. The numbers and kinds of weapons seized indicated that they were largely held for defensive purposes. After experiencing serious sectarian attacks and many having had their homes burned down, it was not surprising that people in nationalist areas would possess some weapons. The Irish Government issued a statement regarding the events and criticised the '*unilateral disarmament of one section of the Belfast people - the Catholic minority in the Falls area*'.<sup>24</sup>

This statement represented a significant turn around in Irish Government policy. It had initially welcomed the arrival of British soldiers in August 1969. Within the Cabinet there had been calls for direct intervention, but the majority of the Cabinet did not favour such action, and in any case, the Irish army was in no position to intervene.<sup>25</sup> Public opinion in the Republic would probably not have favoured direct intervention either, so the arrival of British soldiers got the Irish Government out of a difficult dilemma. With the Irish economy and financial structures very dependent on Britain, the most politically expedient option was to bring the matter to the attention of the UN. With Britain occupying a permanent seat on the Security Council, there was no possibility of any kind of effective UN response, a fact which obviously suited both governments. However, it did allow the Irish Government an opportunity at an international forum to set down its long term objection to the British military presence as would-be peacekeepers.

The Dublin Government's response indicated a reappraisal of the British army's role in Northern Ireland. Initially, the British troops had been hesitant and did not seek to impose law and order. However, their role had gradually evolved into that of an army conducting a counter-insurgency operation. There was now no question of merely keeping the peace between two communities, the objective was the restoration of 'law and order'. Policy had moved very quickly away from bipartisanship and peacekeeping towards identification with one party to the conflict and the interests of ruling unionist apparatus. Whatever doubts existed regarding the army's role prior to August 1971, its full assimilation into the security apparatus of Northern Ireland was evident during the introduction of internment. Although the army was not responsible for the drawing up of the list of people to be interned, its implementation of '*Operation Demetrius*' was evidence of the extent to which a '*no-nonsense*' military approach had become the norm. Only nationalist areas were targeted and only Catholics were picked up. The brutality of the army and police during '*arrests*' enraged the working class nationalist population and contributed further to their alienation from the British army.

The sense of injustice felt in nationalist areas seemed to vindicate those Republicans who had consistently argued that the army was there ultimately to maintain the Unionist system. Matters were made worse by the steadily increasing reports of ill-treatment of internees. The army was now seen as part of the problem, a further means of maintaining Unionist domination. For their part, the political nuances and subtleties of Northern Ireland were long since lost on a

military force whose training and preparation inevitably led to achieving a military solution. Yet, there was no military solution, and those tried to date were totally counter-productive. The record of British involvement in India, Palestine or Aden did not augur well for the future. In this context, the *'Bloody Sunday'* killings - when the army shot dead 14 marchers on a peaceful civil rights march in Derry - became an atrocity waiting to happen. There was no more concrete manifestation of the failure of the British army intervention in 1969. A precedent had now been set for the parameters and nature of British military involvement in the conflict. There would be no going back, and although reference would still be made to the peacekeeping role performed by British troops in Northern Ireland, the unsuitability of a conventional army for internal security operations was soon evident even to the British Government.

### **The Restoration of Police Primacy**

In the aftermath of 'Bloody Sunday' in March 1972, the British Government assumed full responsibility for security in Northern Ireland with the imposition of direct rule. There was no immediate change in policing policy and the army remained the dominant force in fighting political violence. The main aim of direct rule was to clear the way for an internal political settlement based on devolved government. This was attempted in 1974 with the establishment of the power-sharing Executive comprising political representatives from both communities. After some months it failed, largely due to the Ulster Workers Council strike in May 1974. There was no attempt made to break the strike and though certain actions were illegal, the British Government chose not to confront the issue.

