

Irish Neutrality

What are the Costs and Benefits of Ireland's Policy of Neutrality?

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ABSTRACT

Irish Neutrality – What are the Costs and Benefits of Ireland’s Policy of Neutrality?

Irish Neutrality is a policy that has evolved since the foundation of the State. The exposure to major conflicts since statehood was achieved by Ireland has been relatively limited. Ireland’s policy of neutrality has been essentially a pragmatic policy and in Irish terms successful as a neutral stance has assisted in affirming sovereignty for Ireland as an independent nation. The Irish people have cherished neutrality as a concept. Neutrality has become a symbol of Irish identity and has assisted in keeping Ireland out of war. With the fall of the Berlin Wall, changing World Order, increased European integration, freer movements of populations, new terrorists threats, proliferation of weapons of mass destruction, the time has come for neutral states to question whether a neutral stance is the most appropriate option to follow in the 21st century. My research explores Irish Neutrality, investigating initially definitions and obligations associated with neutrality, and examining the concept of Irish Neutrality from a historical perspective to assess its credibility and compatibility with membership of international organizations. The study further attempts to analyse the costs and benefits to Ireland of a neutral policy to ascertain if such a policy is the most appropriate for Ireland to follow. My research is important as Ireland, a country that values its contributions to UN membership, deploys its armed forces on more robust UN missions, becomes a more established member of the EU and participates more effectively in PfP structures. While neutrality is referred to extensively by Irish politicians, it is not enshrined in the Irish Constitution and although it is a flexible and pragmatic policy, it is actually not a very tangible entity. To pursue a policy of neutrality implies the application of impartiality towards all belligerents in a conflict. Ireland has joined PfP which some Irish people see a stepping-stone to NATO membership. With increased participation in PfP mechanisms and improved interoperability between the Defence Forces and NATO members, there is a possibility that Irish Neutrality could be compromised. Relying on extensive text analysis and interviews with key informants of Irish Neutrality, my final analysis concludes that there has been limited debate on this subject and what is required is enlightened debate in order to assess its appropriateness for Ireland as European integration and expansion continues.

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ABBREVIATIONS

Comdt	Commandant
EEC	European Economic Community
EU	European Union
Lt Col	Lieutenant Colonel
Lt Gen	Lieutenant General
MEP	Member European Parliament
NATO	North Atlantic Treaty Organisation
PANA	Peace and Neutrality Alliance
PfP	Partnership for Peace
RAF	Royal Air Force
Retd	Retired
TD	Teachta Dála
UCC	University College Cork
UN	United Nations
UNTSO	United Nations Truce Supervision Organisation
WW2	World War Two

CHAPTER 1

ESTABLISHING THE QUESTION

1.1 Introduction

Eire...sees her neutrality as positive, not merely negative. She has invested her self-respect in it. It is typical of her intense and narrow view of herself that she cannot see that her attitude must appear to England an affair of blindness, egotism, escapism or sheer funk. (Bowen, 1940; cited by Fisk, 1983:408)

Since statehood Ireland has aspired to the concept of neutrality, however Irish Neutrality is difficult to define. A neutral stance during WW2 assisted in ensuring that Ireland was spared the major ravages of this period. Following the end of the Cold War period, Irish foreign policy has evolved rapidly. The impacts of European foreign and security policies on Irish neutrality are sensitive issues in Ireland. In recent times, the subject of Irish Neutrality has been a matter for public debate and interest. Some Irish people believe that participation in PfP¹ is a stepping-stone to full participation in NATO.² Participation in NATO would ultimately involve Ireland in a military alliance thus formally ending all aspirations to neutrality. Ireland's Minister for Foreign Affairs, Mr Brian Cowen has stated:

It has never been the case that neutrality involves isolationism or that we are indifferent to the affairs of the world. It involves military neutrality. We've never been politically neutral. (Holland, 2003:12)

My initial impression of this statement was that it evoked ambiguity and lacked clarity as to how Ireland approaches the concept of neutrality in international affairs. Hakovirta, (1988) outlines that it seems obvious that a modest degree of clarity is a necessary precondition for a viable institution of neutrality. "This is so because without a modicum of clarity high degrees of credibility, acceptability, and respectability cannot be achieved" (Hakovirta, 1988:257).

I was serving in Middle East with UNTSO³ when the provision of refueling facilities at Shannon Airport to American military forces commenced in 2003. Providing refueling facilities and compatibility with neutrality ignited an interest in me to analyse Irish Neutrality.

¹ Partnership for Peace

² North Atlantic Treaty Organisation

³ United Nations Truce Supervision Organisation

1.2 Aim

My aim is to explore Irish Neutrality, examine the costs and benefits of a neutral policy and assess whether a neutral policy is an appropriate option for Ireland to follow. My study is relevant because it is important that Irish Neutrality be fully analysed with clarification provided to remove ambiguity so that the Defence Forces have clear direction as it participates in European Security mechanisms and UN missions. My research is especially significant for leadership and management of the Defence Forces with the advent of more robust UN Peacekeeping missions along with EU expansion and greater European Defence and Security integration. My intention will be to analyse the meaning of neutrality in an attempt to ascertain what neutrality means to Ireland. This will be followed by an examination of the emergence of Irish Neutrality, a focus on the credibility of Irish Neutrality and an assessment of the implications of a neutral policy on Ireland's participation in regional and international organisations. My approach will be to provide a framework to evaluate Ireland's neutral policy whereupon a comparison of Ireland's neutral position with selected other European neutrals would be facilitated. My analysis of Irish Neutrality will provide a basis to evaluate the costs and benefits of a neutral policy which will assist in judging whether a neutral policy is appropriate for Ireland to follow in the 21st Century. I believe that a cost benefit analysis of Irish Neutrality has not been undertaken leaving a gap of knowledge in this area. Thus I have established my question: What are the Costs and Benefits of Ireland's Policy of Neutrality?

1.3 Methodology Preview

In order to conduct a thorough examination of Irish Neutrality I carried out an exhaustive search of literature related to this subject. This included examining texts, newspaper articles and Internet sources relating to Irish Neutrality and neutrality as practiced by other European States. In addition I carried out semi-structured interviews with key informants of Irish Neutrality, related the information forwarded by the informants to my text review, analysed my findings and concluded. A detailed summary of my methodology is provided in Chapter 3.

CHAPTER 2

TRACING IRISH NEUTRALITY THROUGH LITERATURE

2.1 The Meaning of Neutrality.

Defining neutrality along with precise duties and obligations that a neutral state must adhere to is difficult. Fitzgerald, (1998:18) puts it simply by concluding that “Irish neutrality does not conform to the classic definitions of neutrality,” outlining that neutrality represented an assertion of sovereignty and a powerful uniting force for the Irish population. There are numerous similarities in what writers outline as definitions of neutrality. According to Salmon, (1989), “The essence of neutrality is a deliberate, conscious policy of impartial abstention during a war or armed conflict with concomitant rights and duties, together with an intention to resist violations of those rights and duties by armed resistance if necessary,” (Salmon, 1989:27). Keatinge, (1984) is more specific suggesting that the meaning of neutrality is not being involved in wars between other states, a condition that has strict legal basis in the Fifth and Thirteenth Hague Conventions of 1907⁴. As a legal status neutrality involves the right to respect for the neutral country’s integrity from the belligerent states, while in return certain obligations must be fulfilled. Keatinge suggests that the primary neutrality duties are based on three general principles:

- The use of national territory must be denied, by force if necessary, to all belligerents by the state,
 - No support must be given to belligerents by the state, although normal trade may continue,
 - The rules of neutrality under international law must be applied impartially.
- (Keatinge, 1984:3)

Salmon, (1989:16) also contends that “neutrals must prevent belligerents, even by means of physical resistance and fighting, from making use of their territory or their resources for military purposes during the war”. Thus a declaration of neutrality, he contends, is not enough. The neutral state must demonstrate a willingness to uphold that condition. This stand has obvious implications for the credibility of Irish Neutrality which I will examine in due course. Hakovirta, (1988:14) outlines “originally neutrality meant abstention in the

⁴ Conventions respecting the rights and duties of neutral Powers and Persons in case of war on land. The Hague, 18 October 1907.

sense of non-participation in wars waged by other states". From the eighteenth century onwards, Hakovirta (1988) outlines that the original idea of neutrality as non-participation in war was gradually complemented by the concept of impartiality, meaning equal treatment of belligerents.

The question of neutrality only applying in time of war as posited by Doherty (2002) and not explicitly outlined by the other writers is debatable. She explains that the laws of neutrality only apply in time of war. In peacetime, law regulates only the conduct of those states that are neutral as a result of an international Treaty. She distinguishes those states that are neutral by law, neutralised states and those states that are neutral by convention i.e. Austria and Switzerland⁵. States whose neutrality does not have a basis in law include Sweden, Finland and Ireland. Doherty, (2002:13) further outlines that "for Ireland neutrality effectively began with the Second World War and has been maintained since in the absence of any strategic necessity". Drawing these definitions together, the basic concepts of neutrality are impartiality, no support to be provided to belligerents and a State's inherent duty of defending neutrality if it is to be considered neutral and in a position to benefit from a neutral stance.

