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**Terrorists or freedom fighters : an analysis of the Irish Republican
Army in Northern Ireland with respect to the idea of just war**

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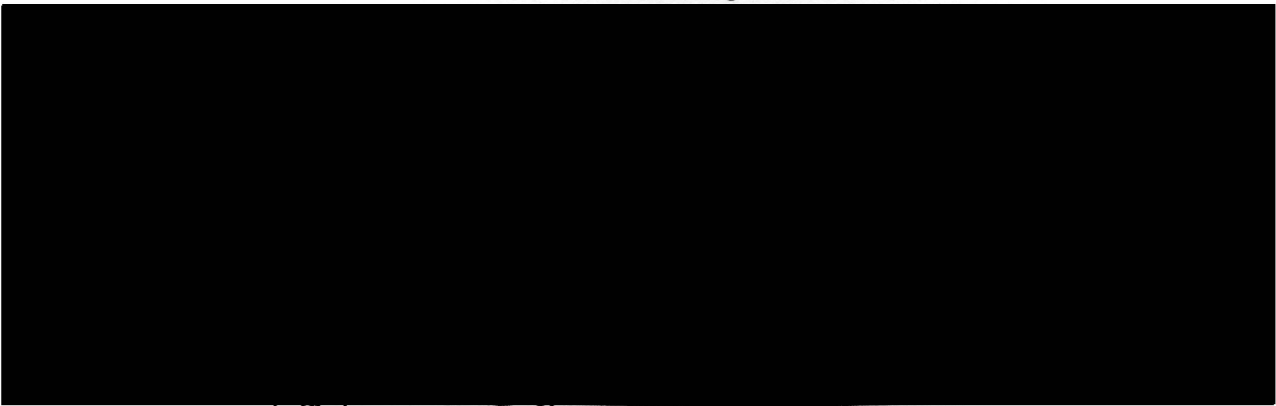
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Abstract

Terrorists or Freedom Fighters: an analysis of the IRA in Northern Ireland with
Respect to the Idea of Just War

By: Allison Fritz

For more than two decades, Northern Ireland has suffered the high social cost of a violent political conflict. Debates over the nature of this conflict have been wide-ranging, but the dominant view is that the conflict is criminal rather than political in nature. This view holds that the violence is widespread terrorism, with the Irish Republican Army (IRA) seen as the chief protagonist. But while this view is dominant, it is not ubiquitous. It is held neither by those who challenge the foundations of the Northern Irish state nor by those communities which are tolerant if not supportive of those labeled as terrorists.

Much of the debate over the conflict revolves around the issue of legitimacy, particularly concerning the right to engage in political violence. Since the mid 1970s, the British government has pursued a variety of strategies as part of its general response to the Northern Irish conflict. One such policy, Criminalization, serves as a model for the debate of legitimacy. The British Government began treating the Irish Nationalist political activists as common criminals and their acts as criminal acts. The IRA's claim that its motives were political and not criminal was in direct opposition to this policy. The IRA claimed that it was in a war of independence with Britain. The IRA was labeled a terrorist organization because of the notion that its acts of violence, despite their political nature, are crimes because they fail to follow the common guidelines of a just war theory. A just war theory deals with the justification of how and why wars are fought.

The most effective way to judge whether the IRA's political violence can be justified as legitimate war, as they claim, or as terrorist action, is to assess whether or not

their acts follow the just war criteria. There are many different conventions and interpretations of the Just War theory. In order to evaluate which standard to use in the case of Northern Ireland, one must determine which war theory is the most useful (ethically viable) as well as which theory the IRA would use to judge itself and its enemy.

My paper deals with how the conflict in Northern Ireland has been interpreted by the British Government, the Nationalist movement, and the common people of Northern Ireland in light of the idea of legitimacy. I evaluate which just war theory is most valid in practice, as well as which theory pertains closely to the situation in Northern Ireland. I will then ascertain which guidelines the IRA has followed and which they have ignored.

“A small nation fighting for freedom can only hope to defeat an oppressor or occupying power by means of guerrilla warfare.”

---Handbook for volunteers of the Irish Republican Army ¹

The situation that has slowly taken form in Northern Ireland over the past several centuries is one marked by confusion. To some the lines are drawn with definition, to others, they are blurred. Often there are many at fault, all of whom direct the blame in another direction. Relations between Ireland and Britain reflect their past colonial relationship, and this is nowhere more evident than in Northern Irish Society. In the seventeenth century, during England's colonial rule, the English monarchs settled Ireland (which was predominately Catholic) with Protestants out of England and Scotland. The monarchs did so to weaken and dilute the Catholic population, which had proven itself volatile and rebellious. The Northeast province of Ireland, called Ulster, being traditionally an unstable region, was thoroughly settled with Protestants during this time. Today, this area has a large Protestant population whose roots can be traced back to these settlements. Approximately 60 percent of Northern Ireland's population of 1.5 million is Protestant and the remaining 40 percent is Catholic.²

For centuries the Irish have struggled against British rule, and when in the early twentieth century the English saw that they were going to have to give the Irish some sort of autonomy, they realized that they were going to have to deal with the diversity of the population that their colonial rule had caused. The Protestant population concentrated in Ulster did not wish to be controlled by a Catholic government. In order to respect the Protestants wishes, Parliament passed the Government of Ireland Act in 1920.³ This Act divided Ireland by giving the Southern twenty-six counties Home Rule while keeping six of

Northern counties under British control. The act of dividing Ireland discredited the importance of all of the movements throughout Irish History that had fought so hard for some sort of independence. Those that dreamed of a Free Ireland had never considered the possibility of dividing the country. Although the Irish Parliament passed the Act, it was done amidst intense debate that later escalated into civil war. The conflict ended, but the problem was never resolved. From then on, the population of Ireland, the Northern part in particular, was divided over the question of the future of Northern Ireland.

The division over the future of Northern Ireland and the massive difference in culture that exists there has manifested itself into several forms of political and sectarian violence. While there are many organizations at work in the Northern Irish Conflict, the subject of this paper will be the Irish Republican Army (IRA). The Irish Republican Army was the instrument behind many bombings, shootings, beatings, and riots from 1969 until 1997. Debates over the nature of this conflict have been wide-ranging, with one view holding that the violence is criminal rather than political in nature. This view holds that the violence is widespread terrorism, with the IRA as the chief protagonist. But while this view is dominant, it is not ubiquitous. It is held neither by those who challenge the foundations of the Northern Irish State nor by those communities that are tolerant if not supportive of the IRA. Much of the debate over the conflict revolves around the issue of legitimacy, particularly concerning the right to engage in political violence. One cannot deny that the conflict is political. The IRA's political agenda has always been quite apparent: the unification of Ireland into a single Irish Free State. The Irish Republican Army contends that it is at war with Britain in view of the fact that Britain unlawfully and hostilely took Ireland by force and although it freed the Southern twenty-six counties, it still illicitly holds the Northern six counties. The Irish

Republican Army believes that it is participating in a war with Britain and therefore, all actions that it takes must be considered acts of war.

Because so much of the IRA's claim to legitimacy rides on the fact that it claims to be in a declared war against Britain, the most obvious way to assess their legitimacy is to evaluate whether or not the IRA has followed a just war theory in its war against Britain. The idea of just war has been around for hundreds of years, and originally arose out of the Judeo-Christian tradition.⁴ Just war theory focuses on the justification of how and why wars are fought. The justification can either be theoretical or historical. The theories are wide ranging, and there are too many to address in this paper. In order to effectively determine the IRA's place in just war theory, I will use only those theories that are most acceptable (logically and by the international community) and applicable to the case of the IRA.

This paper will attempt to show that the people of Ireland were indeed persecuted socially, religiously, economically, and politically by the Britain in the course of the past six and a half centuries. It will also reveal that the IRA was, at times in its history, a legitimate force. However, the IRA that reemerged in 1969 eventually degenerated into a terrorist organization. I intend to relate the nature and organization of the Irish Republican Army as well as give an account of all the historical occurrences that warrant Ireland's mistrust and sometimes hatred of the British. I will do so in order to effectively explain the background of the conflict. In order to prove that the IRA is a terrorist organization, I intend to explain just war theory and its conflicting theories, and then logically pick the most appropriate form of the theory for this enquiry, and apply it to the IRA's political actions.

