Armed Forces and Internal Missions: the European Context

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In the transatlantic spirit of the *Forte de Copacabana* Conference, this article seeks to balance the presentations in the panel "Armed Forces and Urban Peacemaking" of its 8th Annual iteration in 2011 – which are all understandably focussed on recent advances in this area in the South American context – with a perspective from Europe and, more broadly, the Northern Hemisphere. However, on the topic of urban pacification and the internal use of the armed forces, the marked divergence of experience between these regional contexts warrants setting the conceptual stage before embarking on the task of comparison. The primary difference consists of the historical context and legal underpinnings for the employment of the armed forces within a state's borders. Accordingly this condensed analysis will preface its look at the illustrative example of the Federal Republic of Germany with a brief exposition of key elements of the differences in the theory and practice of civil-military relations between the global North and, primarily, .

Put succinctly, in Western Europe today the internal use force by the regular armed forces to quell disturbances and combat organized crime as is done in Brazil and other countries of South America is politically unthinkable. Western European states lack the socioeconomic conditions that create the situations to which such forms of intervention are a response, such as widespread poverty and armed drug trafficking rooted in gaping economic disparities; the underinstitutionalization and underfunding in the civilian arena that motivates recourse to the use of the military; and, whether this be cause or effect, the legal underpinnings for such operations to take place. These

differences are best encapsulated in a short review of the dominant model of civil-military relations – or civilian/democratic control of the armed forces – in the Northern Hemisphere today, which bears significant divergences from South American historical practice.

Paradigms of civilian control over the armed forces

The study of civil-military relations grapples with the basic question of the use of force in a democratic society; in order to maintain itself and to provide basic public goods such as security to its citizens, a civilian government must maintain a standing armed force which by its very nature poses a threat to that government's own ultimate political control. This fundamental tension is eloquently summed up by Peter Feaver:

The civil-military problematique is a simple paradox: The very institution created to protect the polity is given sufficient power to become a threat to the polity. ...

The civil-military problematique is so vexing because it involves balancing two vital and potentially conflicting societal desiderata. On the one hand, the military must be strong enough to prevail in war. ... On the other hand, just as the military must protect the polity from enemies, so must it conduct its own affairs so as not to destroy or prey on the society it is intended to protect. ... Yet another concern is that a rogue military could involve the polity in wars and conflicts contrary to society's interests or expressed will. And, finally, there is a concern over the simple matter of obedience: Even if the military does not destroy society, will it obey its civilian masters, or will it use its considerable coercive power to resist civilian direction and pursue its own interests? ...

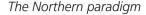
The tension between the two desiderata is inherent in any civilization, but it is especially acute in democracies, where the protectees' prerogatives are thought to trump the protectors' at every turn, where the metaphorical delegation of political authority to agents is enacted at regular intervals through the ballot box. ...

It follows that, in a democracy, the hierarchy of de jure authority favors civilians over the military, even in cases where the underlying distribution of de facto power favors the military. Regardless of how strong the military is, civilians are supposed to remain the political masters. ... In the civil-military context, this means that the military may be best able to identify the threat and the appropriate responses to that threat for a given level of risk, but only the civilian can set the level of acceptable risk for society¹.

The sophistication with which civil-military relations specialists have approached this dilemma has increased significantly over several generations of scholarship. The advent of massive standing armies in and North American in the wake of the Second World War led to the beginnings of academic preoccupation with the relationship between democratic government and its monopoly over the use of force. The seminal early work of this generation was Samuel Huntington's *The Soldier and the State*²; in it most notably develops the concepts of objective and subjective civilian control. These notions, and their basis in the assumed separation of the military and civilian political ambits into distinct and separate societal arenas, continue to be extremely influential in Northern thinking on civil-military relations half a century after their first formulation.







Put briefly, what is in the North considered the more desirable objective form of civilian control is based on the idea of military professionalism – that soldiers, in this case career officers, are experts in the wielding of force, and that civilian authorities are the holders of political legitimacy. So long as both spheres are kept separate, with the armed forces not intervening in politics and politicians not interfering in technical and corporate military issues – a satisfactory level of civilian supremacy over the use of force can be achieved. Subjective civilian control, by contrast, involves the use of the armed forces for internal, parochial political gain and risks their ultimate politicization and ultimately, the threat of military attempts to take over political power.