2.2 Emergence of Irish Neutrality and its consequences during WW2.

The terms of the 1921 Anglo-Irish Treaty made a credible policy of neutrality impossible due to the conditions it placed on the Irish Free State's defence policy and status.⁶ There is no explicit reference to neutrality in Bunreacht na hÉireann (Irish Constitution) of 1937. Salmon, (1989:86) contends that in the first meeting of the Dáil on 21 January 1919 "the real concern was, and has remained, independence, not the question of alliance or neutrality". "Historically, anti-imperialistic attitudes underpinned the labyrinthine neutrality aspirations inherent in traditional Irish nationalism", (Duggan, 1996:17). It has been argued by (Doherty, 2002:17) "Irish Neutrality is not so much principled neutrality as unprincipled non-belligerency". The commitment to a doctrine of neutrality is questioned by Fanning who contends:

⁵ The 1955 Austrian State Treaty and its constitution bind Austria to neutrality. Switzerland received its neutrality through the Peace of Westphalia (1640).

⁶ Facilities were ceded to Britain in the form of three ports, Cobh, Berehaven and Lough Swilly. British control of the ports was coupled with restrictions in the size of the army, (Doherty, 2002:30).

Neither de Valera nor his colleagues of the revolutionary period were ideologically committed to any theory or doctrine of neutrality. The Irish commitment was to the ideology of independence, whether in the shape of Collins' 'freedom to achieve freedom' or of de Valera's Republic. (Fanning, 1982:121)

Doherty, (2002:30) explains "the emergence of Irish Neutrality was intricately bound up with Ireland's relationship with Britain and contingent Irish aspirations for independence and unity".

In presenting the 1938 Anglo Irish Agreement to the Dail, Keatinge, (1984: 16) states that "De Valera emphasized the achievement of sovereignty rather than neutrality, implying that neutrality was an instrumental objective rather than a primary purpose in his policy". Ireland did not adopt an excessively legalistic view of neutrality because the preservation of neutrality required that Ireland adopt a "benevolent attitude towards Britain", (Doherty, 2002:34). This is also posited by (Fitzgerald, 1997:13) who contends that it is debatable whether Ireland can be correctly described as having being neutral due to the scale of assistance given secretly to Britain being scarcely "compatible with the concept of neutrality under international law".⁷ Drawing from these authors it can be seen that Ireland was principally concerned with independence, sovereignty, anti-imperialism as opposed to neutrality during WW2.

O'Halpin, (1999) presents the controversial F.S.L Lyons passage that the consequence of Irish Neutrality during the period was:

Her almost total isolation from the rest of mankind... It was as if an entire people had been condemned to live in Plato's cave, with their backs to the fire of life and deriving their only knowledge of what went on outside from the flickering shadows thrown on the wall before their eyes by the men and women who passed to and fro behind them. When after six years they emerged, dazzled, from the cave into the light of day, it was to a new and vastly different world. (O'Halpin, 1999:254)

O'Halpin, (1999) states that this now seems at once an overstatement and an underestimate of the impact of neutrality on the state and its people, that the physical benefits of successful neutrality were enormous but neutrality undoubtedly soured Anglo-Irish relations, and widened the psychological gulf between de Valera's Ireland and Unionist Ulster. He feels that in setting out to stay neutral, Ireland did no more than what almost every other small state sought to do. Fisk, (1983) posits that it was inevitable that in

⁷ Fitzgerald quotes a British War Cabinet memorandum in February 1945 outlining ten (10) cooperation arrangements between Ireland and Britain.

wartime Irish neutrality would be perceived on both sides of the Irish Sea as essentially anti-British. O'Halpin, (1999:256) tells us that:

A combination of circumstances, including geography, diplomatic adroitness, the running sore of partition, covert security co-operation and British restraint, meant that Irish neutrality proved not only domestically popular but extremely sustainable.

However popular on the domestic front, it is Fisk, (1983) who provides us with an account of the one politician, James Dillon⁸, who vehemently opposed Irish neutrality in WW2, arguing from a moral and religious standpoint rather than political reasons that Ireland should abandon neutrality and that the Allies should be openly supported for their sacrifices against the inhuman deeds of Nazi atrocities. A cost of Irish Neutrality in Dillon's view would be the unfavourable comments towards Ireland from Britain and the United States, both countries of tremendous importance to Ireland economically and politically. Such comments were bound to have an impact economically when the war ended.

Another issue concerning Irish Neutrality during WW2 was the subject of partition. As Patterson, (2002:63) explains:

Neutrality encouraged the most self satisfied and parochial elements of Irish society and would pose a major problem of adjustment when the state wished to reintegrate itself into the wider world when the war ended. It also deepened the division on the island and made the ending of partition even more unlikely than it appeared in 1939.

The then Taoiseach Eamon DeValera addressed the Dáil in May 1939

We believe that no other position would be accepted by the majority of our people as long as the present position [partition] exists, (Murphy, 1975:100).

Doherty, (2002:33) tells us "partition was cited by the Irish throughout the war to counteract criticism of neutrality". The implementation of neutrality was by no means simple, according to Keatinge, (1984), neither was the motivation behind it. For DeValera, the exercise of sovereignty was its primary justification, contending "it was the linkage between neutrality and the partition issue which proved to be the persistent theme of Anglo-Irish relations during the war " (Keatinge, 1984:18). This would lead one to believe that partition was an overriding issue for Ireland's neutral stance during WW2. The question arises did we leave ourselves out on an unnecessary limb because of partition?

⁸ James Dillon Fine Gael T.D. who adopted a singular stance on Irish Neutrality during the Second World War years, calling on the country to support the Allies against the Nazis' threat to democracy, ultimately resigning from the Fine Gael party on this issue.

It is Doherty's, (2002) suggestion that we did and that in the immediate aftermath of the war, neutrality was viewed as a coward's way of avoiding one's obligations and this coloured attitudes towards Ireland.⁹ Irish Neutrality during WW2 became associated with an increasingly isolationist foreign policy as Keatinge presents the quote " Ireland slept behind a 'Green Cutrain ... Thought-proof, World-proof, Life-proof' " (Keatinge, 1984:20). However, the success of Irish Neutrality during WW2 should not be underestimated as more than any other event since independence, neutrality put a stamp on the State and underlined its homogeneity as Murphy, (1975) contends:

The success of the policy not only saved the country from the ravages of war, it did much to emphasise the consciousness of sovereignty, renew a sense of national confidence, heal the wounds of the Civil War through a common dedication to a national purpose and at the same time, paradoxically, sublimate anti-British hostility (Murphy, 1975:107).

Whatever the debate, the real cost of Irish Neutrality during WW2 was delayed entry to the United Nations. Doherty (2002) contends that the opposition presented to Irish applications for United Nations membership after WW2, a factor that led to considerable diplomatic isolation up until 1955 when Ireland eventually gained membership was a result of Ireland's neutral stance. Keatinge, (1978) highlights that Irish applications for membership of the United Nations was denied to Ireland because of the Soviet Union's opposition, ostensibly because of Irish Neutrality¹⁰.

2.3 Credibility of Irish Neutrality.

The greater the credibility of a State's neutrality, the more likely it is that it will be respected. As explained by Hakovirta (1988) the credibility of Irish Neutrality is questionable:

The overall credibility of Ireland's neutrality is by any normal standards low, but that has not prevented it from gaining respect by outstanding contributions to UN peacekeeping and thought provoking regional peace designs. Ireland has to some extent been able to accommodate itself to the problem of credibility by introducing its own, particularly narrow, criteria of neutrality (Hakovirta, 1988:35).

⁹ 'Let not too fine a point be put upon it. The neutrality of Southern Ireland in the 1939-1945 war was a disgrace to the Irish name, a sheltering behind the backs of better and braver men.' Riddel, P (1970), *Fire over Ulster*, London, Hamish Hamilton, pp 87-88.

¹⁰ The Soviet Union vetoed Ireland's admission to the United Nations on four occasions between 1946-1955.

Hakovirta further argues that by constantly maintaining their distance from the alliances, the neutrals have contributed to the credibility, acceptability and respectability of European neutrality. The conventional external view of Irish defence policy is that “implicitly Ireland relies upon the armed forces of the West for its security, and thus maintains armed forces totally inadequate for effective self defence” (Keatinge, 1984:74). In purely military terms, Irish Neutrality lacks credibility. Salmon suggests that:

Ireland has consistently failed to measure up to the principal requisites ‘of’ and ‘for’ neutrality. There has been ‘no set of common principles’ underlying defence policy. Despite the shibboleth of neutrality, and the claims of the Irish themselves, Ireland has never been truly neutral, (Salmon, 1989:309).