One of the largest misunderstandings about the conflict in Northern Ireland is that it is a religious conflict. This mistake is made because the conflict is verbally divided along religious lines. The two sides are most commonly categorized as the 'Protestants' and the

'Catholics.' However, the conflict is not simply religious and in the past century and a half, it has become mostly political and nationalistic. The conflict is over whether or not the Northern six counties in Ulster should remain a part of Britain, or if they should be given independence. Generally, the Protestants, for whom Partition was originally designed, are loyal to Britain and support the political union between Britain and Northern Ireland. They are therefore called Unionists or Loyalists. In most cases, the Catholic population would like to be released from the domination of Britain. They would like to see the day that Northern Ireland and the Republic of Ireland become one nation again. Consequently, the Catholics who believe this are called Nationalists or Republicans.

Throughout Ireland's turbulent history, the Republicans have formed several organizations, brotherhoods, and armies, all with the sole purpose of freeing Ireland from British control. The IRA is one of the more recent of these, having started in the twentieth century. Another misunderstanding made about Northern Ireland is that the IRA from the early twentieth century until today is contiguous. Several dissident groups have splintered from the IRA, and are still active today, however, none of these will be discussed in this paper. For example, the IRA bomb that was detonated in Army barracks outside of Limavady in County Londonderry last year was not set off by the same IRA that is the topic of this paper. The IRA that I will be discussing has been under voluntary cease-fire since 1997.⁵ The IRA that is the subject of this paper is the Provisional Irish Republican Army which was established in December of 1969 when the IRA split.⁶ The Official IRA, as the other group that was product of the split was called, disappeared within months of the split and the PIRA became the most dominant nationalist force in Northern Ireland. Because of this dominance, the PIRA is still commonly referred to as the IRA, therefore in this paper, when I mention the IRA, (the IRA or its actions after 1969) I mean the Provisional IRA

because the two terms have become synonymous in the conflict. The Provisional Irish Republican Army is also referred to as the Provisionals or the Provos, and I will also use these terms in the course of this paper. The Irish Republican Army was made up of men from the force that began the Easter Rising, which started the chain of events leading up to the Government of Ireland Act; and although the IRA split in 1969, the PIRA of the past three decades is essentially the same army that fought for a Free Ireland in 1916 with the same goal of an independent free Irish State.⁷ How did such an army, which started out as a legitimate force that had the moral support of the world become an organization now identified with terrorism? Either the group must have changed, or they were never legitimate in the first place.

I. The History of Ireland

In order to fully understand the conflict in Northern Ireland, it is necessary to look at Ireland's history. Ireland has had a tumultuous past including a long history of invasion and oppression from outside forces. From the Vikings, to the Normans, and onto the Scots, the people of Ireland have endured many would be conquerors. However, little were the Irish to expect that the greatest occupation of Ireland was to begin quietly. In 1157, at the request of the archbishop of Canterbury, Pope Adrian IV granted Ireland to the King of England, Henry II, to be held by him and all of his successors.⁸ His title thus became Lord of Ireland. This news, if even brought to the Gaelic Lords at that time, was inconsequential. There were no English in Ireland, nor did there seem to be a great threat of invasion from them. In just twelve years time, however, a Norman force out of England invaded Ireland. The Normans raided Ireland in 1169 and they quickly overwhelmed the provinces of Leinster and Meath on the eastern side of the island in whose borders Dublin lay. After two years of successful invasion, King Henry decided he could not allow an independent Norman state to emerge on

his newly proclaimed land. In 1171, Henry came into Ireland with a force so large that no one dared resist it. Most of the Irish Kings submitted to Henry and he confirmed all of the Norman barons' conquests. Henry decided to take Dublin for himself, to be colonized by men of loyalty.⁹ However, once Henry left for England, the Normans pushed their conquest further. There was incessant fighting for a century and a half to come. The Norman barons fought against each other, the Irish kings and lords fought against each other, alliances were made, the Bruces of Scotland invaded, and several different English kings were forced to intervene into the conflicts.¹⁰ One would think that England would have taken these first two centuries as an example of what future relations with Ireland would be like, and rethink the advantages of holding such a volatile unruly island. Unlike the later English colonization, the Norman settlement was inconsequential in its long-term effect on Ireland and Gaelic society. The Norman population easily assimilated itself into Gaelic society, intermarried, and, within a few generations, the only Norman aspect about them was their names.¹¹

While Henry II was the official lord of Ireland, neither he, nor any of his close successors exercised the title to its full extent. Henry never had full control over Ireland, and what parts he did have power over were captured not by him, but by his Norman barons. In the first few centuries of official English rule, the royalty in England rarely did more than levy taxes. The Irish were expected to pay for and fight in wars that played no pertinent role in their lives. However, the English monarchy's view on Ireland changed dramatically in the wake of the Tudors. The five monarchs of England's 118 year Tudor Dynasty, particularly Henry VIII (1509-1547)¹² and his daughter Elizabeth I (1558-1603)¹³ had an enormous impact on Ireland and its people. In 1494, Henry VII, the first of the Tudors, passed Poyning's Law, which gave the English Privy Council the right to veto any legislation proposed in future Irish Parliaments.¹⁴ Henry was preparing for future Irish Parliaments,

because at that time he did not have to worry about any radical actions on the part of the Irish Parliament. The Irish Parliament during this time was composed of those who were high in the King's feudal system, salaried officials of the Crown, and the Barons, all of whom held their positions through authority from the King, therefore the Irish Parliament was not 'Irish' at all.¹⁵

Henry VII wished only to control the legislation of Ireland, however, his son, Henry VIII, wished to control the Irish people through other invasive means. Henry VIII was determined to assert a greater degree of sovereignty over Ireland by cultural and social conquest. In 1534, Henry VIII began ruling using a Lord Deputy and implemented a program of "Anglicization" in Ireland. Henry meant to impose English language, culture, and the feudal system (noble landowners) on the Irish people.¹⁶ One of Henry's Lord Deputies, Sir Anthony St Leger, helped Henry implement the feudal system by creating a policy called 'surrender and regrant.' St. Leger believed that the people of Ireland, if treated with respect, would, in time, naturally become loyal to the Crown and learn to follow English law. St Leger's policy of co-operation meant that the Irish Lords were to agree to surrender their lands and abandon their traditional Gaelic titles with the understanding that their lands would be granted back to them by the King with English titles.¹⁷ However, many of the Gaelic lords were reluctant to accept this new program because of what Henry was doing to Christianity in England.

Ten years earlier Henry had engineered an act of Parliament that was to change Christianity forever. Henry was frustrated by his wife's inability to bear him a male heir and the Pope denied Henry's request for an annulment. Henry decided to weaken the authority of the Catholic Church in England through a series of Parliamentary acts, which mark the beginning of the English Reformation.¹⁸ The archbishop of Canterbury (who was appointed

by Henry) granted Henry his annulment, Henry became the head of the newly formed Church of England, and he made this new form of Christianity, known as Protestantism, the official religion of England. The Gaelic Lords were afraid of Henry's determination to impose this Church revolution on Ireland and so some of them refused to surrender their lands.¹⁹

St Leger also advised Henry to change his title from Lord of Ireland to King of Ireland. In June of 1541, the Irish Parliament gave its approval and the act was translated into Gaelic. Through this act, Henry became the first King of England to lay real claim to the part of Ireland outside of the fortified region around Dublin known as 'the pale'.²⁰ Ireland was first officially granted to England by the Pope. But later, when Henry decided to rebel against Catholicism, he did so inclusively. As history would have it, the Reformation was not successful in Ireland, which remained Catholic. By denying the authority in Rome, Henry VIII denied the authority of the Church that gave him the power to rule over Ireland, for it was Pope Adrian IV who granted Ireland to Henry II. The archbishop of Canterbury, who had negotiated the matter with the Pope, wrote on the matter declaring that the Pope did so "in virtue of a long established right... whereby all islands considered to belong to the Roman Church."²¹ In essence, when Henry changed his title to King of Ireland, he no longer had the right to do so, for he had previously denounced the Catholic Church.

Elizabeth, Henry's youngest daughter, and a devout Protestant, was determined to protect Protestantism within England. During her rule, Elizabeth also severely affected the Irish. Elizabeth and her Generals created a "scorched earth" policy towards the native Irish. Any threat of rebellion, which sometimes constituted the simple attribute of being Irish, was to be crushed under this policy which called for the execution of every man, woman, or child that could be found, and the subsequent burning of crops, slaughter of livestock, and destruction of buildings as to ensure the death of survivors.²² The English suppressed many

rebellions with this policy, and once the native Irish were either dead or driven out, their land was given to loyal English settlers. During this time, the Gaelic earls united to fight what ended up being a six-year war against the English, which they eventually lost.