Since 1969, the army had been the dominant partner in combating political violence. The 1974 strike highlighted the limitations in this policy. The army's primary concern was the defeat of 'terrorism', as this seemed the greatest threat to law and order. Moreover, in practice the focus was on republican, anti-state violence rather than loyalist, 'pro-state' violence. Other threats to public order in the form of barricades to prevent people getting to work during the strike were assessed as being of much lesser significance, and the army was uncertain as to how to deal with such incidents. In the event, little effort was made to stop the unlawful action taken by Loyalist paramilitaries to enforce the strike. The RUC emerged from this crisis with an enhanced reputation, though it undoubtedly suited the force to continue to maintain the low profile which it had adopted during the preceding years. Poor communication between the army and RUC added to the difficulties. However, it was the lack of any political direction as to what action to take in support of the power sharing Executive that hampered the reaction of the army. It is ironic that at a time when the army could have been used to some real effect since its initial deployment in 1969, the opportunity was wasted due to the lack of any real commitment to the Executive by the British Government. Whether the army would

have succeeded in maintaining essential services and preventing intimidation is impossible to say, but the crisis did show up the weakness in British security policy and the role of the military. An army organised and trained along conventional lines was not suited to performing an internal security role in Northern Ireland. This was effectively acknowledged by the British in the adoption of the primacy of police policy soon after the defeat of the power sharing Executive.

The role of the army in the whole affair was a good example of the '*flexible law*' approach which made operating as a military force in such an environment so difficult and dangerous. Robin Eveleigh, a former officer in the British army with service in Northern Ireland, discusses the dilemmas created by this policy in some detail. Having concluded that the army acted as an instrument of Central Government, rather than as independent officers of the law aiding the local civil authorities, he goes on to state that the army accepted orders not to enforce the law.<sup>26</sup> In this way, the gulf between theory and practice in the Constitutional control and responsibility of the military acting to suppress civil disturbance is dangerously wide. In practice, the army has acted as an instrument of central government, ignoring the requirements of law, at least in a negative sense, where these conflicted with the orders of the British Cabinet. They either supported the police, or took the police under command. In any event, on the streets of Northern Ireland this made them indistinguishable from one another in the eyes of most nationalists. The fact that they wore different uniforms and spoke with different accents did not matter, they both represented the Government and were largely perceived as instruments of repression. This, and the continued deterioration in the security situation after the arrival of British troops in 1969, undermined the strategy of 'civilianization' of the RUC that was adopted after the Hunt Report on policing in 1969.<sup>27</sup>

After the failure of devolved Government in 1975, the British Government recognised that there was little prospect of an internal political settlement in the near future. In particular, it was recognised that some resemblance of normality needed to be created so as to deflect criticism abroad by highlighting British failure to find any resolution to the conflict. This was the background to the adoption in late 1975 and in 1976 of the policy of police primacy, of 'Ulsterisation', and of the criminalization of political violence. The new strategy meant, among other things, a further increase in the size of the RUC and its extensive re-equipping, which amounted to a remilitarization of the police force. The role of the army was to be secondary to that of the police, but there was still no question of a withdrawal of troops. Despite setbacks to the strategy as a result of revelations concerning abuses of interrogation techniques at the Castlereagh holding centre, and tensions between the army and police over the policy of police primacy in 1979, the policy has remained largely intact.

The '*flexible law*' which Eveleigh found so difficult to operate within in practice, had a more significant dimension. If the army and police could decide not

to enforce the law owing to a policy decision from Central Government, they could equally decide not to abide by the law in the carrying out of their respective tasks. In an 'emergency' situation such as is deemed to exist in Northern Ireland, the defeat of 'terrorism' becomes the primary goal. It is too easy to exceed the parameters of law enforcement until the security forces no longer operate within its already extended boundaries. The deployment of special forces, the use of undercover covert operations, special training in and use of interrogation methods, combined with pre-existing draconian emergency legislation, are conducive to the creation of a culture which at least covertly encourages offensive counter insurgency tactics. The inevitable consequences of these is the ultimate elimination of the 'enemy' at any cost. A 'shoot to kill' policy is just one ramification of the end justifying the means, albeit its most serious. There are many examples of the army involvement in fatal shootings, where eye witness and other accounts seriously discredit the official military version of events<sup>28</sup>

At the same time it is hard not to feel some sympathy for the British soldier on foot patrol in Crossmaglen or West Belfast. The description of them as 'moving ducks in a fairground shooting gallery' is very apt.<sup>29</sup> Unable to identify their 'enemy', the military considered that they had no choice but to use widespread search, arrest and screening operations, hoping that by chance a wanted person might be caught. Yet, in the words of Eveleigh 'nothing could have been more calculated to drive the non-committed part of the population into the arms of the terrorists from a sense of personal outrage and humiliation'.<sup>30</sup>