A specific internal condition of successful neutrality that is posited by nearly all writers is the existence of a credible national defence policy. Ireland’s position in this area is limited. Keatinge, (1984) reminds us that a retired Chief of Staff of the Defence Forces claimed in 1982 that the existing level of defence resources was inadequate for the defence of neutrality, that Ireland depends on the armed forces of the West for its security and maintains a Defence Forces totally inadequate for Ireland’s self defence. Keatinge, (1984) contends that Irish Defence expenditure and manpower is low by Western European standards, concluding that Ireland is not effectively armed to defend its neutrality.

Both (Salmon, 1989:251) and (Keatinge, 1984:73) recount Mr. Noel Dorr ¹¹ where he admitted,

We are small, militarily insignificant...and have acknowledged our own vulnerability. Our armed forces are about the same size, and serve the same peacekeeping and other purposes, as those which every country would be allowed to maintain in a disarmed world. ¹²

Salmon, (1989:310) offers, “ the equation of ‘military neutrality’ with neutrality per se is singularly in appropriate in the Irish case, because of its totally inadequate, unilateral defensive measures and effort”. The point emerging is that due to limited expenditure and no perceived or obvious threat, Ireland does not satisfy the basic requirement to have a credible Defence Force, one of the obligations of a neutral policy being the need to provide for an effective armed forces to defend a neutral stance.

¹¹ Irish Permanent Representative at the United Nations.

¹² Statement on Disarmament 02 November 1982 in the United Nations General Assembly’s First Committee.

2.4 Irish Neutrality - UN/EEC/EU/PfP Membership.

The compatibility of Ireland's membership of these organisations and being neutral is a matter for examination, and discussion. Keatinge, (1984) states that the main emphasis in Ireland's 'peace policy' involves UN peacekeeping operations, an activity in which Ireland has been almost continuously engaged since the 1950's. This task is likewise characteristic of the foreign policies of the other neutrals. Keatinge, (1984:51) further explains that:

A policy of 'active neutrality' necessarily involves the neutral country to some degree in major diplomatic issues, thus facing it with the prospect of incurring the wrath of potential belligerents or members of military blocs.

Membership of the UN was an opportunity to recover the standing Ireland once had in the League of Nations¹³ which had been destroyed by neutrality during WW2. Duggan outlines:

That Ireland by the War's end sensed the importance for the future to a small weak country of justice and order in international life. Only an effective international organization such as the UN could achieve this. This is why this country opted in to the UN and out of NATO", (Duggan, 1996:23).

UN Membership is explained by Doherty, (2002) as the cornerstone of Irish foreign policy with Ireland's peacekeeping tradition displaying commitment to both the UN and the cause of world peace. Duggan (1996) contends that joining the UN and subscribing to the concept of collective security was a move away from the illusion that Ireland's military neutrality equated to the absolute neutrality of countries like Sweden and Switzerland.

The basic principles of Ireland's UN policy, on entry in 1955, as enunciated by the Minister for External Affairs, Liam Cosgrave included the aim:

'...to avoid becoming associated with particular blocs or groups as far as possible' and the aim 'to preserve the Christian civilization of which we are a part and with that end in view to support wherever possible those powers principally responsible for the defence of the free world in their resistance to the spread of Communist power and influence' (Keatinge, 1984:22).

It has been suggested that Ireland abandoned its aspirations to neutrality by joining the EEC. Keatinge, (1984:45) states that Ireland "definitely parted company" with the other neutrals by seeking full EEC membership in 1961 and joining in 1973. Ireland accepted the

¹³ The Irish Free State was admitted to the League of Nations on 11 July 1924.

political responsibilities of EEC membership with only some economic reservations. Hakovirta, (1988) points out that Ireland actively supported the building of a politically united Europe and that the question of neutrality was never put forward as an argument by Ireland when applying to join the EEC apart from the intention to stay out of military alliances.

There is no doubt that joining the EEC set Ireland apart from other neutrals but has membership of the EEC diluted the concept of Irish Neutrality? A high watermark concerning the position of Irish Neutrality post WW2 was presented by Taoiseach Sean Lemass in 1961 when he stated:

We recognize that a military commitment will be an inevitable consequence of our joining the Common Market and ultimately we would be prepared to yield even the technical label of neutrality, we are prepared to go into this integrated Europe without any reservations as to how far this will take us in the field of foreign policy and defence (Hakovirta, 1988:132).

Lemass's successor, Jack Lynch took the same approach when he declared in 1969 " we have never been ideologically neutral" and when he reiterated Ireland's interest "in the defence of the territories embraced by the European Communities"(Fanning, 1983:43).

Membership of the European Community is outlined by (Duggan, 1996:27) as challenging our 'traditional neutrality'. He quotes Minister for External Affairs (Mr Patrick Hillery) who stated:

"While Ireland remained neutral during World War 2 we have never adopted a permanent policy in the doctrinaire or ideological sense". Joining the EEC presented Ireland with three sets of problems concerning neutrality.

- Whether a neutral country could join anything other than a universal organisation such as the UN,
- To what extent could the EEC be regarded as a regional organisation free of military purposes?
- The problem presented by the development of the European Political Cooperation process, (Sharp, 1999:205).

Irish government attitudes refuted these problems as Sharp, (1999) outlines that Ireland rejected the argument that membership of the EEC was inconsistent with the principles of neutrality establishing that neutrality viewed as such would be impractical as Ireland could not avoid dealing with countries on issues that might have some military implications. In

addition if the UN was the only organization that Ireland could join, this could imply a moral isolationism which would not accord with fundamental Irish values.

Ireland joined PfP in 1999 whereupon Ireland and other non-NATO members are free to decide on a case-by-case basis whether they will participate in a particular PfP activity. Doherty, (2002:198) states that the new world order “has challenged Ireland to become involved in peacekeeping in Europe and this has meant considering relations with NATO through PfP”. She contends that those opposed to Irish membership of PfP claimed that the treaty marked a further step in the steady erosion of neutrality and that it strengthened the EU’s links with nuclear weapons based groups. An erosion of Ireland’s middle power standing by joining PfP is also suggested by (Murphy, 2002:34) and may make “forging and maintaining other global links more difficult.” The objectives of PfP contain a substantial focus on peace keeping and this is attractive to all neutral states. The deficiencies in the UN have resulted in regional organizations such as NATO/PfP stepping in to fill the breach with implications of these developments for Ireland’s participation in peacekeeping which could affect Irish Neutrality. Through PfP, NATO can bring together the countries of Eastern Europe and the European neutrals that all have considerable peacekeeping experience. “PfP includes most of the other neutral Europeans, and former Warsaw Pact members,” (Murphy, 2002:34). PfP can be viewed as a model of cooperation, which helps to provide regional support for UN peace support efforts. Doherty, (2002:221) states that the government advocated membership for a number of reasons:

- Participation in PfP does not entail alliance commitments,
- The importance of the PfP for peacekeeping particularly in Europe and
- The benefits to be gained by the Defence Forces.

Doherty, (2002:222) explains that in Ireland the debate on PfP and Ireland’s delay in joining the organization displayed “the constraints placed on Ireland by neutrality as conceived by a small vocal minority.” Doherty, (2002:248) also contends, “Ireland is part of a wider club of nations and cannot be isolated from what goes on outside the frontiers of the state”. There has been a failure of political parties to tackle the neutrality issue and explain the significance of European security developments for Ireland to the public who

have at best a very vague conception of neutrality. Politicians have been discouraged by the small but emotive nature of the debate on neutrality and by public support for neutrality. There should be more public debate on the costs and benefits of a neutral policy. Doherty, (2002:251) further contends that the emphasis on “crisis management ensures that neutrality remains compatible with EU security integration and ensures that the neutrals have no need to join military alliances in order to participate in the European security architecture”. Keatinge, (1984:113) suggests that:

Neutrality is seen as being one of three ‘inter related components of a distinctive stance’ in Ireland’s international image, along with UN peacekeeping and development cooperation; it is argued that it is the coherence of this stance which is ‘persuasive’, and that the loss of neutrality would therefore seriously detract from other elements.

The Fine Gael Party outlined in *Beyond Neutrality*, (2003) that Ireland has reacted to EU issues involving security, rather than proactively staking out a position. Fine Gael contend that domestic political debate on these issues has rarely got beyond either accusations of “betraying” Irish neutrality or “safeguarding” it in an ever more integrated European Union. Fine Gael explain that Irish Neutrality was associated with a cluster of values ranging from sovereignty, anti-Britishness and a quasi pacifist rejection of everything nuclear.