Elizabeth's successor, James I, was tolerant towards the Earls and was willing to let the Gaelic lords live on their ancestral lands as English-style nobles, but not as petty kings within the old Gaelic social system. He pardoned them, but only on the condition that they accept the "surrender and regrant" program. Despite James's lenience, it was only a few years later that O'Neill and virtually the entire remaining Gaelic leadership (99 leaders in all), dissatisfied with their new roles, and still fearing retaliation, secretly boarded a ship at night and sailed for the Continent, never to return.²³ This celebrated event, called "the Flight of the Earls," marked the end of any Gaelic order in Ireland and made concrete the English conquest of Ireland.

Before the time of James I, the English monarchs sought to control the Irish simply through coercion, however, beginning in the seventeenth century they instituted a new strategy: colonization. If Ireland was unmanageable because of its people, the most logical way to control the island was to colonize it with people the monarchs could control: their own British Protestant subjects. With the Gaelic lords gone, the English took their land, and forced the native Irish off of them. They then gave these lands to Scottish and English Protestant landowners who were loyal to the Crown.²⁴ This practice was known as 'Plantation'. Those Protestant landowners, who were granted land, were to set up an estate on that land and hire tenant farmers to farm the land. These tenants were to pay a rent for the land on which they stayed. Although the policy was initially used to take the lands of those Lords now absent in Ireland, the English continued the policy by simply taking the lands of Irish property owners and farmers. There were three such Plantations over the next century: the Ulster Plantation

(1609), the Cromwellian Plantation (1652), and the Williamite Plantation (1693).²⁵ The idea behind the Plantations in Ireland was simple; they wanted to severely weaken the native Irish population and Catholicism and establish English supremacy.²⁶ After the Flight of the Earls, the native Irish were left devoid of strong leaders and as a result, were ill equipped to organize themselves. James I, wanting to tame Ireland once and for all, took land from the areas that were the most rebellious and Gaelic, those of Ulster, and sought to tame them by giving the land to loyal Protestant subjects and settling the land with like tenants.²⁷ In theory, all of the previous occupants of occupied land were to be moved to Connaught, an isolated county on the western coast of Ireland. The Plantation of Ulster was unique among Irish plantations in that it set out to attract colonists of all classes from England, Scotland, and Wales by generous offers of land. Essentially, it sought to transplant a society to Ireland. The native Irish remained, but were initially excluded from the towns built by the Planters, and banished to the mountains and bogs on the borders of the land they had previously owned.²⁸

The Plantations damaged the Irish severely. Ireland was a supremely agrarian society, and so land was equal to wealth and power. By taking the land out of the hands of the Gaelic populace and placing it into those of people distinctively British and Scottish, the English succeeded in transferring a massive amount of wealth and power to non-native landlords, whose backbreaking rents then thrust 85% of the natives into crushing poverty and degradation. From the time the first Plantation began in 1609 up until 1701 the English succeeded in transferring all but 5% of the land in Ireland into non-Irish hands.²⁹

The Plantations also introduced a new community in Ireland that differed radically from the natives not only in religion, but also in culture, ethnicity, and national identity. Under pressure from the Crown, some of the new landowners refused to hire Catholic tenant farmers, thus ensuring the crippling of the Catholic population by poverty. Those that did

allow Catholics to live on their land were fined, and so they increased the rent for Catholic tenants and still refused to let Catholic tenants live on their estates, a privilege given only to Protestants.³⁰ Although this new community of Protestant landowners and tenants was small in comparison to the Catholic population, the massive shift of power to them created a huge socio-economic gap between the two groups that still exists today.

The broad outlines of the current conflict in Northern Ireland can be traced back to the plantations: the territory in question was occupied by two hostile groups, one believing that the land had been usurped and the other believing that their tenure was constantly under threat of rebellion. They identified their differences as religious and cultural as well as territorial. The Plantations are an important event in Irish History. The Irish Nationalist population points to the Plantations as historically one of the single most unjust acts the English forced on them. Looking at the situation in the plainest terms, it is evident that the English severely wronged the Irish population in their dealings with the Plantations. One group A enters another group B's land, forces B off of its land, and A then proceeds to give the land away. It is not even as if the King merely took the land for himself and charged rent to all of the tenants in Ireland. James methodically transplanted the wealth and power in Ireland in order to break the Irish resolve. He wanted to create a two-tiered society, with underprivileged, oppressed, Catholic farmers at the bottom, and rich, loyal Protestant, landowners on the top. This division proved detrimental to Irish society. The resentment and socio-economic inequalities that arose from it are the cause of the sectarian violence that has plagued Ireland for centuries. It is interesting to note that the Plantation of Ulster was the most successful of the Plantations, and it is in Ulster that the heaviest sectarian violence has occurred.

The Catholics were left embittered by the first Plantation, and, at the news of the Civil War in England, in 1641, they took advantage of the English government's preoccupation, and rose up against the Protestants and began killing them in large numbers.³¹ England could do nothing to curtail these killings, being preoccupied by the Civil War. The estimated number of Protestants killed during this time varies greatly by historical accounts, but most accounts agree that the numbers were significantly exaggerated in England. When the English could finally turn their gaze back to Ireland, they did so in fury. Oliver Cromwell, the victor of the Civil War and new leader of the Parliament in London, came to Ireland and brought with him an army of 12,000 men.³² He landed in Drogheda, a town outside of Dublin, and massacred the garrison he found there. He then moved from town to town, killing all who did not immediately surrender. Given the size of Cromwell's army, Ireland was easily brought to its knees. Cromwell sought not only to subdue the Irish populations, but, like Henry VIII, he felt the need to change their culture entirely. Cromwell supervised the execution of the Catholic primate of all of Ireland and the subsequent mass deportation of Catholic priests from Ireland. Those who were not lucky enough to be deported were killed. Families found harboring clergymen were imprisoned and Catholics were forbidden to worship.³³

The situation for the Catholics was temporarily alleviated by the accession of Charles II, and his successor, the Catholic King, James II. However, Catholic rule over England was not meant to last. James had converted from Anglicanism to Catholicism, much to the disappointment of the Parliament who hoped to maintain a Protestant Monarchy.³⁴ When James made an alliance with Catholic France, Parliament became desperate and appealed to William of Orange, the husband of James's Protestant daughter Mary. William landed in England in 1688, and James fled to France. William and Mary then became King and Queen

of England. James obtained help from King Louis XIV of France and afterwards landed in Ireland, where he had numerous supporters. William came to Ireland, met James, and at the Battle of the Boyne, he defeated him.³⁵

The Battle of the Boyne is also a significant event in Irish History. The Battle of the Boyne marked the beginning of Protestant control over Catholics in Ireland. However, the most significant effect of the victory at the Boyne is the Protestants' annual celebration of it. Each year, on July 12th, the Protestants, termed Orangemen (named so because of their fanaticism for the Protestant ascendancy that William of Orange secured) march through the Catholic neighborhoods in Northern Ireland to commemorate the defeat of the last Catholic King in England by their Protestant William. These marches are purely sectarian in nature, and have no other purpose but to rub salt in the old political wounds of the Catholic population. In the past three decades, these marches have led to rioting between the Catholic and the Protestant populations. They have instigated sectarian violence at its worst.

Although the traditional day of the Orange Marches is on July 12th, in the past decades the Orangemen have marched several times a year, thus multiplying the chances for inciting sectarian riots. For example, in March of 1970, the Junior Orangemen were given permission to march through Belfast. What began as a peaceful, yet openly sectarian march, turned into a full-scale riot. Later that night the rioting erupted again and 600 British troops were sent into the area. They shot off more than 100 cans of CS gas, smashed in doors, and seized as many youths as they could. For two more nights this rioting, which was incited by a single sectarian march, continued, during which Protestants invaded behind the soldiers.³⁶

The Battle of the Boyne, marked the end of a religious war that decided who was to dominate England. The war opened more opportunities for the subjugation of the Catholic population in Ireland, and the Battle of the Boyne itself has successfully perpetuated the idea

of religious intolerance, by celebrating it in a new modern form of religious bigotry. The Orangemen do not march through Protestant neighborhoods; they march through Catholic neighborhoods as a reminder of Protestant political domination in Britain, which has not wavered since the defeat of James II at the Boyne.