### **The British Army and the 'peace process'**

When the army was deployed in 1969, the level of alienation among the nationalist population was at its highest for years. The prospect of a reform package and the implementation of the Hunt Committee Report on the RUC and Ulster Special Constabulary meant that the presence of an impartial third force *could* have played a vital role in creating conditions necessary for reforms to take place. But this is not what happened and the consequences of using the British army became evident very quickly. The task of aiding the civil power and restoring law and order inevitably led to the army being sucked into the conflict. This was disastrous, once embroiled in any conflict, an army organised and trained along conventional lines will identify an 'enemy' and then seek its destruction. After internment, the sporadic clashes between the army and the Provisional IRA became more frequent and systematic. The army's response was to build more fortifications, enhance intelligence gathering and counter intelligence techniques, use special forces and covert operations. While the number of troops deployed grew and casualties increased, and the violence escalated, still the United Kingdom Government failed to admit the nature of the conflict. After the failure of the power sharing Executive, all serious attempts at

reform were abandoned and the destruction of the IRA became the primary goal. Even the Anglo Irish Agreement of 1985, a potentially significant political development, had as its primary objective the undermining of Sinn Féin and the IRA.

Given its developing partisanship, the British Army has become less and less qualified to play the part of 'peacekeeper' in Northern Ireland. Despite this, there have been arguments in support of there being a continued 'peacekeeping' role for the British Army. For example, the 1992 Report of the Northern Ireland Rights Assembly into violations of international law recommended, among other things, that the role of the military should be separated from the role of the police force, and the role of the army should be restricted to peacekeeping.<sup>31</sup> This recommendation rested on a number of erroneous premises. In particular, it failed to take cognisance of the basic prerequisites of a peacekeeping force - *impartiality and acceptance by the parties to the conflict* - and that these qualities were not present in the case of the British army in Northern Ireland. In this context the question of the future of the Royal Irish Rangers (RIR) will also have to be addressed. As part of the British army and comprised, for the most part, of persons from the majority community, they should never have been given a role in the internal security of Northern Ireland. It contributed to the unacceptability of all British forces, and it was incompatible with the army's professed impartiality in carrying out its tasks.

The case for a British Government decision to initiate a phased withdrawal of military forces from Northern Ireland as a result of the IRA and Loyalist ceasefires was compelling. Unfortunately this did not happen. It is too late for the British army to play any role in preventive diplomacy or peace keeping in the Northern Ireland context. In fact, the British army does not satisfy any of the accepted international criteria for peacekeeping forces outlined in the Irish Government White Paper on Foreign Policy. It is not present in Northern Ireland with the consent of all of the parties to the conflict; it is not an impartial force operating under an international mandate; it has used force in other than self defence; it is not comprised of personnel drawn from the international community; it is not under the control or supervision of the UN Secretary General, and it was not deployed as a result of a UN Security Council resolution. The army is currently in a limbo, without a clearly defined mission. Lord Carver, a former Commander Land Forces, recently revealed how he was urged by British Cabinet members to operate a '*shoot to kill*' policy in the early 1970s as it was argued that '*anybody who obstructed or got in the way of the armed forces of the Queen was, by that very act, the Queen's enemy*'.<sup>32</sup> This revelation re-emphasises the dangers of allowing the army to remain in Northern Ireland and its potential to be used as an instrument of sectional interests. It renders the continued British military presence a serious impediment to political progress. However one defines its current role, the British Army in Northern Ireland is not a

peacekeeping force. Owing to events over the last twenty five years, it is extremely unlikely to be accepted as such in the future.

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## CONCLUSION

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Events in Bosnia, Somalia and Rwanda have highlighted the deficiencies in international institutions and regional bodies. The UN, the European Union, the Organisation for African Unity have all found that responding effectively to internal or intrastate conflicts is very difficult. Critics of the UN have pointed to its use of rhetoric when decisive action and leadership was required. Its bulging bureaucracy often seems to epitomise inefficiency and inertia. In the former Yugoslavia the UN was exposed as the paper tiger so many believe it to be. The peacekeeping operation was unsustainable as there was no peace to keep, while enforcement action was unsustainable due to a lack of political will among the permanent members of the Security Council. Many of the criticisms are true and justified. However, the failure is usually not that of the UN, but rather its membership as a whole. The successes of the UN are sometimes neglected or ignored.