2.5 Conclusion

From my review of literature I conclude that a policy of neutrality demands abstention from war complimented with impartiality towards all belligerents in a conflict. Irish Neutrality may not conform to a classical definition of neutrality and history has shown that Ireland was spared the ravages of WW2 through a successful neutral stance. This neutral stance proved to be very popular with the Irish people as it assisted in establishing Irish sovereignty, copper fastened Irish independence and was deemed a pragmatic stance due to the issue of partition. During the Cold War period, Ireland unlike other European neutrals did not make substantial provision for its own defence nor did it regard its neutrality as precluding membership of the EEC. However the credibility of Irish Neutrality may be tenuous in that unlike other European neutrals, Ireland's ability to defend neutrality is questionable. As an established member of the UN, EU and now PpP, traditional Irish neutrality is being challenged. Ireland has proven her sovereignty through neutrality but there may be a danger of self enforced isolationism in the continuance of a neutral policy. UN membership is the cornerstone of Irish foreign policy. Ireland must adapt to the dramatic changes that have occurred in the context of European security and changing World Order. Neutrality, a policy that has been embraced by the Irish people is a sensitive issue in Ireland and has consequently acted as a constraining factor in public debates. The importance of examining the implications of Irish Neutrality concerning Defence Forces participation on UN missions, PpP events and EU related issues is a matter for this study. My examination will have the aim of ascertaining the costs and benefits of Ireland's policy of neutrality in order to assess if a neutral stance is an appropriate option for Ireland to follow in the 21st Century.

CHAPTER 3

RESEARCH METHODOLOGY

3.1 Methodology Outline

The methodology for this thesis involved primary and secondary sources of qualitative research. Towards answering my primary question: *What are the costs and benefits of Ireland's Policy of Neutrality?* I conducted:

- A Descriptive Review of Irish Neutrality as it has emerged from the foundation of the Irish Free State to the present day.
- Detailed text and document analysis of Irish Neutrality focusing on the High Court judgement delivered by Justice Kearns on 28th April 2003, Government policy documents and publications, political party press releases and policy documents, press reports and articles concerning Irish Neutrality sourced from the Internet.
- Semi structured interviews with key informants on Irish Neutrality including:
 - Mr Edward Brannigan - First Secretary International Security Policy Section, Irish Dept of Foreign Affairs.
 - Professor Dermot Keogh - Historian and Lecturer UCC.
 - Comdt Edward Horgan Retd - International Secretary PANA.
 - Ms Patricia McKenna MEP - Irish Green Party.
 - Lt Gen Gerard McMahon Retd - Former Chief of Staff Irish Defence Forces Feb 95 to Aug 98.
 - Lt Col Jim Burke - Lecturer Irish National Defence Policy, Military College.
 - Mr Gay Mitchell TD - Fine Gael Spokesman on Foreign Affairs.

Through these methods I established findings around the following central themes:

- Emergence of Irish Neutrality
- Credibility of Irish Neutrality
- Costs of Neutrality
- Benefits of Neutrality
- Compatibility of Neutrality with membership of International Organisations

I used these parameters as building blocks to assess Irish Neutrality and compare Irish Neutrality with neutrality as practiced by selected European neutral countries including Sweden, Austria and Switzerland. From my comparison, text and interview analysis I planned to be in a position to deduce whether a policy of neutrality was the most appropriate for Ireland to follow in the 21st Century.

3.2 Considerations and Limitations

In relation to document selection I was influenced by Bell (2002:111) in that the amount of documentary material that I could study would inevitably be influenced by the amount of time available and that familiarity with different categories of evidence would help me make decisions about what is fundamental to my research. My intent being to make as balanced a selection as possible bearing in mind the constraints of time. I was also guided by Denscombe (2000: 163) drawing on the basis that Government publications would provide documentary sources of information that are authoritative, objective and factual. However I was also mindful as to what Denscombe (2000:164) maintains that the extent to which documents can live up to the image of being authoritative, objective and factual depends very much on the data they contain.

The candidates that I decided to interview were selected based on their active interest in Irish Neutrality and in seeking out key informants to interview, I limited myself, concentrating on purposive sampling having being guided by Denzin and Lincoln (1994) quoted in Silverman (2000:104)...Many qualitative researchers employ purposive and not random sampling methods. They seek out groups, settings and individuals where the processes being studied are most likely to occur. My key informants have a special interest in Irish Neutrality, having written about the subject, lectured in the area and spoken in public about this issue.

Concerning interview structure, I was guided by what Lofland and Lofland, (1995) cited by Robson, (2002:281) stress as the importance of an interview guide:

... a guide is not a tightly structured set of questions to be asked verbatim as written, accompanied by an associated range of preworded likely answers. Rather it is a list of things to be sure to ask. The conduct of my interviews were centered upon predetermined questions of a questionnaire lasting about one hour. I was open to any observations that my

informants wished to present that would have been of assistance to me in critically examining my chosen subject. Likewise I was influenced by Flick (2002:91) who states “it is hoped that the questions will be answered freely by the interviewee”. This was especially relevant as one of my interviewees was a serving officer in the Defence Forces and another was an official in the Dept of Foreign Affairs. Flick (2002) highlights one of the problems of semi structured interviews as that of mediating between the input of the interview guide and the aims of the research question and by sticking too rigidly to the interview guide, there is a danger that openness might be restricted. I considered that all my interviewees addressed my questions with openness and forthrightness thus facilitating critical analysis.

In addition I was also influenced both by Hammersley and Atkinson (1983) cited by Silverman (2001:95) who deem that ...Accounts are not simply representations of the world; they are part of the world they describe and by Holstein and Gumbrium (1997) cited by Silverman (2001:95) who contend ...Construed as active, the subject behind the respondent not only holds facts and details of experience, but, in the very process of offering them up for response, constructively adds to, takes away from, and transforms the facts and details. The respondent can hardly spoil what he or she is, in effect, subjectively creating.

Due to limited time I did not conduct a survey into current Irish attitudes to neutrality. I was influenced by Robson (2002) who warns that surveys are not suited to exploratory work, contending that asking a large number of open ended questions could be inefficient and ineffective procedure, taking a considerable time to analyse. However I recommend a survey into Irish attitudes to neutrality would be part of a further research study.

3.3 Comparative Case Studies

In tandem with my text analysis of Irish Neutrality and semi-structured interviews, I conducted exploratory case studies by comparing neutrality as practiced in Sweden, Finland, Austria and Switzerland with Ireland’s neutral policy¹⁴. These comparisons were of assistance to me for analysis and reference to information gleaned from text analysis and semi structured interviews with my key informants.

¹⁴ Refer to Appendix 4 for a synopsis of neutral European countries.

CHAPTER 4 RESEARCH FINDINGS

4.1 Introduction

This chapter will present the results of my research study. Firstly, my findings are presented in relation to text and document analysis and secondly in relation to my interview questionnaire. My text and document analysis focused on:

- The judgement of Mr Justice Kearns delivered on 28th April 2003 in High Court Case between Mr Edward Horgan and An Taoiseach, The Minister for Foreign Affairs, The Minister for Transport, The Government of Ireland and the Attorney General. Mr Horgan claimed that Ireland was in breach of Ireland's neutral State duty not to permit the movement of troops and convoys of either munitions of war or supplies across its territory as a neutral Power, that participation by the State in the transit of US supplies to the war in Iraq constituted a breach of Article 28.3¹⁵ of the Irish Constitution (Bunreacht na hÉireann).
- Government of Ireland Department of Foreign Affairs Policy Document: Partnership for Peace *An Explanatory Guide* and the Government of Ireland Department of Foreign Affairs Press Release regarding the Seville Declarations to the Nice Treaty.
- Fine Gael Political Party Policy Document, *Beyond Neutrality*, concerning Ireland's responsibilities regarding international Defence co-operation and European Security issues.

Throughout my research I have concentrated on the central themes of:

- Emergence of Irish Neutrality
- Credibility of Irish Neutrality
- Costs of Irish Neutrality
- Benefits of Irish Neutrality
- Compatibility of Irish Neutrality with Membership of International Organisations

¹⁵ Refer to Appendix 2 for Extract from Article 28.3 Bunreacht na hÉireann.

4.2 Findings Text and Document Analysis

4.2.1 Judgement of Justice Kearns delivered on 28 April 2003

Justice Kearns outlined that domestic courts in the interest of comity do not rule on questions of international law which affect foreign sovereign states. However, the findings in the case nevertheless provide an important benchmark to assess the legal standing of Irish Neutrality. Justice Kearns confirmed that despite great historic value being attached by Ireland to the concept of neutrality, that status is nowhere reflected in Bunreacht na hÉireann, or elsewhere in any Irish domestic legislation. It is effectively a matter of government policy only, albeit a policy to which, traditionally at least, considerable importance was attached. Justice Kearns stated that there is an identifiable rule of customary law in relation to the status of neutrality whereupon a neutral state may not permit the movement of large numbers of troops or munitions of one belligerent state through the territory en route to a theatre of war with another. He further outlined that Ireland is in a different position than certain other States, who have incorporated a permanent status of neutrality in their domestic laws. Notwithstanding, he decided that it did not appear to him that the more qualified or nuanced form of neutrality than the provisions of the 1907 Hague Convention V as argued by the defendants in this case includes the notion that the granting of passage over its territory by a neutral state for a large number of troops and munitions from one belligerent state only en route to a theatre of war with another is compatible with the status of neutrality in international law. Thus, he endorsed the sentiment that the use of Shannon Airport by US troops was inconsistent with Ireland's policy of neutrality.