After he had secured the throne, William III, instituted a set of laws called the Penal Laws, which were meant to weaken the Irish Catholic population. William blamed all of the late rebellions within Britain on the Catholics, so he established penal legislation that exiled all of the Catholic hierarchy and regular clergy.³⁷ The Irish Parliament implemented the Penal Code which prevented Catholics from bearing arms, educating their children, voting, buying land, participating in any legal profession including the army, and even owning a horse worth more than five pounds. Catholics also had to divide their estates equally among their sons, thus insuring that within a generation or two a Catholic landholder's estate would be reduced to nothing but small acreage.³⁸ Unlike similar laws that had been imposed on other religious groups in different areas (the Huguenots in France and the Protestants in Silesia), the Penal Code was imposed on a majority by a minority.³⁹ The penal codes are also of relatively high importance on the long list of injustices with which the British have repressed the Irish. The penal codes effectively turn the entirety of the Catholic population into a lower, religiously repressed class with no form of citizenship whatsoever.

The British government successfully coerced the Irish population into repression, however they had not yet asserted power over Ireland in one area: trade. In 1720, the British government in London passed the Declaratory Act, which gave Westminster the authority to pass legislation over Ireland.⁴⁰ At the time, this law seemed rather superfluous. Westminster already controlled all foreign and imperial affairs over Ireland. The Irish parliament was totally unrepresentative of Ireland. All of the members were Protestants, and the only people

that were represented were the landed interests, all of whom were given their land by authority of the Crown.⁴¹ The Crown appointed all of the members of the Irish Executive. This law proved valuable in the years to come when Ireland's reputation as a totally agrarian society changed with the introduction of the linen trade. This trade, which the Irish were soon to prove experts at, was to make a significant amount of money for the British in the form of tariffs; tariffs which could not be struck from law by the Irish Parliament because of the Declaratory Act.

Although Britain seemed well ready to assert its power over Ireland, its duty to Ireland was not always so clear. On April 13, 1778, a ship called *Ranger* sailed into the Belfast Lough and preceded to engage with a Royal Navy sloop.⁴² The American Colonies, in an attempt to spread the front of the American Revolution, had decided on invading England through Ireland. The leaders in Belfast were alarmed by the rash display by the American Colonists. Economic depression a few years earlier had forced the government in Dublin to suspend military salaries, thus dissipating their army.⁴³ Knowing that France would soon side with the colonies, and sensing that another attack on their own soil was imminent, the Sovereign (mayor) of Belfast pleaded to the Government in London for help. London was too engaged in war with its new world colony to pay attention to the supplication.⁴⁴ The value of Ireland's safety was easily compromised.

In light of this compromise, the people of Belfast organized themselves into their own force, which came to be known as the Volunteers. The original purpose of the Volunteers was to protect Ireland from outside invasion. Ireland half expected an invasion by the French; after all, they had done so in the Seven Years War.⁴⁵ The Volunteers were formed to protect against such an invasion. The Volunteers recruited tens of thousands (half of whom came out of Ulster alone), and they drilled openly in city centers. It was during this

time that the Volunteers realized the rare nature of their role. The Irish Volunteers were the lone military strength on the island. There was no other defensive force to guard Ireland. The Volunteers began to realize that England's difficulty was to their advantage.⁴⁶ They had an irreplaceable chance to force political change. While their power could be used to defend Ireland, it could also be used to make demands on the British.

The government in Dublin was put in a unique position; they simultaneously feared, and yet needed the Volunteers. Despite his fears, the Lord Lieutenant gave the Volunteers 16,000 rifles in the hopes that they would be used solely for the defense of Ireland.⁴⁷ As the threat of invasion lessened, the Volunteers no longer practiced drills for the sake of training; they marched publicly to assert their power. They let Britain know their demands, and Britain, recognizing its crippled position, relented by striking the laws forbidding the export of goods. Some of the more radical members of the Volunteers wished to end Poyning's Law as well as the Declaratory Act.⁴⁸ They claimed that the rule of the King and parliament over Ireland was unlawful. The interesting aspect of the Volunteers was the makeup of the army. The only men that could afford to march and participate in the Volunteers without the benefit of pay were landlords, substantial farmers, professional men and their sons; hence, they were all Protestant. This is important because it proves that the Protestants in Ireland have not always wished to be ruled solely by Britain. Here is an example of a purely Protestant force in Ireland, using its power to assert Ireland's autonomy from England, and forcing Parliamentary change for more freedom.

The fact that the Protestants did not wish to be under the power of the British did not mean that they wanted to live peacefully with their Catholic neighbors. In fact, this era saw the first real beginnings of sectarian violence in Ireland. In Armagh, two distinct sectarian groups had emerged, the Peep o' Day Boys (Protestants) and the Defenders (Catholics).⁴⁹

What began as drunken brawls soon turned into sectarian warfare. The two fought each other several times, and after the decisive victory of the Peep o' Day Boys, the Orange Order was founded. This defensive association of lodges pledged to defend "the King and his heirs as long as he or they support the Protestant Ascendancy."⁵⁰ The Orange Order (same as the Orangemen) burned crops, smashed spinning wheels, and destroyed homes, all of which aimed at driving the Catholics into submission. They posted notices on doors alluding to Cromwell's ideas (warnings to 'go to hell or Connaught' referring to the Plantation era, when those exiled from their lands in more fertile areas were expected to relocate to the rocky remote area of Connaught). The Orange Order did succeed in driving some Catholics out of Armagh, but this only aided in expanding the Defenders. Those who were displaced to other areas had stories which they could use to encourage others to join the Defenders. The legacy of sectarianism in Ireland was born.

Into this unstable environment came economic ruin and starvation. In the middle of September 1845, the potato crop in Ireland began to rot in the fields. The tops and roots blackened due to a microscopic fungus for which there was no remedy.⁵¹ The blight worsened in the summer of 1846, and across all of Ireland, there was famine. The economic state of affairs in Ireland only helped to worsen the situation. Ireland was, despite its linen industry, still largely an agrarian society. Farmers had only small holdings of land on which to support entire families, and so they turned to a crop that would yield the most amount of food for the smallest plot: the potato.⁵² At first, the government reaction was slightly active. However, the British government soon reverted to doing nothing about the situation.⁵³ Britain instead decided to depend on the landlords to take on the burden of those starving. This idea did not prove practical. While a few landlords did open their doors and pantries to the starving, most refused to and so the tenants starved, or, if they were lucky, immigrated to

America. The Potato Famine is also considered a watershed moment of injustice in Irish History. Under the British plan, the Protestant landlords were to be the ones who helped ease the pain of the famine. In this manner, Britain effectively washed its hands of the responsibility for the starving by placing the responsibility elsewhere. Britain would have known that many of the landlords would not feed their starving tenants; nevertheless, the British government did nothing to force the landlords to perform their duties towards their tenants. Essentially, both the British government and the majority of Protestant landowners stood idly by as a percentage of the lower class in Ireland starved to death. Some more radical groups in Ireland claim the British purposely did not give aid to the full extent it could have hoping that the famine might serve as a sort of genocide for the poorer, Catholic population.

The inadequate handling of the Famine by the British was obvious. This sobering reality forced many of the Liberals within Parliament to admit that the Famine years and ensuing changes (such as the allocation of land left by those who died or emigrated) raised questions about the administration of Irish affairs.⁵⁴ From the 1860's William Ewart Gladstone, leader of the Liberals in Parliament, attempted a series of political changes to alleviate what he saw as an unjust situation in Ireland. Gladstone believed that "we hold Ireland by force and by force alone as much as in the days of Cromwell."⁵⁵ Under the leadership of Gladstone, from the 1880's through the 1910's Parliament tried to pass three Home Rule acts for all of Ireland. The debate over these acts was dubbed 'the Irish Question'. Home Rule meant that the Irish would have self-government over internal affairs. The first failed, and the second was passed in the House of Commons, but was then crushed in the House of Lords. Gladstone had hoped that the Protestants would forget their differences. Gladstone was interested in the role of the Volunteers in obtaining reform and legislative

independence in the 1700's, and had thought that their example proved that Protestants and Catholics could work together towards the good of Ireland.⁵⁶ Gladstone could not have been more wrong.

