

# French Algeria and British Northern Ireland: Legitimacy and the Rule of Law in Low-Intensity Conflict

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THE POST-COLD WAR world, with its small wars of ethnic nationalism; tribal and religious conflict; and localized and global terrorism is not so different from Europe during the era of decolonization in the late 1950s and 1960s. The ethnic and religious roots of many of the world's current conflicts derive from the period when Europe shed its empires and much of the developing world gained independence. One critical lesson of the European wars of decolonization is the need to maintain legitimacy while conducting low-intensity conflict (LIC) operations. Without legitimacy, a democratic nation cannot hope to prosecute operations to a successful conclusion.

Counterterrorism and counterinsurgency operations in Algiers from 1957 to 1958 and in Northern Ireland from 1970 to 1999 reveal significant truths about legitimacy and the rule of law. Insurgent warfare based on ethnic nationalism is inherently political. If, during the course of such a war, a government and military abandon the principles that put them above the level of the terrorists they are fighting, they lose the legitimacy of their cause and face political and military defeat.

In 1958, after several years of war in the then-French province of Algeria, which resulted in thousands of military and civilian casualties, the French Fourth Republic collapsed and was replaced by a new republican government hostile to the war. In 1962, the French Army left in defeat and Algeria became independent. Ironically, by all accounts, the French Army had decisively defeated the Algerian Front de la Libération Nationale (FLN) rebels and retained control of the country militarily at the time Algeria gained independence.<sup>1</sup>

The government of the Fourth Republic lost credibility and most of its popular support because of a perceived loss of control of the military waging the war and its toleration, if not encouragement, of the army's widespread use of torture, assassination, and violent intimidation. The French Army's ruthless

counterterrorism campaign in Algiers from 1957 to 1958 was a classic Pyrrhic victory. The French Army crushed the FLN in the city, but the methods it used caused an international outcry that led to the Fourth Republic's downfall and, with it, the loss of any real hope for an "Algérie Française."<sup>2</sup>

By contrast, since 1969, in an attempt to force the separation of Northern Ireland from Great Britain, Irish Nationalists have waged a war of terrorism against the British presence. Hundreds of combatants and innocents have been killed, yet Northern Ireland remains solidly British. In fact, the cease fire, Good Friday peace accords, and subsequent political developments suggest the Irish Republican Army (IRA) has virtually given up hope of achieving its aims through violence.

The British Army's counterterrorist and peacekeeping campaigns against the many paramilitary groups in Ulster have seen their share of mistakes, crises, and political failures but, on the whole, compare favorably with the French effort in Algeria. The British Government has insisted on maintaining civilian and police control over military operations, using the minimum possible level of violence in attacking terrorists, and has held fast to the rule of law in conducting military operations.<sup>3</sup> Despite some well-publicized exceptions, the British military has remained under the firm control of civilian authorities, and transgressions of law have been publicly investigated and prosecuted. This adherence to the rule of law has allowed the British Government to retain its legitimacy in the paramount view of domestic public opinion.<sup>4</sup>

Although these two wars differ in their causes, historical context, and geography, they are similar enough to help draw some important conclusions about LIC operations and government policies. In both wars, terrorists and insurgents fought on behalf of an ethnically distinct population residing in an area geographically separated from but still rhetorically and politically an integral part of the home coun-

try. Both provinces had or have a significant resident population vociferously loyal to the home country that generated its own paramilitary and terrorist organizations, adding another violent, unstable element to the conflict. And, in both wars, political considerations overshadowed military ones and became the most important factors in determining the success or failure of government attempts to end the wars.

### Algeria

*Following unwritten but perfectly clear rules... on the orders of the socialist government... intelligence*

*officers used two methods of questioning[:] electric shock and water.—Jean-Claude Goudeau<sup>3</sup>*

The causes and dynamics of the French war in Algeria are complex and, in many ways, prototypical of late-20th century wars of “national liberation.” The war contained all the now-familiar patterns of idealistic nationalism, cynical power politics, international posturing, and brutal, senseless violence, the victims of which were more often than not guilty of nothing more than being unlucky. The war in Algeria was different from many, however, in that the insurgents were defeated militarily and yet still achieved their aims, not through force of arms, but largely through the French Government’s loss of public support and consequent loss of will to continue the fight.<sup>6</sup> The methods the French Army used in its antiterrorism campaign in Algiers from 1957 to 1958 became widely accepted military and government policy, a policy that led directly to failure and defeat.

By early 1956, the FLN had the Algerian provincial government on the defensive. The French military had just been extracted from the debacle at Suez, hard on the heels of defeat in Indochina, and was not yet reestablished in Algeria. Many units that had fought in Indochina were still being reconstituted after their destruction at Dien Bien Phu and the internment of their leaders in Viet Minh prisons.