4.2.2 Policy Document Dept of Foreign Affairs- PFP Explanatory Guide

This policy document outlines that Irish military neutrality is a policy to which the Government of Ireland is deeply attached. The documents explains that

- Ireland has never been ideologically neutral, nor morally indifferent to the major international and security challenges of the day.
- Irish Neutrality is not doctrinaire neutrality, isolated from the evolving international security realities.
- Ireland's neutrality originated as an important expression of sovereignty.

- Irish Neutrality has not been imposed from outside nor is it guaranteed by international treaty.
- Irish Neutrality is policy espoused by successive Irish Governments.
- The core-defining characteristic of Irish Neutrality is non-membership of military alliances.

The document further explains that there is no conflict between Ireland's military neutrality and full and active support by Ireland for collective security, based on international law.

4.2.3 Seville Declarations by the Government of Ireland on the Nice Treaty

The Government of Ireland stressed that the purpose of the Declarations is to make clear, beyond any reasonable doubt, that the Nice Treaty poses no threat to Ireland's traditional policy of military neutrality. Through the Declarations Government reaffirm that:

- Ireland is not party to any mutual defence commitment.
- Ireland is not party to any plans to develop a European army.
- Ireland will take a sovereign decision, on a case-by-case basis, on whether the Defence Forces should participate in humanitarian or crisis management tasks undertaken by the EU, based on the triple lock of UN authorization, Government decision and approval by Dáil Éireann.

The Declarations also reaffirm that Ireland will not adopt any decision taken by the European Council to move to a common defence, or ratify the traditional policy of military neutrality, unless it has first been approved by the Irish people in a referendum.

4.2.4 Fine Gael Policy Document - Beyond Neutrality

Fine Gael in its document, *Beyond Neutrality*, contend that Ireland will have to decide whether to remain militarily unaligned, join a EU Common Defence arrangement or join NATO. Due to the changing European security architecture, Fine Gael maintain that not only should Ireland be part of the EU Defence and Security architecture, Ireland should be one of the architects helping to design the evolving systems. This is based on the belief that if Ireland fails to be proactive now with regard to emerging EU Defence systems, the system that Ireland will have the option to be part of will be one devised by other nations. What has been lacking in Ireland according to Fine Gael is open and honest debate on Irish Neutrality and on Ireland's position in a future common European Security and Defence

arrangement. According to Fine Gael, Ireland has traditionally reacted to EU issues concerning security rather than proactively staking out a position maintaining that domestically political debate on security issues rarely developed beyond accusations of “betraying” Irish Neutrality or safeguarding it in an integrated European Union. Fine Gael contend that regardless whether Irish people favour neutrality or not, the issue of European Defence co-operation is now up for discussion and the question is whether Ireland should be assisting in shaping the nature of the co-operation or wait for other nations to design a structure without Ireland’s influence because of Ireland’s neutral stance. Therefore, the issue is whether Ireland wants to be involved in framing a future European Defence project now, or wait until Ireland’s EU partners have made all the decisions.

4.3 Findings Interview Questionnaire

4.3.1 Mr Edward Brannigan – First Secretary International Security Policy Section, Irish Dept of Foreign Affairs

While Irish Neutrality has no legal basis and is not enshrined either on the Constitution or in Irish Law, Mr Ed Brannigan of the Dept of Foreign Affairs reaffirmed to me that Irish military neutrality is a policy which the Irish Government is deeply attached emphasizing it as a policy espoused by successive Irish Governments with its core-defining characteristic being non-membership of military alliances. Mr. Brannigan stressed that there is no conflict between Ireland’s military neutrality and full and active support by Ireland for collective security, based on international law. He referred to the then Taoiseach, Eamon de Valera who stated in the Dáil in 1946 that declarations of neutrality are not enough and said that “small nations have a particular reason for wishing to have security maintained by combined or collective effort”. Finally Mr Brannigan asserted that Article 29¹⁶ of the Irish Constitution is directly relevant to a neutral policy in so far as it affirms a devotion to the ideal of peace among nations, adheres to the pacific settlement of international disputes and accepts the generally recognized principles of international law.

¹⁶ Refer to Appendix 3 for Extract from Article 29 of Bunreacht na hÉireann.

4.3.2 Prof Dermot Keogh – Historian and Lecturer UCC

Prof Dermot Keogh believes that Ireland is neutral by accident in that in 1949 Ireland's decision not to join NATO was based not on a fundamental objection to the aims of NATO but on a strategy to force the British to bring some *démarche* on the issue of Northern Ireland and was an attempt to bargain ones way into NATO rather than a principled objection to an alliance. He further contends that Irish Neutrality continued with difficulty with the possible emergence of a Third World War creating huge logistical problems for the Defence Forces throughout the 1950s up until recent times. During the Cold War period, Professor Dermot Keogh maintains that Irish Neutrality had some semblance of credibility in the sense that when Ireland first set out to join the UN immediately after World War 2, the then Attorney General wrote that there were some misgivings whether Ireland could adhere to a policy of neutrality and become a member of the United Nations. By maintaining a policy of neutrality there is a danger that we are compromising our own security by not being fully involved in the development of a defence pillar of the European Community is a view expressed by Professor Keogh. When applying for membership of the EEC in 1961, the then Taoiseach Mr Sean Lemass outlined that Ireland would play an active and full role in this respect and according to Professor Keogh, Ireland must get involved in the process of European Defence issues thus not become some outsider looking in at the process due to the issue of neutrality. There has been a strong political benefit and a wide popularity for neutrality in Ireland in that neutrality has become identified with Ireland's capacity to police and engage in peace keeping missions in a way that presents additional credibility or acceptability in countries where there are problems of peace enforcement and peace keeping. Professor Keogh outlined that Ireland has pledged itself from the very beginning of entry applications to play a full role in the community institutions as they developed in all their totality even if it means a military dimension. Ireland according to Professor Keogh must focus on its vital interests and not just think about defence of the island in terms of defence of the periphery. Neutrality has always been pragmatic in Ireland's case whereupon it served our interests. In the present day, Irish Neutrality has to be radically evaluated in terms of analysing whether neutrality serves our interests or becomes a barrier to participation in a security structure that would serve our national interests.

4.3.3 Comdt Edward Horgan Retd - International Secretary Peace and Neutrality Alliance

Irish Neutrality is now non-existent according to Comdt Edward Horgan Retd being of the opinion that while technically neutrality only exists in time of war, he would contend that, Ireland by affording American warplanes the facilities and use of Shannon Airport, is at present participating in a state of continuing war in Iraq, on behalf of one of the belligerents, the USA against the resistance forces in Iraq, and in contravention of the UN Charter.

Ireland's policy of neutrality now has very little credibility according to Comdt Horgan due to the facilities being afforded to the US in Shannon Airport as he outlined that Justice Kearns ruled in the case, which Comdt Horgan took against the State in the High Court that Ireland was in breach of customary international law on neutrality. Comdt Horgan sees Irish Neutrality being very compatible with membership of the European Union depending on how Irish people envision the European Union developing. If the EU were to develop into a super Nation state, Irish Neutrality would not in his opinion be compatible as he contends that the EU should be a functional alliance of states or peoples, not a super state that could create a them and us situation with those outside Europe. He would consider neutrality as hugely important with neutral states within the EU providing alternative views of security.

Ireland would be enhancing its own security by maintaining a neutral stance according to Comdt Horgan and he contends that the lives of Irish people are being endangered in Ireland and overseas by Ireland aligning itself with aggressive military powers such as the USA. Participation in PfP according to Comdt Horgan undermines Irish Neutrality as he maintains that Irish participation in Kosovo¹⁷ very clearly breaches a neutral stance by Ireland, that it is a mistake to be serving under a NATO flag and under NATO Command. He believes that Ireland should differentiate what it can do, contending that Ireland could support what Pfp are doing provided what is done by Ireland is under clear guidance and strictly under UN control.

¹⁷ Ireland is a troop contributor to the Kosovo Force (KFOR) a UN authorized mission under NATO Command.

4.3.4 Ms Patricia McKenna MEP - Green Party

Ms Patricia McKenna MEP views Irish Neutrality as a policy which could be used very actively and positively for the peaceful settlement of international disputes and the pursuit of a fairer international system. Ms McKenna is also of the view that Irish Neutrality has now very little credibility with the facilities being afforded to American troops and warplanes on route to the conflict in Iraq. She does not believe that Ireland must be heavily armed to defend neutrality as this would be in her opinion open ended. She contends that Ireland's best defence is not to threaten others and to put Ireland's armed forces in to the service of the UN to prevent conflict. Ms McKenna maintains that Ireland's armed forces are not needed by a military alliance such as NATO, Ireland has a positive reputation as impartial peacekeepers with the UN, Irish Neutrality opens up opportunities whereupon many countries would prefer Irish peacekeepers rather than peacekeepers from military aligned countries. It is her view that joining a military alliance would harm Ireland's international reputation as impartial peacekeepers.