In this sense, internal military missions have from a very early date been considered to harbour the risk of politicising the military and weakening democratic control of the use of force and ultimately of government. As the study of civil-military relations has progressed – through landmarks such as Morris Janowitz' sociologically-grounded work on the relationship (considered by Janowitz to be in a process of convergence) between militaries and their societies³ and a later focus on institutional arrangements that accompanied a shift in focus to the specific dilemmas of postcolonial states – internal missions have remained a constant concern. Throughout various novel iterations of civil-military relations theory, such as Charles Moskos' focus on institutions and occupations⁴; Peter Feaver's principal agent theory, informed by microeconomics⁵, and Rebecca Schiff's concordance theory which lifts the necessity of a distinction between the political and military spheres⁶, the politically-oriented deployment of the armed forces within a states' borders is considered a violation of sound practice for democratic control.







Indeed the existence of these missions is taken by an influential model to be itself an indicator of deficiencies of civilian supremacy:

...different combinations of external and internal threat environments shape the military's "mission" and hence the pattern of civil-military relations. Missions can be distinguished according to whether a given military's key tasks are internal or external and whether they are limited to war-fighting or include such non-military functions as nation-building, internal security, humanitarian relief, and social-welfare provision. External military missions are the most conducive to healthy patterns of civil-military relations, whereas non-military, internal missions often engender various pathologies. ...
[t]he threat environment that a nation confronts determines in large part the military's mission and hence military subordination to civil authority. A state faced traditional, external military challenge is likely to have stable civil-military relations. ...

In contrast, if a country faces significant internal threats, the institutions of civilian authority will most likely be weak and deeply divided, making it difficult for civilians to control the military. Civilian politicians often cannot resist the temptation to bring the military into the domestic political arena....⁷

This is perhaps particularly true of those who studied the Latin American context, where military establishments have – often as function of the lack of civilian capacity – since their inception

...demonstrated a propensity to expand their missions beyond external war-fighting. Armed forces throughout the region have been involved in public works (laying roads, building dams, and constructing buildings), civic action(delivering education, health and other services to disadvantaged groups), internal policing (including antidrug and antiterrorist activities), and even economic activity (running both military-related and consumer-oriented enterprises). Democratization has pushed the issue of the military's proper role to the fore and led some governments to scale back at least the military's involvement in the arms industry.⁸

Southern experiences

All of these theories are in some way or another firmly grounded in the experience of the Northern Hemisphere, particularly the North Atlantic ambit, and share an evident common normative judgment establishing Northern paradigms of military activity as desirable while condemning patterns dominant elsewhere as deviant. Scholars of civilmilitary relations recognised early on the necessity to take into account the effects of divergent processes of institutionalization and socioeconomic and political development in global South⁹ and later in the heir states to the Soviet Empire¹⁰. In this sense the burgeoning civil-military relations literature has increasingly taken into account the divergent traditions outside the area of origin of its dominant theories. Indeed Brazil is a prominent example of these divergences, in which are rooted the differences between it and Western European states in propensity to deploy the armed forces for internal policing.





In keeping with the postcolonial experience of many states in the region, Brazil's Army played a fundamental role in the territorial consolidation of the modern Brazilian state, particularly in the remote and sparsely-populated Amazonian region. Indeed it often represented the only presence in remote areas of the country. This presence has significant psychological importance, particularly as large swathes of territory accrued to Brazil based on the legal principle of *uti possidetis*, further entrenched through by the provision – by the Army – of infrastructure such as roads, telegraph lines and hospitals.

The Army was further instrumental in bringing economic development to remote areas, particularly the Amazon¹¹. In this sense the Brazilian armed forces have always possessed a strong internal component to their mission, to which the civilian population is accustomed, which are anchored in the Constitution, and of which internal policing roles such as those exercised in the current context of urban pacification are simply another iteration. The 1988 Brazilian Constitution explicit places public safety within the purview of the country's various police forces (through the absence of mention of armed forces among agencies tasked with it), yet assigns to the Armed Forces the task of maintaining public order if called upon to do so by one of the branches of the state:

Article 142. The Armed Forces, comprised of the Navy, the Army and the Air Force, are permanent and regular national institutions, organized on the basis of hierarchy and discipline, under the supreme authority of the President of the Republic, and are intended for the defense of the Country, for the quarantee of the constitutional powers, and, on the initiative of any of these, of law and order.

. . .

Article 144. Public security, the duty of the State and the right and responsibility of all, is exercised to preserve public order and the safety of persons and property, by means of the following agencies:

- 1. federal police;
- 2. federal highway police;
- 3. federal railway police,
- 4. civil polices.
- 5. military polices and military fire brigades. 12

As will be shown below, in most Western European countries a clearer distinction is made between the internal and external ambits of armed forces' action, with civilian police forces retaining exclusivity in the maintenance of law and order internally and the armed forces possessing an external mandate with exception subject to very tight control.