All of these attempts at Home Rule met with severe opposition from the Protestants in Ireland. The Protestants were afraid of Home Rule. They were afraid that under a Catholic controlled government, business would fail. They were afraid that the government would try to redress the aristocracy of labor in the North where the Protestants held nearly all of the skilled labor jobs. They were also afraid that if the Catholics were placed in a position of power, they would seek revenge.⁵⁷ In November of 1910, as the third and final threat for Home Rule approached, the Ulster Unionist Council formed a secret committee to oversee the buying of weapons to resist Home Rule. They wanted the Protestants to be ready to take control of Ulster in the event of Home Rule. A Protestant Reverend Dr. William McKean best put the Protestant population's feelings into words, "The Irish Question is at the bottom of a war against Protestantism; it is an attempt to establish a Roman Catholic ascendancy in Ireland to begin the disintegration of the Empire by securing a second parliament in Dublin."⁵⁸ Given the measure the Protestants were willing to take, the government in London was forced to consider the now real possibility of excluding some of the counties in Ulster from Home Rule.⁵⁹ However, the First World War came too suddenly for any of this to come into real consideration and the whole matter was pushed aside until the end of the war.⁶⁰

The Nationalists believed that Britain's necessity was Ireland's opportunity, and they predictably planned a wartime insurrection. Suspension of the Home Rule bill stimulated the growth of nationalist organizations, the most noteworthy being the extremist political movement Sinn Féin (meaning 'ourselves alone' in Gaelic). The groups united for the insurrection and the army they formed was dubbed the 'Irish Republican Army'. The

insurrection was called the 1916 Easter Rising. During the rising, its leaders declared a free Irish Republic, however, the rebellion was crushed by the British military and the groups surrendered unconditionally after only four days of fighting. The British immediately executed most of the leaders of the rising.⁶¹

The failure of the Easter Rising and the subsequent execution of its leaders created a wave of sympathy for Sinn Féin. In the British general election held in December, Sinn Fein won 73 out the 105 Irish seats. Sinn Fein candidates were pledged not to participate in the Westminster parliament but to convene an Irish Parliament in Dublin. On January 21st, 1919, the Sinn Féin members of Parliament assembled in Dublin as the Dáil Éireann, or national assembly. This Parliament of the democratically elected representatives of the Irish people ratified the establishment of the Irish Republic and declared the independence of the nation. A cabinet was appointed, and the Irish Republican Army brought under the control of the Minister of Defense, Michael Collins. In September 1919, a British military proclamation declared Dáil Éireann "illegal" and the British unleashed a reign of terror on Ireland.⁶²

The IRA countered the British attacks with guerrilla-type attacks. These attacks were always directed towards British forces, particularly the Royal Irish Constabulary; and the British instituted strong retaliations. In the course of the war, the British Parliament enacted, in December 1920, a Home Rule Bill called the Government of Ireland Act, providing separate parliaments for six counties of Ulster Province and for the remainder of Ireland.⁶³ By the terms of the bill, Great Britain retained effective control of Irish affairs. The people of Northern Ireland, as the six counties in Ulster Province were known, ratified the legislation in May 1921 and elected a parliament.⁶⁴ Although the rest of Ireland also elected a parliament in May, the Sinn Féiners, constituting an overwhelming majority outside of Ulster, refused to recognize the other provisions of the Home Rule Bill. The warfare against the British

continued until July 10, 1921, when a truce was arranged.⁶⁵ Subsequent negotiations led to the signing, in December 1921, of a peace treaty by representatives of the second Dáil Éireann (the one provided by the Home Rule Act) and the British government. By the terms of the treaty, all of Ireland except the six counties constituting Northern Ireland was to receive dominion status identical with that of Canada. After considerable debate, in which the opposition objected strenuously to a provision that virtually guaranteed a separate government in Northern Ireland and to an article that required members of the Dáil to swear allegiance to the British sovereign, the Dáil ratified the treaty on January 15, 1922, by a vote of 64 to 57. After much negotiation and controversy the treaty, known as the Anglo-Irish agreement, was ratified and the Irish Free State was brought into being.⁶⁶

Those who had voted against the treaty left the Dáil and formed a dissident Sinn Féin group. Led by Eamon de Valera, this group refused to recognize the authority of the new Dáil because they believed that they had forsaken Ireland by giving up the North. They therefore proclaimed a rival government and began their attacks again, only this time their target was not the British, but rather the Irish Free State, thus creating an air of civil war. In the course of the ensuing struggle, hundreds were killed on both sides, and many prominent Republican leaders (those fighting for Sinn Féin with de Valera) were executed. In April 1923, the Republicans declared a truce in hostilities in order to participate in the forthcoming national elections, and public order was gradually restored. The boundary between the Free State and Northern Ireland was established in December 1925.⁶⁷

Northern Ireland, the name given to the new six county administration, had been created through demographic compromise. It was essentially the largest area that could be comfortably held with a majority in favor of the union with Britain.⁶⁸ London retained ultimate authority, and Northern Ireland sent MPs to Westminster. For many Unionists the

new arrangements and the Union itself could only be maintained with constant vigilance. A police force was established which was almost exclusively Protestant (the Royal Ulster Constabulary). Emergency legislation was introduced on a permanent basis in the form of the Special Powers Act of 1922, giving the Royal Ulster Constabulary, the new main police force of Northern Ireland, the incredible power of internment without due process of law. Internment gave the government the right to arrest anyone at anytime without evidence, and it gave them the ability to then hold this person in captivity for a week even if no evidence was brought against them in that time. To protect themselves from perceived Republican threats, Protestants established the paramilitary "B Specials" (also known as the Black and Tans) as a part-time auxiliary to the RUC. The B Specials would earn a reputation for brutality and sectarianism. Local government electoral boundaries were openly gerrymandered, and a system of economic discrimination was introduced against the Catholic minority, which formed about one third of the population at the time.

The establishment of these institutions was a challenge to what some Irish republicans saw as unfinished business. The objective of securing a united independent Ireland remained. The IRA was active in the 1920s and 1930s, however, by the mid 1950's IRA activity lessened to the point that it almost ceased to exist. Although the IRA movement appeared dormant and at its end, in was only within the course of one generation that the IRA burst forth anew and with new fervor.

Ironically, it was peaceful Civil Rights campaigns that ushered in a new era of violence by the IRA. Inspired by the civil rights movements in the United States and elsewhere in the late 1960s, groups of Catholics and liberal Protestants gathered together to form the Northern Ireland Civil Rights Association (NICRA).⁶⁹ The NICRA set out to right injustices in Northern Irish Society through the circulation of information, street protests, and

later the use of civil disobedience campaigns aimed at changing the discriminatory practices and policies of the Unionist government. The NICRA sought to balance the inequalities between Catholics and Protestants. The NICRA's demands called for universal suffrage, the repeal of the Special Powers Act, the disbanding of the B Specials, the re-drawing of electoral boundaries, and the imposition of laws designed to end discrimination against Catholics in public employment and public housing.⁷⁰

The NICRA was different from the IRA and its related organizations. Aside from being nonviolent, the Civil Rights movement sought to make the Catholic people politically and socially equal to the Protestants so that they could then become active members in society. The IRA and other nationalist movements did not seek to better their conditions under British control, but rather to release themselves from British control. Rather than attacking the legitimacy of the state, members of NICRA saw their future as part of Northern Ireland's state, and they were therefore willing to take steps to integrate more fully into the existing system. In 1968, at the beginning of NICRA's campaign of peaceful demonstrations, they sought to enlist the support of the Catholic community. Little were they to know that their campaign would start a chain of events that would lead to the rejuvenation of the IRA. Their first march took place peacefully in March 1968, but the second march in Londonderry was violently broken apart by the RUC and the B Specials.⁷¹ Three months later, the more radical student civil rights group, the People's Democracy, staged another peaceful march from Belfast to Derry. Police and Unionist crowds both attacked the marchers outside of Derry and within the city itself. The Cameron Commission investigation of these violent outbreaks established "that on the night of 4/5 January a number of policemen were guilty of misconduct which involved assault and battery, malicious damage to property in the streets in

the predominantly Catholic Bogside area... and the use of provocative, sectarian and political slogans."⁷²

The Civil Rights campaigns and the Protestant populations reaction to them awakened the then small and more politically oriented IRA, and gave a new relevance to their cause. By the summer of 1969 increasing violence between the Unionist demonstrators (and police) and the Catholics (and the rejuvenated IRA) led to the intervention of the British government, in the form of the military. The main incident that precipitated the introduction of the troops was the annual Protestant Apprentice Boys of Derry parade, which marched through the city, around the city walls and close to the Catholic Bogside area. Instead of stoic looks and silence from the Catholic community, the marchers received stones, petrol-bombs, and barricades. After two days of fighting between the Catholics and police, the British Army was finally called in to separate the rioters. The Unionists met the peaceful civil rights marches with aggression and the police and army did nothing to stop it, however, when the Protestants held a sectarian march and the Catholics acted belligerent, the British Army intervened.