Ms McKenna contends that by participating in Pfp, the Irish Defence forces, by training and promoting interoperability with NATO forces are assisting in the promotion and continuance of NATO. She also believes that when the Berlin Wall fell, there were many people who hoped that NATO would fade away as the Warsaw pact did. NATO is still in her belief based on a nuclear weapons strategy and on pre-emptive use of such weapons. Such ideas in her view are contrary to Irish Foreign policy and Ireland's concept of neutrality.

4.3.5 Lt Gen Gerard McMahan Retd – Former Chief of Staff Irish Defence Forces

One of the stipulations of the 1907 Hague Conventions is the capacity of a neutral country to be in a position to defend its neutrality. With regard to Ireland's ability to defend neutrality, Lt Gen Gerry McMahan Retd considers that the Ireland's policy of neutrality is not a credible policy, as Ireland has never possessed the necessary armed forces to guarantee its neutrality. Since independence there has been almost constant emphasis on how good Irelands version of neutrality has been for the Irish people. Lt Gen McMahan contends that Irish people were told that neutrality alone saved us from destruction and death during WW2, however he believes that it was our geographical position, the winning of the Battle of Britain by the RAF, Hitler's decision to attack the Soviet Union and the end of US neutrality that saved Ireland. The financial benefits of never having built and

equipped a Defence Forces to underpin a policy of neutrality has allowed scarce resources to be deployed elsewhere. According to Lt Gen McMahon, the financial costs¹⁸ to the State of membership of NATO over the years would have been much greater than was Ireland's 'head in the sand' policy of military neutrality. However, he contends that a higher standard of training and professionalism in the Defence Forces might have emerged. He further maintains that our neutrality isolated us from world events in the years following WW2, being excluded from UN membership, which made us inward looking in foreign policy. According to Lt Gen McMahon, PfP is a mechanism for co-operation between NATO and non-NATO members which allows for their disparate forces to act together in peace support operations. With Sweden, Finland, Austria, Switzerland and even Russia members of the Pfp process, membership for Ireland does not undermine a neutral policy.

4.3.6 Lt Col Jim Burke – Lecturer Irish National Defence Policy, Military College

Lt Col Jim Burke expressed the view that Irish Neutrality was initially pragmatic, in so far as neutrality was used to express our individuality as a nation, avoiding casualties and political controversy by joining the Allies in the Second World War. He contends that Irish Neutrality has become increasingly principled from the late 1960s with Ireland's opposition to nuclear weapons and increased emphasis on peaceful conflict resolution. However, it is now on very narrow ground due to acceptance of Pfp membership, Petersberg¹⁹ tasks obligations and 'support' for the US war effort in Iraq. Lt Col Burke would also maintain that changes in security architecture in Europe have made the defending of national territory against attack less relevant now than in the 1940s. In Lt Col Burke's assessment, Ireland's policy of neutrality is credible on the very narrow basis of its definition which is non-membership of a military alliance. According to Lt Col Burke, Irish Neutrality should cost us in terms of greater expenditure to provide an independent defence capability and in terms of security in increasing our vulnerability to enemies. However, neither of these costs seem to apply in Ireland's case due essentially to Ireland's geostrategic position and no apparent military threat to the country.

¹⁸ Ireland's Defence Expenditure expressed as a % of GDP is 0.7%. Source European Union Institute for Security Studies.

¹⁹ The Petersberg Tasks are humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peace making. The Treaty of Amsterdam (1999) specified that the EU common defence policy was defined by the "Petersberg Tasks" which does not include a mutual defence commitment.

Acceptability on United Nations peace support missions due to a neutral stance was also reiterated by Lt Col Burke who believes that neutrality assists Ireland in its relations with non-European nations within the UN framework and is also less politically controversial in Ireland. Membership of a military alliance would in his opinion impose a greater financial burden on the State compared to the low defence spend that currently exists.

Ireland's flexible and narrow form of neutrality is likely to remain compatible with EU membership for some time according to Lt Col Burke as he contends that post Iraq there will be less pressure from the EU on Ireland to abandon or amend its neutral status as the existing neutral powers in the EU are far from being the most serious problem complicating EU-NATO relations. The present US administration is suspicious of a EU Defence identity and is estranged from previous 'Atlanticist' allies such as Germany and Belgium. In addition to this both Spain and Italy are currently at odds with its public opinion on its pro US stance.

4.3.7 Mr Gay Mitchell TD - Fine Gael Spokesman on Foreign Affairs

The lack of proper debate and analysis of neutrality is a concern of Mr Gay Mitchell TD as he maintains that Irish Neutrality is an emotional subject where people equate neutrality with goodness but the problem is that the Irish people have based their views on emotions rather than argument and there has never been proper debate on Irish Neutrality because it has been a taboo subject. Ireland's inability as a nation to defend itself militarily or defend its neutrality due to an ill equipped Defence Forces is a concern of Mr Mitchell and he stressed the vulnerability of Ireland not being a member of an alliance such as NATO. The other European neutrals such as Austria, Sweden and Finland are equipped to defend their neutrality which adds credibility to their neutral status, something that is lacking in Ireland's neutral policy. According to Mr Mitchell, the real cost of Ireland's neutral stance is that Ireland's security is being compromised maintaining that the Irish government has failed in its first duty of providing for the security of its people. The world has changed and is changing rapidly. There are movements of populations through the world with threats existing now that did not prevail before September 2001 and in his view the biggest cost of Irish Neutrality is that Ireland has left itself vulnerable with its interpretation of neutrality. He believes that a secure Europe is a Europe with hope and Ireland's best option is to join a EU Defence entity albeit carrying a protocol that will allow security and defence commitments on a case-by-case basis.

CHAPTER 5

ANALYSIS OF FINDINGS

5.1 Findings Overview

My initial interest to explore Irish Neutrality was generated by Foreign Minister Cowen's assertion stating that Ireland was militarily neutral and not politically neutral. This essentially appeared to me to be an ambiguous statement, however I now consider that Minister Cowen was being factual rather than ambiguous. This is explained by the defining characteristic of Irish Neutrality as non-membership of a military alliance, a narrow interpretation of neutrality, which has benefited Ireland in her approach and conduct to Foreign Affairs and international relations. It is in ambiguity that lies the strength of Irish Neutrality as it is a policy that has facilitated economic development through foreign investment in Ireland along with economic integration in the EU while also being a policy that has precluded participation in military alliances and subsequent military/defence commitments. However I would posit that to be considered neutral would extend more than simply non-membership of a military alliance. In my view to be neutral, a neutral state must remain outside an armed conflict that involves other states. The provision of facilities at Shannon Airport to US troops in the Iraq conflict violated neutrality despite there being long standing arrangements between Ireland and the United States to allow the affording of facilities for military aircraft through Shannon. Justice Kearns expressed this violation of neutrality in his findings during the Horgan Case as he ruled that the use of Shannon Airport and Irish Airspace by US military aircraft was contrary to International Laws of Neutrality. Notwithstanding, Ireland is still by its own selective definition militarily neutral. However as I explained earlier, neutrality itself as a concept is difficult to define, and I have discovered in my research that there has been limited analytical debate on neutrality in Ireland. Various political commentators refer to neutrality but from my research the actual costs and benefits of a neutral policy have not been coherently argued or posited by any Irish political party or politician. Most references or allusions to Irish Neutrality seem to focus on the erosion of neutrality without actually outlining the costs or benefits of a continuation of this policy. It is this gap in knowledge that I intended to pursue.

5.2 Emergence and Status of Irish Neutrality

My research has demonstrated that Irish Neutrality is not enshrined in any legal document, international treaty or in Bunreacht na hÉireann. It is a pragmatic policy that has evolved from its first application during WW2 through to the present day. The adoption of a neutral stance during WW2 was interpreted by the Irish people as a demonstration of sovereignty, an expression of Anti-Britishness and a necessary option due to the issue of Partition. Given the importance that Partition and Ireland's relationship with Britain played in the initial reasoning behind the adoption of a policy of neutrality, with the signing of the Anglo Irish Agreement in 1998, the time has come in my opinion to re-examine Ireland's policy of neutrality. The Dept of Foreign Affairs PFP Explanatory Guide outlines that Ireland has never been ideologically neutral and is not isolated from evolving international security realities which implies that the status of Irish Neutrality could be subject to change should the Irish people so decide. As Fine Gael have pointed out in *Beyond Neutrality* (2003) there is a momentum within the EU to bring about a Common Defence entity and Ireland will have to decide whether to continue with non membership of military alliances, join an EU Common Defence structure or join a military alliance such as NATO.