One of most serious deficiencies in the UN system is the inability to respond effectively to crisis involving violent intrastate or internal conflicts. Traditional interstate war of the kind which led to the Gulf War and Operation Desert Storm is quite rare. The reverse is true of conflicts within states. Over twenty violent conflicts followed the break up of the Soviet Union. Africa and many parts of the world are comprised mostly of artificially drawn state boundaries that often divided traditional political, ethnic and national groups. Multi-nation states are far more common than homogenous states. Ethnic and religious differences are not the primary cause of conflict, no more than bad weather and crop failure are causes of famine and starvation. When the conflicts in Rwanda, Somalia, Bosnia and Northern Ireland are examined, it is evident that the violence stems as much from government policies, or lack of them, and demagogic political leadership, as from traditional communal antagonisms.

In order to respond to the problem of intrastate conflict, there is need for reform of doctrinal foundations and structures in the UN system. Military intervention in any internal conflict is fraught with uncertainty and danger. There is confusion surrounding the terms peacekeeping and peace enforcement. Neither concept is mentioned in the UN Charter. Peacekeeping is based upon well established principles and while a peacekeeping operation may be unable to create peace, it should contain the violence to allow for some kind of political progress. *'Peace enforcement'*, on the other hand, has just recently entered the UN vernacular. The Secretary General sought to give legitimacy to this concept by formally proposing the establishment of peace enforcement units in his discussion document *'An Agenda for Peace'*. However, the concept of peace enforcement is a contradiction in terms, and it proved disastrous when attempted in Somalia.

Ultimately, it has merely served to discredit UN activities in the maintenance of international peace and security. The Charter also provides for enforcement action under Chapter VII, it should be neither confused nor associated with traditional peacekeeping. It is at the very heart of the UN's system for collective security, and as such it is the ultimate international collective response to aggression. However, there is a growing consensus that much greater emphasis must be placed on preventive measures, as opposed to reactive corrective strategies that are more often than not too little and too late. .

The 'Agenda for Peace' report, like most national governments, paid lip service to non-governmental actors. There are many lessons to be learned from Somalia, one of these is that non-governmental players, whether clan, community, tribal or nation based, and international NGOs such as the Red Cross (ICRC), can play a significant role in preventing a country or society imploding. But first this role must be recognised. They are often the groups most aware of what is happening on the ground, and proposals for deploying early warning monitors in potential trouble spots makes no sense when those already working on the ground are not listened to. It is not just policies that must change, but the attitudes of those that frame them. Rwanda was a disaster waiting to happen, the fate of Burundi and Rwanda is currently in the balance, and what is the international response? Even if the international community was willing to intervene, who would decide when, where and how. In the case of Rwanda, unlike Bosnia, there was no pretence. Although the French did respond, it was too late to prevent the genocide and was primarily motivated by French national interest. France, a permanent member of the Security Council, was one of the main suppliers of weapons to the perpetrators of the genocide and continued to lend support to those militias in exile.<sup>33</sup>

Countries of the Majority World have legitimate fears that humanitarian intervention may be used as a pretext for destabilising selected Governments or regimes. This is one reason why reform of the Security Council and UN is so vital. A global society based on universal sovereignty and respect for fundamental human rights has the potential to provide all peoples with legitimate involvement in issues affecting the world as a whole. Watching the plight of the Zapatista, Ogoni and Chechen peoples, along with countless others; or indeed the slaughter of the Shiites in southern Iraq and the Kurds in northern Iraq after the Gulf War, it is difficult not to view the nation state as an anachronism in the post Cold War era. It is a system based on the out of date Treaty of Westphalia. After the end of the two World Wars there were major conferences at Versailles and San Francisco. While these may be inappropriate models for examining contemporary issues, is it not time now for a fundamental appraisal of the whole current international order, even if we cannot be sure where it will lead? Who is to blame for the debacles in Rwanda, Somalia and the former Yugoslavia? To some extent we all share responsibility. However, all three UN missions were set up by the Security Council. They were ill conceived

and short-sighted, and placed the peacekeepers for the most part in an impossible situation. The Council hesitated and prevaricated when faced with starvation and genocide, and it refused to give UNPROFOR the resources and support required to protect itself, let alone the peoples whose very existence depended upon its protection. At the same time, the cosy consensus surrounding the UN response to Iraq's unlawful invasion of Kuwait was a sham. There was no mention of the brutal economic intimidation that was imposed on the more vulnerable states of the South to secure their support or silence.