At first, the Catholic community was happy about the Army's intervention; they hoped they would protect them from the aggression they received during their Civil Rights marches. However, the Catholic communities hopes were soon dashed. The police and army not only did nothing to safeguard the Catholics, and were at many times at the root of the violence. It became obvious that the Catholic population was going to have to turn somewhere else for protection. The IRA supported the NICRA's policy of non-violence. However, when the Catholic community became subject to violent attacks by Protestant rioters, the IRA became split over how to deal with the situation. At an IRA meeting in December of 1969, the members were divided over whether or not to respond to the

Protestant aggression with violence. The group of militant republicans that supported the use of violence split from the IRA, to form the Provisionals.⁷³ The PIRA reconstituted itself fully by providing defense from police and Protestant paramilitaries to Catholic areas. However, the Provisionals' role as defenders soon changed into that of the aggressor.

The final straw, which escalated the violence to a counterattack, was the 1971 introduction of internment without trial by the government of Northern Ireland. Using legislation from the Special Powers Act, the Northern Irish Parliament (Stormont) introduced internment in August of 1971, with 342 men picked up in the first dawn raids.⁷⁴ Since the British Army was instructed to carry out the internment raids, they then became the focus of Catholic anger and demonstrations. The most famous of these anti-internment demonstrations resulted in the Bloody Sunday killings in Derry in January 1972, when British soldiers fired into a Catholic crowd, killing thirteen people.⁷⁵ By March of that year, the British government had dissolved the government at Stormont (to rule Northern Ireland directly from Westminster), and internment was in full swing.

Nationalists had never lost sight of the dream of a united Ireland, and the Provisionals served as a force to try and make this dream a reality. Throughout the next three decades, the PIRA was the instrument of many bombings and shooting, the most notable being Bloody Friday, which was meant to be a response to Bloody Sunday. In the course of one afternoon, the PIRA detonated 22 bombs, killing 9 people and injuring 130 others. Of the people killed, 4 were under the age of twenty, 2 were Catholic, 4 were Protestant, and only 2 were members of the British Army.⁷⁶ If Bloody Friday was supposed to be a reply to Bloody Sunday, then the IRA should have aimed at killing only British military personnel, considering the British Army was the instrument behind the killings on Bloody Sunday. However, the Bloody

Friday bombs were not aimed at the British Army; they were aimed at the population in general.

II. Just War Theory

Occurrences such as the Bloody Friday bombings have raised questions about the nature of the IRA. Many would-be supporters began to wonder if the IRA was nothing more than a mere terrorist group, as the British government had assessed. The word "terrorism" is by no means a precise term. "Terrorism" is not applied to all acts of politically motivated violence, nor to all of the people who commit such acts. In general, the term is applied to politically motivated violence of which we disapprove. The term is highly relative, and although it implies a judgment, it implies a judgment that is not always the same from different people. By saying a group is a terrorist group, it is implied that the group itself is illegitimate, and the power it is fighting against, legitimate. If it were understood that the regime against which the group is fighting was illegitimate, then we would not call the group terrorists, but rather, "freedom fighters" (a term widely applied to the IRA within the nationalist community). If one were to call the group "guerrillas," this would imply confusion over both the legitimacy of the group and the regime against which it is fighting. These terms are all vague in nature because they are labels used in volatile situations; they are fighting words and can never be consistently descriptive. In a political struggle, the words often used are not analytical terms, but rather subjective weapons; therefore it is impossible to cope with lists of designations applied to the various groups at work in the Irish Conflict throughout history. It is more useful to limit the uses of the term "terrorism" and apply it consistently and lucidly.

The definition of the word "terrorism" hinges on the definition of what war is, more specifically, what *just war* is. Intrinsicly, terrorism is contradictory to the idea of just war,

in such a manner that were a politically motivated act of violence not in adherence with the concept just war, the act could be designated as "terrorist." I will give the definitions of just war, and then determine if the IRA are terrorists by seeing if these actions do not fit the definition of just war. If their actions are legitimate according to just war theory, then they are not terrorists, but merely freedom fighters at war with an established power.

The IRA has always maintained that it is at war with Britain. Thus stated, the IRA should genuinely adhere to a view of just war. The idea of just war has been widely debated for centuries. A few commonly accepted theories have arisen out of these debates. In order to determine which just war theory is most practical in evaluating the situation in Northern Ireland, it is necessary to look at all the popular theories and decide which are most common and logical as well as which are most applicable to the IRA.

First, it is important to note that not all believe in a just war theory. In opposition to the just war theory are those skeptics who believe that morality should never be applied to war. This is reminiscent of the 'all is fair in love and war' notion. Generally, the most common theory to be applied against just war is that of utilitarianism. Proposed by Jeremy Bentham and John Stewart Mill in the nineteenth century, utilitarian doctrine works towards "the greatest good for the greatest amount of people."⁷⁷ The principle of utilitarianism is to be applied to all parts of society. However, when related to war, this principle generally results in the proposal to employ all methods possible in order to ensure that victory is gained at a minimum of expense and time. The theory itself is wrought with contradiction. In order to come to the above conclusion, the 'greatest amount of people' would necessarily exclude the country against which the war is fought. However, if both sides were included in the equation, then whichever side has the greater amount of people would always be the one with the most legitimacy. This would only follow true if the 'greatest good' for both sides still

included the resort to war (a very doubtful conclusion; it would take an extreme case where the overall good of both sides would be bettered by the destruction and loss of life contained in war). Hence, utilitarianism is typically only applied by one side on itself, and so the theory proves essentially useless. For this reason, we shall not consider utilitarian doctrine in the case of Northern Ireland.

Also against the just war theory are those who believe in 'military necessity'. Military necessity simply means that at times it is necessary to use extreme actions in order to guarantee victory. An example of this is the bombing of Hiroshima and Nagasaki in WWII. Had the Americans decided to invade Japan with regular ground troops the loss of life was estimated around one million. Instead of accepting the massive loss of life an invasion would entail, the US government adopted extreme measures (the atom bomb) thus supposedly saving lives. (*American* lives and the lives of Japanese troops with whom they would have engaged, thus placing the value of these lives parallel to those not active in the conflict: the citizens of Hiroshima and Nagasaki) The idea of military necessity is completely one-sided. It deals with what is necessary for *one* side to defeat the other. If both sides were to adopt the idea of military necessity, then both sides would engage in extreme activities in order to defeat the other. The vicious cycle resulting from this would be an even higher loss of life. This theory will also be ignored in the case of Northern Ireland.

The name 'just war' does not apply to one particular theory, but rather, it is the name given to a diverse body of theories and literature on the morality of war and the criteria for judging such morality. The theory itself does not completely oppose war, but instead stipulates moral guidelines and restraints that should be imposed on it. It seeks to justify certain actions in war. These justifications can either be theoretical or historical. The theoretical side is based on the idea that there is an ethically correct way of fighting war and

so it concentrates on ethically justifying war and forms of warfare. The historical (sometimes called the Just War Tradition) takes examples from various wars throughout history and gives precedence to those rules and guidelines followed most frequently in those wars. This historical justification does not consider ethics; rather, it gives attention to what was accepted and used in past wars. The two are interconnected, for what was once theoretical, when applied to a war, becomes historical (having been used in warfare) and what is first used in warfare, later becomes the subject of theoretical debate. The just war theory is grounded in Judeo-Christian philosophy. Parts of the Bible hint at ethical behavior in war, however, these hints are rather muddy, disjointed, and in many cases contradict each other. One of the most systematic Christian accounts of just war theory was given by Saint Thomas Aquinas. In the *Summa Theologicae* Aquinas presents a comprehensive outline of what a just war theory should include.⁷⁸ He explains not only the justification of war but also what kinds of activities are permissible in war. Aquinas's thoughts became the model upon which many just war theorists expanded in later centuries.