Internal missions and urban pacification in Western Europe

As stated above, Western Europe generally lacks the type of political and socioeconomic conditions that create situations where it is necessary to call on the armed forces to assist overpowered police forces in the maintenance of law and order in the face of organised crime and civil unrest. Typically, it has been possible to deal with such situations through a strengthening of civilian, internal police forces; one way of characterizing this distinction is to distinguish between forces controlled by the Interior or Ministries on the one hand, and troops under the control of the Ministry of Defence on the other.







Western Europe in particular, however, has seen significant changes in its internal security landscape following the recent rise of terrorism and its blurring of the lines between domestic and international sources of threat. This has led to an increased identification of national security – usually associated with the armed forces and external armed threats – with traditional police tasks such as internal order and control of civilian movement across borders.

As a result, rather than to militarize police tasks, the response has been to define national security in such a way as to increase the role of the police and the justice system in maintaining it – such as increased migratory controls, and limitations of civil rights such as preventive detention as an antiterrorist measure. What is perceived as the ensuing merging of police and military logics – and the emergence of increased applicability of military tools to threats of civilian origin, leading to a diminution of civil rights – has been sharply criticized, including by scholars, particularly in France¹³.

Alongside the armed forces' burgeoning role in combatting terrorism, most Western European constitutions, while restricting militaries' internal tasks, permit MoD-controlled forces to act in a secondary role to strengthen civilian agencies' capacities in emergency situations. These internal missions, however, are not based in a tradition of internal deployment and never involve the use of armed force directly by the military in a domestic setting.

Empirically, alongside the growing convergence of police and military anti-terrorism tasks, European armed forces' internal missions are limited to assistance in the case of natural disasters, maritime search-and-rescue, and increasingly in security and logistics efforts surrounding large sporting events and political summits. These missions are carried out – similarly to Brazil, although their secondary and exceptional nature is more clearly stated – only at the explicit behest of civilian authorities. The following section will provide examples from four national contexts: Germany, Great Britain, France and Italy.

It should be noted that there is a difference between manners of dividing the internal and external forms of the state monopoly on force in the Germanic and Mediterranean ambits. The less rigid conceptual separation in practice between police and military roles in South America reflects a colonization process rooted in Iberian patterns; constabulary forces – a *via media* straddling what has, in the United States, come to be summed up in the distinction established by the Posse Comitatus Act¹⁴ – are common in Southern Europe and largely absent in the continent's North. These include Italy's *Carabinieri*, the Spanish *Guardia Civil*, the *Guardia Nacional Republicana* in Portugal, and in France the *Gendarmerie*. Though all of these forces have internal law and order as their primary mission, all are military character and subjected to varying degrees of control by their nations' respective Ministries of Defence.







Germany

Due to the legacies left by the Second World War and the Holocaust, the use of force by the government of the Federal Republic of Germany is regulated very strictly¹⁵, and oversight is placed firmly in the hands of the legislative branch. ¹⁶ The deployment of the *Bundeswehr* (Federal Armed Forces) is regulated by two paragraphs of the Constitution, which place strict limits on the circumstances of internal use, calling for extreme circumstances and the exhaustion of all civilian resources beforehand:

Article 35

[Legal and administrative assistance and assistance during disasters]

the Armed Forces, or of the Federal Border Police.

- (1) All federal and Land authorities shall render legal and administrative assistance to one another. (2) In order to maintain or restore public security or order, a Land in particularly serious cases may call upon personnel and facilities of the Federal Border Police to assist its police when without such assistance the police could not fulfil their responsibilities, or could do so only with great difficulty. In order to respond to a grave accident or a natural disaster, a Land may call for the assistance of police forces of other Länder or of personnel and facilities of other administrative authorities, of
- (3) If the natural disaster or accident endangers the territory of more than one Land, the Federal Government, insofar as is necessary to combat the danger, may instruct the Land governments to place police forces at the disposal of other Länder, and may deploy units of the Federal Border Police or the Armed Forces to support the police. Measures taken by the Federal Government pursuant to the first sentence of this paragraph shall be rescinded at any time at the demand of the Bundesrat, and in any event as soon as the danger is removed.¹⁷

. . .