Although the recent movement towards peace enforcement has been to the detriment of the traditional peacekeepers in the short term, Ireland must still examine all the implications before agreeing to participate in any UN or similar operation. Our military neutrality and history, the factors which have kept us out of any military alliances, have helped Ireland foster a non-threatening image abroad. Yet this is something that we cannot take for granted. In this context peacekeeping has been a cornerstone of our foreign policy and it has assisted us to play an active role in the UN which should not be diminished in the future. The Irish State should play a more proactive role in the struggle to democratize the UN and create a body which can live up to the aspirations of the UN Charter.

There are also specific implications for the conflict in the north of Ireland. One of the most striking similarities between the US/UN mission in Somalia and the British army's operation in Northern Ireland is the initial welcome both forces received from the local population. This initial friendly relationship soured as perceptions of their role changed with the adoption of heavy handed tactics, especially in searches for weapons. The most disturbing aspect of UN military involvement in Somalia and the British army involvement in Northern Ireland concerns the use of force and the extent to which both military forces became embroiled in the actual conflict taking place. The initial deployment in both cases resulted from an attempt to respond to a crisis. However, military intervention invariably leads to military action. The so-called peacekeepers or peace-enforcers end up as participants or major players in the conflict they were originally intended to help resolve.

With regard to the British forces in Northern Ireland, whatever their original mission and however their current role is categorised, it has been evident for some years that their presence has added to, rather than contained, the conflict. There is an urgent need for demilitarisation on all sides of the Northern Ireland conflict. With this in mind, the British Government should immediately adopt a timetable for the phased withdrawal of all armed forces in Northern Ireland. In the same way that the US presence in Beirut in the 1980s and Somalia, and the Indian presence in Sri Lanka became counterproductive, the continued British military presence in Northern Ireland is a serious obstacle to finding a just and lasting settlement. Northern Ireland stands as a testament both to the limitations of peace enforcement

and the continuing need for peacekeeping. In this sense it might provide a model for how a reformed UN could play a central role in peacemaking in divided societies.

The UN currently faces a large financial crisis which threatens its continued existence. But a far more serious threat is posed by the self serving agenda pursued by the permanent members of the Council. It is they who are responsible for 85% of global arms exports, while at the same time they are charged with primary responsibility for the maintenance of international peace and security. The victors of World War II have arrogated to themselves crucial power within the Security Council. Its structure and procedures are inherently anti-democratic. This ruling oligarchy represents one of the major obstacles to the proper functioning of the UN and it is a major impediment to peace based on justice and universal suffrage. There must be a balanced and fair representation, which reflects the global membership of the UN, and the realities of regional and global power. It must not be a tool for enhancing pre-existing hegemonic power; if anything, it should curtail and control the potential abuse which the possession of such power often entails. In deciding whether or not to initiate enforcement action or launch a peacekeeping operation, the criteria must be objective. The response must be graduated and proportionate, and retain the support of the international community as a whole. Bosnia and Somalia have shown, in the words of a former UN Under-Secretary General, Brian Urquhart, that it is a mistake to put the new wine of UN humanitarian and human rights interventions into the old bottles of either peacekeeping or enforcement operations. UN peacekeeping is one of the more successful multilateral attempts to maintain peace and security. Despite recent setbacks, there is no reason why it cannot regain its lost credibility and adapt to the changed regional and global circumstances. It is too easy to be cynical and to view the UN as a vehicle for the exercise of self interest and realpolitik. Its founders intended that it embody a higher morality than that which determined the responses of individual states. Like democracy itself, the UN is an imperfect system, but there are few visions of a more effective alternative. We must work to reclaim it on behalf of the people and ideals it was meant to serve.

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<sup>1</sup>Article 2, paragraph 1.

<sup>2</sup>Dr. T.F. O'Higgins, Dáil Debates 102(1403-1408), 25 July 1946.