It is useful to consider theories such as St. Aquinas's, because, although it is apparent that the conflict in Northern Ireland is not a religious one, the relevance of Catholicism to the IRA's fight and the community that supports it cannot be ignored. It is practical to look at Christian war theories, especially Catholic theories because of the pro-Catholic nature of the IRA. Naturally, the dogmas and doctrines within Catholicism would have an immense effect on the judgments of the Army's leaders when resorting to different forms of political violence, as well as to their community when choosing whether or not to support these actions. Logically, if one were to look at the Gospels and deduct a moral philosophy on war from them, one would be reduced to a form of absolute pacifism. Christ's message from the Sermon on the Mount is pointedly clear. One should not engage in violence, nor should one

engage in violence in order to redress a wrong. Obviously, the IRA does not share this sentiment. Fortunately for the IRA, neither does the Catholic Church, which believes in a form of relative Christian pacifism. This means that war is permissible, but only in certain instances. I shall look into those theories and doctrines of a Catholic nature, because of their relevance to the topic of the Irish Republican Army.

One such statement that does not quite fit in to the just war theory, but is highly important comes from Pope John XXIII. Pope John XXIII held a Vatican Council in 1962, only the second in history.⁷⁹ The purpose of a Vatican Council is to discuss the Church's official position on all matters in the world. On the subject of war and the politics of nation states, the Council said many relevant things. First of all, it notes sadly that "the complexity of the modern world and the intricacy of international relations allow guerrilla warfare to be drawn out by new methods of deceit and subversion. In many cases, the use of terrorism is regarded as a new way to wage war."⁸⁰ Clearly, when using terms such as 'deceit' and 'subversion' to describe guerrilla warfare, the council is not meaning to paint a positive picture. The IRA makes no secret of its chosen form of warfare. The IRA's handbook, as issued by General Headquarters in 1956 (the same is still used today), is subtitled "Notes on Guerrilla Warfare." The book itself glorifies the Irish tradition of guerrilla warfare by citing past instances of its use dating as far back as the fourteenth century. The book states that the guerrilla "uses shock action and surprise to obtain his ends."⁸¹ The Vatican Council speaks negatively about such actions, actions that the IRA Handbook promotes as official policy. While just war theory does not openly condemn guerrilla warfare, the Catholic Church does. This is relevant because here there is an instance of the IRA openly defying the Catholic Church. Even if the IRA did follow just war theory through its actions, it is nevertheless already condemned by the Church.

European Christian theologians were chiefly responsible for the detailed just war criteria that I shall use in this inquiry. There are two just war categories, *jus ad bellum*, and *jus in bello*. The *jus ad bellum* concentrates on the criteria that should be used when resorting to war. *Jus in bello* focuses on justice in the conduct of war and thus, what means can be used.⁸² There are many variations of just war theory. For instance, the convention of Oslo has eight principles to use when resorting to war while St. Augustine only has three.⁸³ The concepts in *jus ad bellum* and *jus in bello* overlap just as the concepts from different theories do. For instance, of Augustine's three principles of just war, one is that you must have right intention and another states that you must have just cause. The two are the same. If you had right intention, you simply must have a just motive, which is a morally logical reason to resort to war. And a just cause is a morally logical reason to resort to war. I have gleaned seven principles from the different just war theories that exist, which effectively cover the principles found in other sources: War can only be waged as a last resort; a just war can only be fought if it has a reasonable chance of success; one must have good intentions; a war is only a just war if it is waged by a legitimate, right authority; a just war must have just cause; the violence used in war must be proportionate to the injury suffered; and lastly, the weapons used in war must discriminate between combatants and noncombatants. The first five are *jus ad bello*, while the last two are *jus in bello*. In order to thoroughly assess the justification of the Irish Republican Army's resort to war, this paper shall take each of the seven parts and separately evaluate them with the context of Northern Ireland.

The first principle mentioned is that of 'war as a last resort'. This principle simply means that in order to resort to war, you must have exhausted every other peaceful solution open to you; when you have done this, you have the right to declare war. Had the IRA exhausted all other options before going to war? In order to find this out, the first question

that must be answered is: What exactly was the initial goal of the newly formed PIRA in 1969? When the PIRA was formed, it was a clandestine armed wing of Sinn Fein. The political movement Sinn Fein has, since its establishment in 1905; been expressly dedicated to removing British rule over Ireland. The official 'Conditions for Peace in Ireland' that Sinn Fein demands are as follows: The ending of the British government-imposed partition; British disengagement from the Six Northern Counties; the setting of a definite date within the lifetime of a British government for the completion of this disengagement; the disarming and disbandment of indigenous British forces; the calling of free elections to an all-Ireland Constitutional Conference to agree upon a new constitution and national system of government; and the unconditional release of all political prisoners.⁸⁴ Given the fact that Sinn Fein is the political counterpart of the Provisionals, one can conclude that these demands are also the demands of the Provisional IRA.

Had the PIRA exhausted all other peaceful means to achieve these demands before resorting to violence? The answer is simple: No. Within seven months of the IRA split, the Provos had launched a bombing campaign; in the months before the campaign, several isolated shooting incidents occurred in which Provisionals were involved. From the outset, the PIRA was created to be a military organization. It was not formed with the initial intent to try to negotiate with the British; after all, it is the Irish Republican *Army*. However, the Provisionals did have sufficient reason as to why it did not try other means to achieve its goals. The basis for which it did not attempt other means such as strikes, marches, and negotiations is this: the PIRA had not undertaken the effort to use other means because they knew whom they were dealing with and they had a wealth of past experiences to reference in which others had tried peaceful means to gain a demand from the British Government and failed.

With this principle, it is necessary to think of the IRA in its entirety, and not just the Provisionals. The IRA did split, however, the influence of the past IRA on the Provos cannot be ignored. As previously stated, in 1905 Sinn Fein began its life as a political group with the sole purpose of the independence for Ireland. Sinn Fein has, since that time, made numerous peaceful attempts at a solution. The problem is that within the confines of a majority led Government, Sinn Fein had no hope of success. The main Unionist party, the Ulster Unionist Party (UUP), had formed all governments in Northern Ireland from 1921 until 1972 when, because of the civil unrest in Ireland, the British took away the Northern Irish parliament at Stormont, and began ruling through direct rule.³⁵ Although the Provisionals had already begun their campaign against the British, direct rule made it even harder for a peaceful solution to be negotiated. Going farther back in history, the IRA had the examples of men like Charles Parnell and Gladstone, both of whom devoted a large portion of their energy in attempt to acquire more freedom for the people of Ireland with little success. History showed the PIRA that the British government was unwavering in its attitude towards Ireland. After its establishment, the Provisional IRA immediately started a campaign of violence. They did not choose to attempt any other peaceful means, however one cannot deny the possibility that they simply did not have any other choice.

The second principle for just war is that war can only be waged if there exists a reasonable chance of success. This principle is meant to deter small countries with no chance of success from declaring war against a powerful oppressor. Although this principle aids in the 'might is right' attitude that lends the right of power to those who are simply strong enough to take it, the principle is expedient in the fact that it hampers weaker countries from leading themselves into a hopeless slaughter. Although Britain claimed that the new Provisional IRA was not prepared for war, the British Government nevertheless reacted as if

it were threatened. The question of the power of the IRA is a hard one to answer. Being an underground group, there are no open records of the amount of weapons, troops, or capital in the hands of the IRA at anytime during the past 30 years. While the IRA claimed it had sufficient power to run a military operation, the Royal Ulster Constabulary and British Government officials did not agree. They claimed that the IRA did not organize the events leading up to the violent social upheavals of 1969 and 1970; but rather they were simply coincidental and would not last. The RUC Special Branch claimed that "the present condition in the streets has caught the IRA largely unprepared in the military sense" and "Reliable sources report a shortage of arms."⁸⁶ Documents at Scotland Yard confirmed this, stating the IRA "is not organized or equipped."⁸⁷ In Belfast, fewer than 60 men called themselves IRA members, and most of these were inactive members "for whom republicanism was now mainly a social event."⁸⁸ No arms training had taken place for years, and in May 1969, Belfast's entire arsenal consisted of a machine gun, a pistol, and some ammunition.⁸⁹ (It is important to note that all of the above information is from British sources)

However, in 1916, the British Government had also dismissed the IRA as not being a formidable adversary, yet they proved to be otherwise. Within seven months of the split in the IRA, the new provisional IRA had already started a bombing campaign. A year later, the British Government felt so threatened by the new movement that they implemented internment and sent in thousands of soldiers. In its entire history, the IRA military plan has never used conventional warfare in which soldiers meet each other on a battlefield face to face; they have always relied on covert military operations involving only a handful of men. The IRA's handbook was not fortuitously subtitled "Notes on Guerrilla Warfare." Given the fact that the IRA planned to fight via guerrilla warfare, a method that requires little money,

light weaponry, and less troops; and the fact that Britain did act rather defensively towards the situation in Northern Ireland, I believe that it is appropriate to say that the IRA did have a reasonable chance of success.