Article 87a

[Armed Forces]

- (1) The Federation shall establish Armed Forces for purposes of defence. Their numerical strength and general organisational structure must be shown in the budget.
- (2) Apart from defence, the Armed Forces may be employed only to the extent expressly permitted by this Basic Law.
- (3) During a state of defence or a state of tension the Armed Forces shall have the power to protect civilian property and to perform traffic control functions to the extent necessary to accomplish their defence mission. Moreover, during a state of defence or a state of tension, the Armed Forces may also be authorised to support police measures for the protection of civilian property; in this event the Armed Forces shall cooperate with the competent authorities.
- (4) In order to avert an imminent danger to the existence or free democratic basic order of the Federation or of a Land, the Federal Government, if the conditions referred to in paragraph (2) of Article 91 obtain and the police forces and the Federal Border Police prove inadequate, may employ the Armed Forces to support the police and the Federal Border Police in protecting civilian property and in combating organised armed insurgents. Any such employment of the Armed Forces shall be discontinued if the Bundestag or the Bundesrat so demands.¹⁸

As a result of this strict regulation, and of the absence of the need for extensive urban pacification in Germany's context of high development and federalist decentralization, instances of the internal deployment of the Bundeswehr have been rare. Indeed the German experience is somewhat indicative of Western European experience overall in a number of ways: first, urban pacification in the sense the termed is used in South America, implying the use of force against its own citizens, is absent; second, when used internally, the armed forces have been used - under the rubric of mutual aid (technische Amtshilfe) – to bolster the capacities of civilian agencies in times of exception such as natural catastrophes and the provision of security for large events; and finally, beginning with the advent of left-wing terrorism in the 1960s and 1970s and receiving a substantial boost after the September 11th attacks, the armed forces have collaborated with civilian authorities in efforts to counter terrorism. It is important to note that where responses to such phenomena have taken place, this response has typically come in the form of strengthening civilian police capacity, rather than increasing military participation. As can be expected, the evolution of this pattern has been highly dependent on reaction to specific events.

The German armed forces have an extensive tradition of placing their capacities at the disposal of civilian agencies in times of natural catastrophe. Perhaps the first example of this was the North Sea flood of 1962, which inundated large parts of Hamburg, Germany's second-largest city. The city's interior minister, Helmut Schmidt – who would later become Federal Chancellor – assigned the *Bundeswehr* a role in controlling the floods based on personal contacts rather than official legitimation. Controversial at the time, this later became standard practice based on Article 35 of the Basic Law and was repeated, for example, in the 1997 flood of the Oder River and a number of other natural disasters.¹⁹





The kidnapping and killing of 12 Israeli athletes at the 1972 Olympic games in Munich laid combined the hosting of a large international event with a concrete terrorist threat on German soil, and laid bare severe shortcomings in the country's ability to handle these situations. Partially in an attempt to cast off associations of the past, German authorities were reluctant to use force, and not overly adept at doing so. Additionally, the efficacy of the response was hampered by a federal system which placed oversight of the response measures with local and state (Land) officials. Here, it is important to note divergences in response to South American experience: the bungling of the response to the Munich attack led to the creation, within two months, of the Federal Border Police's GSG-9 unit, today considered among the world's best. Rather than delegating response to the military hierarchy, there was a significant increase in civilian firepower and professionalism, as well as an adjustment of federalism to allow for national co-ordination. Co-ordination on terrorism would increase further in response to the 2001 World Trade Center bombings, including the fusion of civilian and military operational and intelligence resources, under civilian command, in the Joint Terror Defence Center (Gemeinsames Terrorismusabwehrzentrum - GTAZ), founded in December 2004 to coordinate the activities of over 40 security agencies with mandates ranging from police to military intelligence to border control.

In more recent years the Armed Forces have been called upon to participate in security measures for large events, most prominently the 2007 G8 summit in Heiligendamm, where tens of thousands of protesters had gathered, and the 2006 FIFA World Cup. Post-9/11 calls by mostly conservative politicians to legally formalize internal military deployments of this nature met with strong resistance and were abandoned in favor of strengthening civilian capacities.²⁰







Great Britain

Germany's experience is quite similar to that of other Western European states. Alongside major similarities one significant difference to date has been in the area of immigration, which has received more attention as a security issue in Great Britain and France due to more concentrated immigrant backgrounds. The British armed forces are very rarely used internally, mostly for disaster relief²¹. One exception has been the extensive involvement of the UK military in security preparation for the 2012 London Olympics, where uniformed personnel have taken on a crucial role and a high degree of public visibility in what has been dubbed Exercise Olympic Guardian.²² The Armed Forces also played a part in responses – both immediate and in terms of protective policy – to the London bombings of 7 July 2005; however, once again these roles have not involved the use of force against British citizens or residents as a matter of policy. In this sense British policy has been particularly marked by the events termed Bloody Sunday. On 30 January 1972, 26 protesters at a march in Northern Ireland, were shot by members of the British Army's Parachute Regiment, deployed in assistance to the Royal Ulster Constabulary; 13 were killed. This event led to a number of inquiries and to a re-thinking of both the UK government's Northern Ireland policy and patterns of military deployment to that province.