5.2 Credibility of Irish Neutrality

Ireland's inability to defend its neutrality due to an ill equipped Defence Forces makes a mockery of a neutral policy when one judges it against the obligations of a neutral state outlined in the 1907 Hague Conventions. However if Irish Neutrality is to be judged on the narrow definition of non-membership of a military alliance, then Irish Neutrality could be deemed a credible policy. That being said the question of facilitating the US with airport facilities for the transit of troops at Shannon Airport during the Iraq conflict surely compromises the credibility of Irish Neutrality by providing assistance to one belligerent and not the other. As outlined by Prof Dermot Keogh there has been a strong political benefit and popularity for neutrality in Ireland. This has been reflected on the world stage through acceptability and impartiality as a peacekeeping nation with the UN beyond what one would expect from Ireland's limited resources or population base. A credible neutral policy would further enhance Ireland's respectability as a peacekeeping nation on UN mandated peacekeeping or peace enforcing missions.

5.3 Compatibility of Irish Neutrality with membership of International Organisations

Irish Neutrality is a flexible policy and reconciling neutrality with EU membership has presented Ireland with little difficulty as Ireland's primary aim was economic development and the EEC was not viewed as a military alliance. Ireland in 1961 through its then Taoiseach Sean Lemass did assert that it would be willing to play its part in fulfilling its obligations on European security should the situation develop and so demand. Article 29 of the Constitution of Ireland sets out that the State "affirms its devotion to the ideal of peace and friendly co-operation among nations founded on international justice and morality", "its adherence to the principle of the pacific settlement of international disputes" and "international law as its rule of conduct in relations with other states". Thus it is the application of Article 29 that sets out the foundation of Ireland's Foreign policy. While neutrality is not specified in the Constitution, the focus on pacific settlement of international disputes, friendly co-operation and the adherence to international law would be encouraged by a policy of neutrality. Ireland regards the UN as the essential guarantor of international security and Ireland has willingly deployed members of the Defence Forces overseas with UN mandates both on peace keeping and peace enforcing missions. Participation on missions supported by a UN mandate would not conflict with a policy of neutrality but enhance such a policy.

5.4 Costs of Irish Neutrality

My research has shown that a neutral stance in WW2 resulted in Ireland being isolated from world events and precluded Ireland from being accepted into the UN until 1955. Today as Ireland becomes one of the more established members of the EU, the question has to be posed as to what extent should Ireland participate in European Defence mechanisms and to what extent does neutrality present a barrier to full participation in European Defence structures? By maintaining a policy of military neutrality Ireland runs the risk of isolating itself from the development of a defence pillar of the European Union and thus possibly compromising its own security. The new threats to international peace and security that now present itself through terrorism and the proliferation of weapons of mass destruction may now demand that Ireland and other neutral countries play a more active role in European Defence mechanisms. By not being a member of a military alliance and by not participating fully in European Defence measures Ireland may be leaving itself isolated

and vulnerable to terrorist threats. However if a policy of military neutrality is to be abandoned, then the costs to the exchequer would be greater than here to fore as Ireland would have to invest in meeting its commitments as a member of a military alliance.

5.5 Benefits of Irish Neutrality

As outlined by Lt Gen McMahon Retd, since independence there has been almost constant emphasis on how good Ireland's version of neutrality has been for the Irish people. Neutrality has successfully represented an assertion of sovereignty by Ireland, a symbol of national identity and the Irish public perception of neutrality has been one of a successful policy that has kept Ireland free from the horrors of war. However, Lt Gen McMahon also outlined that it was the winning of the Battle of Britain by the RAF, Ireland's geographical position and Hitler's decision to attack the Soviet Union along with the end of US neutrality that saved Ireland during WW2. If this is the case, is it also the case that the benefits of a neutral stance during WW2 may have been overestimated.

There has been a political benefit from the adoption of a neutral policy in that Ireland ability to police and engage in peace-keeping missions has been enhanced through the aspect of impartiality and respect that is to be gained through neutrality. If Ireland were to join a military alliance this acceptability through impartiality resulting from a policy of neutrality would be diminished. In addition to reduced acceptability there is also the possibility of endangering the lives of Irish people by aligning ourselves with aggressive military powers such as the US or Britain that conduct military operations without a UN mandate.

CHAPTER 6

CONCLUSION

- 6.1** The preservation of neutrality has been embedded in the Irish national culture since the foundation of the State. It was not until the outbreak of WW2 that Ireland was in a position to affirm a neutral stance. By doing so Ireland established its sovereignty as an independent State with neutrality gradually becoming a symbol of Irish independence, valued by the Irish people and a fundamental aspect of Ireland's approach to international affairs. However neutrality is difficult to define and Ireland's concept of neutrality does not fit a classical design as Ireland professes to be militarily neutral but not politically neutral. In my view this can lead to a certain amount of ambiguity in interpretation. A neutral stance probably saved Ireland from the ravages of WW2. However as I have demonstrated earlier, events may have been different in Ireland had the RAF not won the Battle of Britain or Hitler focused the energies of his war effort on the Soviet Union. Nevertheless, in Ireland neutrality has been perceived as a reason why Ireland has kept out of war and is cherished by the Irish people.
- 6.2** Ireland was subject to a form of isolation after WW2 and was not accepted into the UN until 1955. Since joining the UN, what has been perceived, as one of the major benefits of the neutral stance adopted by Ireland has been enhanced acceptability in UN missions resulting from Ireland's impartiality through the application of a neutral policy. If Ireland were to join a military alliance, it would then be abandoning its altruistic role, a role that Ireland can have influence at global level especially within the UN structure. Since joining the UN in 1955, Ireland has consistently shown its readiness to deploy its armed forces on missions of both peacekeeping and peace-enforcement. Providing aid or troops on UN peacekeeping missions in accordance with UN mandates compliments Irish Neutrality. It is through the UN that Ireland maintains its commitment in terms of international collective security.
- 6.3** World events have progressed dramatically since WW2 and the disestablishment of the Soviet Union. The first duty of government is to provide for the security of its

citizens. The question has to be posed as to whether the Irish government is providing for the security of its citizens by remaining militarily neutral or are Irish citizens more vulnerable by Ireland not participating in a military alliance? It is no longer a case of keeping out of war as global security threats now threaten Ireland irrespective of a neutral military stance. In the post Cold War era there are new defence and security challenges as nations move away from the traditional defence mechanisms towards dealing with international terrorism, rogue states and the issue of weapons of mass destruction. Protection through neutrality may not be a probable benefit due to the emergence of global security threats.

6.4 Ireland is not ideologically neutral and this has been made clear by successive governments. Irish Neutrality is not a tangible subject, as it is not enshrined in any legal document or in the Irish Constitution. The Irish government believes that a policy of military neutrality is appropriate in the current international environment. While a cost of neutrality may be increased vulnerability, possible isolation from European Defence developments and a perception amongst European partners that Ireland is not playing its part in the development of a European Defence pillar, benefits can be realised through increased acceptability within the UN through impartiality, the affirmation of sovereignty and a means to avoid war. Membership of the PfP framework allows Ireland to cooperate on matters of training and common operational procedures with both neutral and non-neutral states. The extent of Ireland's participation in the PfP process and association with militarily aligned states could affect the credibility of Irish Neutrality.

6.5 With increased European integration, continuous analysis of Irish Neutrality must be conducted in order to ascertain its appropriateness for Ireland and to assess whether a neutral policy supports or provides a barrier to protecting Ireland's interests? It is my contention that neutrality is currently the most appropriate option for Ireland given Ireland's military resources, geographical position and acceptability generated within the UN strengthened by Ireland's non-membership of a military alliance. PfP membership does not undermine Irish Neutrality as other neutral countries are actively involved in this process. This framework provides a platform for Ireland to militarily relate more effectively with other countries,

promote neutral views and procedures without becoming actively involved in or joining a military alliance.

- 6.6 There has been little debate on neutrality in Ireland except that some politicians have referred to apparent threats to Irish Neutrality without actually assessing the costs and benefits of a neutral stance. What is required is enlightened debate on the subject in order that the Irish people fully understand the meaning of neutrality, its consequences, obligations, rules of international law and the costs involved by continuing with a neutral stance in today's changing world. Providing assistance to US military aircraft at Shannon Airport may not be deemed participation in the US-Iraq conflict, and while Ireland is not part of a military alliance, the distinction between political neutrality and military neutrality is now somewhat blurred. In the final analysis, it appears that through its flexibility, non-tangibility, and indeed subjectivity, it is probably impossible to portray Irish Neutrality in a numerical type analysis of costs and benefits. While Ireland develops as an established member of an increasingly integrated EU that is facing new challenges and more varied global security threats, it is my contention that currently a neutral stance is appropriate for Ireland but the continuance of a neutral policy should be debated at the highest level of political leadership in Ireland to assess its continued appropriateness in the 21st Century.