In summer 1956, the FLN began a stepped-up campaign of urban terror in Algiers with bombings,



Brutal terrorist attacks like this one in Algiers prompted a policy of “fighting fire with fire” that quickly eroded government support.

Ministère de l'Algérie, Cabinet du Ministre

assassinations, and strikes, all calculated to bring the government to its knees.<sup>7</sup> By August, the terror campaign had brought chaos to Algiers. To be a government official or employee was to invite death. The Arab quarter of the Casbah, a warren of ancient buildings, alleyways, and tunnels, was under FLN control and off-limits to police, white Europeans, and Algerians loyal to France. Terrorism and vigilante attacks by loyalist settlers (pieds-noir) brought the violence to a crescendo that paralyzed the city.<sup>8</sup>

In January 1957, Algeria’s socialist governor-general, Robert Lacoste, under strong pressure from the government in Paris, decided to fight fire with fire. He ordered the French Army’s 10th Airborne Division, a crack unit led by a hard core of Indochina veterans recently returned from Suez, into Algiers with orders to end the terrorist attacks at all costs.<sup>9</sup> The 10th Division’s commander, General Jacques Massu, had full authority to maintain order in Algiers with no civilian influence or interference in the military’s operations. The Army had a free hand to do whatever was necessary to restore order. This carte-blanche authority would not be rescinded for 5 years. The transfer of absolute authority in Algiers to Massu proved to be “the death warrant of the Fourth Republic.”<sup>10</sup>

Although 10th Division soldiers called the assignment a “cop’s job,” they worked with zeal, determined to erase the ignominious memories of Suez

and Dien Bien Phu.<sup>11</sup> Ruthlessly efficient, they made scores of illegal arrests and quickly and violently ended a general strike by breaking open stores and forcing people to work at gunpoint. Through the uninhibited use of torture, “disappearances,” public beatings, and other forms of intimidation, the army quickly broke the FLN terrorist network.

By March 1957, the terrorist problem in Algiers was effectively ended.<sup>12</sup> But at what price? Although torture and murder occurred throughout the war, following the operations in Algiers, such actions became systematic and even institutionalized. From then on, with the tacit approval of the government, the French Army consistently relied on these methods in all its dealings with the FLN.<sup>13</sup> Clearly, such methods were effective. Coupled with a successful campaign in the countryside (with free-fire zones, forced resettlement, and other tactics familiar to students of the American war in Vietnam), the tactics used by the French Army rendered the FLN incapable of mounting any large-scale resistance by the end of the decade.<sup>14</sup>

The widespread, ruthless recourse to barbarity by forces that stood for “civilization” destroyed what legitimacy the French had among ethnic Algerians, and this had major political repercussions in France. By late 1957, clear evidence of torture and other government-sponsored or condoned forms of brutality and illegal behavior by the Army fed a popular outcry that grew until Charles De Gaulle was elected to the presidency in 1958, ending the Fourth Republic.<sup>15</sup> As De Gaulle was later to claim, he had every intention from the beginning of his presidency to end the war in Algeria by granting it independence.<sup>16</sup>

The groundswell of antigovernment feeling in France that destroyed the Fourth Republic can in large part be directly attributed to the unrestrained, government-condoned, illegal acts of the French Army in conducting its highly successful campaign against the FLN.

## Northern Ireland

*You are to operate as directed by the Gibraltar Police Commissioner. . . . Act at all times in accordance with the lawful instructions of the senior police officer. . . . Do not use more force than is necessary. . . . Only open fire if he/she is . . . committing an action likely to endanger lives.*

—British Ministry of Defence<sup>17</sup>

The British experience in Northern Ireland is even more complex than that of the French in Algeria. The roots of political repression, terrorism, military force, and violence in Northern Ireland are centuries old and firmly embedded in the culture.<sup>18</sup> The British Army has been fully involved in the

government’s attempts to restore order in Ulster since 1969 when the “troubles” began, primarily in a peacekeeping and counterterrorist role.

However, a major difference exists between the British Army’s status in Ulster and that of the French Army in Algeria after 1957. Since its initial involvement in Northern Ireland, the British Army has been tasked to reinforce the Royal Ulster Constabulary (RUC) and has remained under at least nominal police and civilian control throughout. After attempts at an internment policy during the early 1970s, the government realized the danger of involving the British military in running prisons and conducting interrogations. Allegations of torture still dog the army today. As a consequence, the army turns over anyone it arrests to the civilian police and does not conduct independent interrogations or operate prisons.<sup>19</sup>

Perhaps because violence in Ireland has long been a part of British life, there may exist a certain tolerance for it among the public. Even so, the British Government consistently conducts investigations and even judicial proceedings each time a soldier is involved in violence, whether fatal or not.<sup>20</sup> Even in cases of clear self-defense, or when a known terrorist or group of terrorists is caught in the act of committing violence, due process of law has been generally followed. Inquests, investigations, and trials have been conducted publicly and on the record.