France

France has since the end of World War II constituted a specific situation in Europe in terms of defence policy. During this Cold War, the armed forces' defensive focus was not territorial and on the USSR, but rather on the internal Communist threat. In the 1950s and 1960s it was drawn further away from the practice of other states by the situation in Algeria. A reorientation of military missions followed the failure to prevent Algerian independence; they would subsequently coincide more closely with NATO orientations, with the nuclear *force de frappe* also contributing to establishing a predominantly external focus.

The French experience is particularly interesting for Brazilian analysts in that theories first brought to Brazil in French texts and by French specialists (based largely on experience in Algeria and Indochina) provided the basis for the *Escola Superior de Guerra* to develop its internally-oriented *Doutrina de Segurança Nacional* during the same period. This doctrine laid the groundwork for moving away from what had previously been a more objective model of military professionalism with more external missions, albeit always with a strong component of internal developmentalism. But the internal missions made ponderable by the military doctrine, which also took on a strong American counterinsurgency mould later on, would increasingly give shape to the internal activities of the Brazilian armed forces. Indicatively, the National Security Doctrines used in Latin America and based on US and French concepts are considered by many Northern theorists to be prime examples of internal missions leading to increasing political involvement, clashes with the government and the population, and later to coups, particularly in the Southern Cone. In more recent years the French armed forces have increasingly been called upon to perform internal counterterrorism functions, including through measures such as the *Plan Vigipirate*,





instituted in 1978 and intensified significantly throughout the last decade.²³ In this sense, France is somewhat of an exception, albeit one heavily criticized by civil society and the political opposition.

In terms of the rest of Europe, it should be noted that increasingly the acceptance of the predominant Northern paradigm is considered a key indicator of progress in civil-military relations and value diffusion in states in Eastern Europe who have joined NATO as they internalize norms of liberal democratic control.

Concluding thoughts

In observing militaries' internal roles in Europe, it is important to consider the larger context. Many European militaries lost their main mission after the end of the Cold War, and subsequently began to search for a new objective. Rather than turning inwards, most European militaries have been transformed into expeditionary forces with an eye to participating in peace operations, with an internal role never really constituting a viable moral or political option. Ironically, then, where European soldiers do train for urban combat, crowd control and crimefighting, they do so with a view to deploying *outside* their own countries. Counterterrorism has emerged as a lesser component of the new mission after 9/11, but as mentioned this largely has been carried out with the framework of the policy primacy of civilian law enforcement.

In general, however, one sees the Armed Forces not being used extensively in the UK after the 2005 bombings, not being used to quell rioting and looting in 2011; in France the riots in the suburbs in 2005 and 2008 were handled by the CRS and the Gendarmerie; in Spain ETA is largely confronted by the constabulary Guardia Civil. Italy constitutes somewhat of an exception, which proves the rule that the need for internal missions correlates to the urgency of the challenge to state authority. Here when the Mafia is combatted by the Carabinieri, the Guardia di Finanza and other police agencies, there is typically extensive help, but only in a subsidiary way, from the Army and even the Naval Infantry.

A look at specific examples shows that the traditionally externally oriented armed forces are not being used for internal missions. We see a very different situation all around from Latin America and Brazil; while the level of organized crime being confronted is much higher in the global South, conversely the level of perceived terrorist threat being faced in Europe is much more alarming. In short we see that differences predominate with respect to the armed forces' internal roles in South America and Europe, especially as they relate to the use of force inherent in urban pacification.









Notes

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- 8 Larry Diamond and Marc F. Plattner. "Introduction". In Diamond and Plattner,pp. ix-xvii. Here, p. xv.
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- 11 See, for example Hunter.
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- Mathieu Rigouste, "L'ennemi intérieur, de la guerre coloniale au contrôle sécuritaire". Cultures & Conflits. No. 67 (2007); pp. 157-174.







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- See, for example, Thomas U. Berger. Cultures of Antimilitarism: National Security in Germany and Japan. Baltimore: The Johns Hopkins University Press, 1998; and Maja Zehfuss, Wounds of Memory: The Politics of War in Germany. Cambridge: Cambridge University Press, 2007.
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- ¹⁹ It is important to note as well that the Bundeswehr has been deployed over 150 times abroad on humanitarian assistance missions—an occurrence therefore much more common than its deployment within Germany's borders. On both internal and external deployments, see Bernhard Chiari and Magnus Pahl, eds. Wegweiser zur Geschichte: Auslandseinsätze der Bundeswehr. München: Ferdinand Schöningh, 2010.
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