"The hottest place in hell is for those who are neutral"

(Dante; cited by Keohane, 2001: 4)

**CONVENTION RESPECTING THE RIGHTS AND DUTIES OF NEUTRAL
POWERS AND PERSONS IN CASE OF WAR ON LAND**

The Hague, 18 October 1907

- Art. 1.** The Territory of neutral Powers is inviolable.
- Art. 2.** Belligerents are forbidden to move troops or convoys of either munitions of war or supplies across the territory of a neutral Power.
- Art. 3.** Belligerents are likewise forbidden to:
- (a) Erect on the territory of a neutral Power a wireless telegraphy station or other apparatus for the purpose of communicating with belligerents on land or sea;
 - (b) Use any installation of this kind established by them before the war on the territory of a neutral Power for purely military purposes, and which has not been opened for the service of public messages.
- Art. 4.** Corps of combatants cannot be formed nor recruiting agencies opened on the territory of a neutral Power to assist the belligerents.
- Art. 5.** A neutral Power must not allow any of the acts referred to in articles 2 to 4 to occur on its territory. It is not called upon to punish acts in violation of its neutrality unless the said acts have been committed on its own territory.
- Art. 6.** The responsibility of a neutral power is not engaged by the fact of persons crossing the frontier separately to offer their services to one of the belligerents.

- Art.7.** A neutral Power is not called upon to prevent the export of transport, on behalf of one or other of the belligerents, of arms, munitions of war, or, in general, of anything which can be of use to an army or fleet.
- Art.8.** A neutral Power is not called upon to forbid or restrict the use on behalf of the belligerents of telegraph or telephone cables or of wireless telegraphy apparatus belonging to it or to companies or private individuals.
- Art.9.** Every measure of restriction or prohibition taken by a neutral Power in regard to the matters referred to in Articles 7 and 8 must be impartially applied by it to both belligerents. A neutral Power must see to the same obligation being observed by companies or private individuals owning telegraph cables or wireless telegraphy apparatus.
- Art.10.** The fact of a neutral Power resisting, even by force, attempts to violate its neutrality cannot be regarded as a hostile act.

Source: International Law Concerning the Conduct of Hostilities, (1996), International Committee of the Red Cross, Geneva.

Extract from Article 28.3 of Bunreacht na hÉireann

- 28.3.1 War shall not be declared and the State shall not participate in any war save with the assent of Dáil Éireann.
- 28.3.2 In the case of actual invasion, however, the Government may take whatever steps they may consider necessary for the protection of the State, and Dáil Éireann if not sitting shall be summoned to meet at the earliest practicable date.
- 28.3.3 Nothing in this Constitution other than Article 15.5.2° shall be invoked to invalidate any law enacted by the Oireachtas which is expressed to be for the purpose of securing the public safety and the preservation of the State in time of war or armed rebellion, or to nullify any act done or purporting to be done in time of war or armed rebellion in pursuance of any such law. In this sub-section "time of war" includes a time when there is taking place an armed conflict in which the State is not a participant but in respect of which each of the Houses of the Oireachtas shall have resolved that, arising out of such armed conflict, a national emergency exists affecting the vital interests of the State and "time of war or armed rebellion" includes such time after the termination of any war, or of any such armed conflict as aforesaid, or of an armed rebellion, as may elapse until each of the Houses of the Oireachtas shall have resolved that the national emergency occasioned by such war, armed conflict, or armed rebellion has ceased to exist.

Source: Bunreacht na hÉireann (Constitution of Ireland) enacted by the People 1st July 1937.

Extract from Article 29 of Bunreacht na hÉireann

- 29.1 Ireland affirms its devotion to the ideal of peace and friendly co-operation amongst nations founded on international justice and morality.
- 29.2 Ireland affirms its adherence to the principle of the pacific settlement of international disputes by international arbitration or judicial determination.
- 29.3 Ireland accepts the generally recognized principles of international law as its rule of conduct in its relations with other States.
- 29.4.1 The executive power of the State in or in connection with its external relations shall in accordance with Article 28 of this Constitution be exercised by or on the authority of the Government.
- 29.4.2 For the purpose of the exercise of any executive function of the State in or in connection with its external relations, the Government may to such an extent and subject to such conditions, if any, as may be determined by law avail of or adopt any organ, instrument, or method of procedure used or adopted for the like purpose by the members of any group or league of nations with which the State is or becomes associated for the purpose of international co-operation in matters of common concern.

Source: Bunreacht na hÉireann (Constitution of Ireland) enacted by the People 1st July 1937.

Neutral European Countries: Austria, Switzerland, Sweden, Finland, Ireland

Austria is bound to neutrality by the 1955 Austrian State treaty and its constitution, which prohibits entry into military alliances and the establishment of foreign military bases on Austrian territory. Austrian neutrality is actually an enforced neutrality. The territory of Austria was occupied by allied forces until 1955. In 1955 the Soviet Union, in the Moscow memorandum, demanded Austrian neutrality on the model of Switzerland and expressed a preparedness for pledges by the four powers to the integrity and inviolability of Austrian territory. All of the countries with which Austria had diplomatic relations ratified the Austrian State Treaty.

Switzerland received its neutrality through the Peace of Westphalia (1640) which ended the Thirty Years' War in Europe. It also confirmed the independence of the Swiss Confederation. After France occupied a large part of the Confederation's territory, the Congress of Vienna in 1815 re-established the Swiss Confederation and an act, signed on 20 December 1815 by Austria, France, England, Prussia and Russia, guaranteed permanent neutrality for Switzerland.

Sweden bases its policy of neutrality on tradition rather than on international treaty. During military conflicts in the first half of the 19th century Sweden maintained its neutral status. Neutrality was formally proclaimed by King Gustav XIV in 1834. Sweden had long been a strong military power, but it adapted the policy of neutrality to its own political interests. In 1941 it allowed German forces transit through Swedish territory to the Finnish front, and at the same time protected refugees from Nazism. After 1945 Sweden opted to preserve its neutral status. Sweden's security was strongly dependent on the status of Finland and indirectly on the policy of the USSR towards Finland as well.

Finland derives its policy of neutrality from the period directly following the Second World War. Its interest in remaining neutral conflicts between great powers was first recognized in a treaty between Finland and the USSR in 1948 (the Treaty of Friendship Cooperation and Mutual Assistance). The treaty forbids the signatories to join a military

alliance against the other, and Finland could not allow its territory to be used for an attack on the USSR. Finland was also bound to preserve its neutrality through adequate armed forces. Finland's neutrality does not have roots in international law, and there are no international pledges for its neutrality. Thus Finland, like Austria, is a case of enforced neutrality, again by the USSR.

Ireland implemented a policy of neutrality during the Second World War. In 1949 Ireland was invited to join NATO, but did not accept the invitation because it did not wish to join an alliance that also included Great Britain. In doing so, Ireland established the unification of Ireland as a condition, which was unacceptable to Great Britain. In actuality, during the Cold War period, Ireland belonged to the West in the political sense, and it was also clear that NATO would protect Ireland in case of war between the great powers, also because part of the island is ruled by Great Britain.

Source: <http://nato.gov.si/eng/topic/national-security/neutral-status/neutral-countries/>

APPENDIX 5

60 Command and Staff Course
The Military College
Curragh Camp
Co Kildare

Tel: 045 – 445114

Dear _____

As part of my Command and Staff Course I am presently undertaking a research study in partial fulfillment of a Master of Arts in Leadership, Management and Defence Studies. The title of my research study is “ Irish Neutrality: What are the Costs and Benefits of Ireland’s Policy of Neutrality?” It would be of tremendous benefit and assistance to me in my research if I could interview you to ascertain your views and observations on Irish Neutrality. In order to assess the costs and benefits of a neutral policy I am exploring Irish Neutrality under the themes of the emergence of Irish Neutrality along with its credibility and compatibility in relation to membership of international organisations. Attached please find a proposed questionnaire which I would intend to use during our interview. Your assistance in my research would be greatly appreciated.

Yours sincerely

Comdt Conor Burke

Contact Address above or conor.burke@defenceforces.ie

IRISH NEUTRALITY - INTERVIEW SCHEDULE

Hereunder please find the central themes under which I am examining Irish Neutrality.

Emergence of Irish Neutrality

1. How would you describe Irish Neutrality?
2. Why is neutrality important for the Irish people?

Credibility of Irish Neutrality

3. How credible is Ireland's policy of neutrality?
4. How relevant is the concept of neutrality given the change in World Order?
5. Does Neutrality undermine Ireland's efforts in the war against terrorism?
6. Is Ireland an international burden to its neighbours by being neutral?

Costs of Irish Neutrality

7. Is Ireland compromising its own security by maintaining a neutral stance?
8. What limitations does Irish Neutrality present for Ireland in International Affairs?
9. In your view what are the costs of Irish Neutrality?

Benefits of Irish Neutrality

10. What are the benefits of Irish Neutrality?
11. Why should/should not Ireland move away from a traditional stance of neutrality?

Compatibility of Irish Neutrality

12. How compatible is Irish Neutrality with membership of the EU?
13. How compatible is UN membership with Irish Neutrality?
14. What neutrality implications exist for Ireland by participating in the PfP programme?
15. How could membership of PfP undermine Irish Neutrality?

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