<sup>3</sup>The Blue Helmets: A Review of United Nations Peacekeeping, 2nd ed. (1991),p. 4.

<sup>4</sup>Address by the Táiniste and Minister for Foreign Affairs, Mr. Dick Spring, at a seminar on the UN, U.C.C., Cork, 11 March 1995.

<sup>5</sup>Dáil Debates 102 (1315-1325), 24 July 1946.

<sup>6</sup>Press Interview, Lt. Gen. T. O'Neill, The Irish Press, 1 April, 1986.

<sup>7</sup>This figure includes Private Kevin Joyce who was taken captive on 27 April 1981. He is still categorised as missing in action.

<sup>8</sup>J. Marcus, *'Irish Defence Policy: Debate on Neutrality'*, Janes Defence Weekly, 04 August 1984, pp.152-154.

<sup>9</sup>P. Keatinge, *A Place Among the Nations*, IPA, 1978, p.93.

<sup>10</sup>J.A. Jackson, *'The Irish Army and the Development of the Constabulary Concept'* in Jacques Van Doorn (ed.) *Armed Forces and Society*, Sociological Essays, The Hague 1968.

<sup>11</sup>The Irish Times, 29 July 1963.

<sup>12</sup>Personal interview, Colonel R. Bunworth, Dublin, February 1985.

<sup>13</sup>The Irish Times, 10 September 1986.

<sup>14</sup>The court-martial of former Private McAleavey for the murder of three comrades opened on 18 July 1983. He was found guilty. The Irish Times covered the trial up to its conclusion.

<sup>15</sup> Africa Rights, *Operation Restore Hope: A Preliminary Assessment*, London, May 1993.

<sup>16</sup>UN Chronicle, (New York) March, 1993, p.16.

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<sup>17</sup> B. Boutros- Ghali, “*Empowering the United Nations*”, Foreign Affairs, 1992/93, Vol. 71, p.100.

<sup>18</sup> The definitive work by Alan James on peacekeeping does not include any reference to the British military role in Northern Ireland, see Alan James, *Peacekeeping in International Politics*(London, Macmillan, 1990.)

<sup>19</sup> January 1995; the role is defined in the Press Release, Army Information Services Headquarters, Northern Ireland, August 1994, p.3.

<sup>20</sup> Robin Evelegh, *Peace Keeping in a Democratic Society - The Lessons of Northern Ireland* (Hurst & Co., London, 1978).

<sup>21</sup> See statement of 17 August by Northern Ireland Prime Minister, Chichester Clark, Keesings, September 20-17, 1969, p.23574.

<sup>22</sup> Personal Interview, former British Army Officer who served in Northern Ireland, Dublin, 25 October 1994.

<sup>23</sup> Keesings, June 20-27, 1969, p.24044.

<sup>24</sup> Keesings, October 10-17, 1970, p.24233.

<sup>25</sup> Personal interviews, Former Irish Cabinet Minister, Dublin, September 1994; and a former senior ranking army officer of the day, November 1995.

<sup>26</sup> Evelegh, op. cit. p.17.

<sup>27</sup> Report of the Advisory Committee on Police in Northern Ireland (Hunt Report, 1969).

<sup>28</sup> See Human Rights in Northern Ireland, a Helsinki Watch report, (London , 1991), pp.44-61 and the Report of the Public Inquiry into the Killing of Fergal Caraher and the wounding of Michael Caraher, Cullyhanna Justice Group, 1990; and Kadar Asmal, “Shoot to Kill, International Lawyers Inquiry into the Lethal Use of Firearms by the Security Forces in Northern Ireland”, Mercier Press, Dublin ,1985, p.134.

<sup>29</sup> Maria Maguire, *To Take Arms* (London 1973) p.75.

<sup>30</sup> Evelegh, op. cit. p.29.

<sup>31</sup> *Broken Covenants - Violations of International Law in Northern Ireland*, Report of the Northern Ireland Human Rights Assembly 6-8 April, 1992 London p.28.

<sup>32</sup> The Observer, 3 July 1994 and *'The Last Colony'*, Channel 4, 4 July, 1994.

<sup>33</sup> Human Rights Watch Arms Project, Rwanda/Zaire, Vol.7. No.4, May 1995.