A dramatic illustration of this process comes from an incident in Loughall, Northern Ireland. On 8 May 1987, acting on information provided by the RUC, British soldiers of the Special Air Service (SAS) ambushed and killed eight members of the provisional Irish Republican Army while they were attempting to detonate a bomb near the Loughall post office.

The SAS ambush came in broad daylight in the midst of a suburban area and caused two accidental civilian casualties. The outcry in the press was significant, and the resultant investigation into the incident was extensive. Detailed information, including the specific numbers of rounds fired by each soldier, their precise points of impact, and an exhaustive search into the decisions leading up to this action, were compiled and revealed at a public inquest. After due process, the soldiers involved were cleared of any wrongdoing. This action was treated with the same scrutiny one might expect each time a police officer resorts to deadly force in the execution of his duties.<sup>21</sup>

Clearly, even a cursory examination of the British record in Northern Ireland since 1969 reveals instances of illegality, brutality, and coverup, but the salient point in comparison with the French example in Algeria is that, in Ulster, the British Government and military have scrupulously adhered to the forms and functions of civilian control and maintained the

rule of law and military restraint.

Military restraint, the constant effort to hold to the rule of law in the prosecution of a protracted, complex military campaign, has been the major factor in the British Government's ability to retain legitimacy in British popular opinion, which has allowed successive administrations to continue prosecuting the war. Government forces, civilian and military, demonstrated to the public the differences separating them from terrorists. Unlike the French Army in Algiers, they did not sink to the terrorists' level of inhumanity and brutality.

### Lessons Learned

The critical importance of civilian control of the military, rigid adherence to the rule of law, and accountability of soldiers for their actions are just a few of the lessons we can draw from a comparison of these two wars. Perhaps the most important of these lessons is that in a low-intensity conflict, a key—if not *the* key—operational center of gravity and balance is domestic public opinion and the retention of legitimacy. Because of the nature of war itself, particularly in a LIC environment, soldiers and governments must remain true to legal principles and not descend into brutality. In Algiers in 1957, the French Army descended to that level, playing into the terrorists' hands and costing the government its popular man-



Soldier. UK Ministry of Defence

A soldier of the Green Howards, a "well-recruited family regiment," warily patrols the New Lodge area of Belfast, circa fall 1992.

date and, eventually, the war. The responsibility for those actions rests squarely with the Fourth Republic's civilian leaders.

In contrast, by consistently attempting to hold to a legal and fully accountable prosecution of warfare, the British Government and military in Northern Ireland have retained the public's mandate to prosecute the war and might yet see it to a successful conclusion. While such a strict adherence to the principles of law and legitimacy might considerably lengthen a campaign, the lessons of the long British experience in Northern Ireland suggest that a longer campaign might be the only way to ensure success. **MR**

### NOTES

1. Edgar O'Ballance, *The Algerian Insurrection 1954-62* (Hamden, CT: Archon Books, 1967), 143.
2. John Talbot, *The War Without a Name: France in Algeria, 1954-62* (New York: Alfred A. Knopf, 1980), 247-48.
3. J. Bowyer Bell, *The Irish Troubles, A Generation of Violence 1967-1992* (New York: St. Martin's Press, 1993), 230.
4. *Ibid.*
5. Jean-Claude Goudeau, Director-General, "Minute," on French military operations in Algiers in 1957, quoted in Tony Geraghty, *March or Die: A New History of the French Foreign Legion* (New York: Facts on File Publications, 1986), 284.
6. Paul Johnson, *Modern Times: The World from the Twenties to the Eighties* (New York: Harper & Row, 1983), 495-505.
7. Geraghty, *March or Die*, 252.
8. Alistair Home, *A Savage War of Peace, Algeria 1954-1962* (New York: The Viking Press, 1977), 183-87.
9. Geraghty, *March or Die*, chap. 2.
10. Home, 188.
11. Talbot, 85.
12. Home, 207.
13. *Ibid.*, 197-98.
14. O'Ballance, 143.
15. Home, 206-207.
16. Johnson, 503-504.
17. Excerpt from "Rules of Engagement for the Military Commander of Operation Flavius," British Ministry of Defence, 1988. Operational Flavius was a British Special Air Service counterterrorism operation in which three Irish Republican Army terrorists were shot to death. See Tony Geraghty, *Who Dares Wins: The Story of the SAS 1950-1992* (London: Warner Books, 1993), 284.
18. Alfred McClung Lee, *Terrorism in Northern Ireland* (Bayside, NY: General Hall, Inc., 1983), chap. 2.
19. Bell, 230.
20. *Ibid.*
21. Geraghty, *Who Dares Wins*, 274-78.

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