The third principle of just war states that in order to fight a just war, the aggressors must have right intentions. This principle appears rather vague; however, St. Augustine, who originally proposed the just war theory, explained this principle in his City of God. For St. Augustine, right intention meant that one must have the right motives in going to war. St. Augustine believed that the right intention for going to war is simply to re-establish peace.⁹⁰ Later, in this century, Pope Pius made similar claims about just war, claiming that "The precept of peace is a divine right."⁹¹ The peace that is re-established after the war must be preferable to the peace that would have prevailed had the war never been fought. On this issue, the IRA can be proved both right and wrong. Once again, it is hard to pass judgment on the IRA's intentions, because of the fuzziness surrounding when exactly the war started. If I were to use the birth of the Provisional IRA as the mark of comparison, then the IRA could easily create a more peaceful situation in Northern Ireland at the end of the war than that which existed at the beginning (during the Troubles). However, the Protestants in Northern Ireland would not idly sit by and watch their power as a majority dwindle to a small minority as it would if the North were assimilated into the Republic. If the North were to gain independence, the Protestants would still have the majority and chances are, they would want to keep it that way. Once the North was to gain independence, it would not be surprising if the loyalist military organizations the Ulster Volunteer Force (UVF) and the Ulster Freedom Fighters (UFF) escalated their military operations to ensure that they would not be absorbed into the Catholic South. The situation would go from having a private nationalist military organization making war against the unionist forces to having private

unionist military organizations making war against the nationalist forces. Taking into consideration the reaction of the unionist population to the idea of Home Rule in the late 1800's and early 1900's, it is practical to say that there would not be peace if Northern Ireland were to gain independence.

The next principle for the just resort to war maintains that a war can only be waged by a legitimate authority, sanctioned by whatever the society and outsiders to the society deem legitimate. This requirement, like many others, is complex and wrought with confusion. Many of the principles of war can be assessed according to a specific timeframe. However, the issue of legitimacy deals with not only whether or not the IRA can be considered a recognized authority in the political world today but also with the IRA as an ideal. The IRA represents the view that Ireland has been grievously wronged by the powers in London and that these wrongs still have yet to be redressed. The question of legitimacy therefore also deals with whether or not this view is shared by the society in Northern Ireland.

Did the common people of Ireland support the Provisionals? Of course, this question is also rather tricky. In the IRA Handbook, it is written that "guerrilla operations that made... (the uprising in 1916) possible had to have a united people behind them."⁹² And then again, it states "Successful guerrilla operations involve the people. It is the quality of their resistance to the enemy and support for the guerrillas which in the end will be the decisive factor."⁹³ Here the IRA admits that its success is dependent on the support of the common people and while it does not directly state it, the IRA knows that a large portion of its legitimacy also rests on the people. Taking Northern Ireland alone, the IRA cannot have the support of the majority of the people, for even today, the Catholics only make up about 40% of the population. Even if one were to consider the Catholic population of Northern Ireland and the Republic of Ireland, the people may have at one time believed in this ideal,

but this does not necessarily mean that they have always supported the IRA as a legitimate authority to bring that ideal to light. The IRA has lost a tremendous amount of support in recent years. The Bloody Friday bombings caused many of supporters to rethink their position. In the book, Northern Ireland: A Political Directory 1968-1993 the authors make the statement, "Since this (Bloody Friday) was the most devastating day of violence in Belfast up to that time, and many of the injured suffered serious mutilation, the impact on public opinion was enormous, and many observers regarded it as a point at which the PIRA put itself outside the pale of political negotiation."

One way to assess the popularity of the IRA and its ideal is to look at the popularity of the radical political party, Sinn Fein. Sinn Fein was the political wing of IRA and up until the 1980s, the Officer in Command of the IRA gave orders to Sinn Fein.⁹⁴ In most cases, those who are members of the IRA are also members of Sinn Fein. In 1983, Gerry Adams, who had been a prominent leader in the IRA of the '70s, became leader of Sinn Fein. Adams had spent time in British prisons and had done his duty in the protests. Adams, unlike his predecessors, decided to publicly advocate the IRA. At a Sinn Fein meeting Adams said; "Armed struggle is a necessary and morally correct form of resistance in the Six Counties against a government whose whole presence is rejected by the vast majority of the Irish people. I am glad therefore of the opportunity to pay tribute to the freedom-fighters, the men and women volunteers of the IRA."⁹⁵ In his speech, Adams referred to the IRA as 'freedom fighters', not terrorist or militants. This language indicates that Sinn Fein advocated the IRA's militant behavior. Speeches such as these prove that Sinn Fein and the IRA were connected and being so, Sinn Fein's political popularity should reflect the IRA's popularity and acceptance. Sinn Fein's platform calls for the end of partition, and the withdrawal of the British from Ireland. If the common people of Ireland supported this ideal, then it should be

reflected in their votes. In 1982 Sinn Fein decided to rethink its policy of abstention and enter the elections. Sinn Fein had another major nationalist party to contend with in the North: the Social Democratic and Labor Party (SDLP). While the SDLP is also a nationalist party, it does not advocate radical measures as Sinn Fein does. Nor does the SDLP support the IRA. In comparison to the SDLP, Sinn Fein had a rather poor showing in the polls. From 1982 to 1993, in the North, Sinn Fein has never gotten more votes than the SDLP, and rarely do they get more than half the number of SDLP votes. This fact alone shows that the nationalist population in Northern Ireland generally supports non-violent means to a solution with Britain. If they thought otherwise, they would have voted so. Unfortunately, the IRA does not enjoy support from the majority of the population of Northern Ireland.⁹⁶ When polled in the late 1960s, about what they would like to see happen in the next five years, the people of Ireland picked out of their choices socio-economic reform above all other choices. Only 10% of the people (both North and South) picked anti-partition.⁹⁷ This shows that while yes, the Catholics of Northern Ireland supported the IRA, they did not support them because they wanted to see Ireland unified. The people merely wanted defense from the outbursts of anger and sectarianism that their civil rights movement had caused. And when they started seeing political reform, they stopped needing the IRA.

While the IRA does not have the backing of the majority of the population of Ireland, it can still be considered a right authority by the British government. The British Government, although not in word, did treat the IRA as if they were a legitimate authority against which to wage war by their actions. If the British Government did not feel threatened by the IRA and its role in Northern Ireland, then why did it send scores of troops into the area? And why did it begin the practice of internment? Without meaning to, the British Government turned Northern Ireland into a war zone. Barricades were set up in

Belfast, police stations began to resemble high security war bases, and police cars began to resemble tanks. The British Government may not have officially declared war on the Irish Republican Army, but by all appearances, that is what it looked like. An instant rebuttal to the accusation that Britain, through its actions, recognized the IRA as an opponent lies in the concept of necessity. What was the British Government supposed to do? While they refused to believe that the IRA was growing in numbers and power, they could not ignore the situation in Northern Ireland. Riots between Catholics and Protestants broke out every week, and civil unrest was everywhere.⁹⁸ They had an extremely volatile situation on their hands, and it was only time before the angry mobs began to organize themselves and create IRA battalions. In the summer of 1970, the Provisionals launched a bombing campaign that included the destruction of the Lord Justice's home and the home of a member of Parliament. The British government could not ignore the circumstances and something had to be done, so they sent in troops and set internment into action. This does not necessarily mean that they recognized the IRA as a legitimate authority, only that they recognized them as a threat. However, one policy does throw a different light on Britain's attitude towards the IRA.

Britain proved that it recognized the IRA as a real army by the fact that those men that were arrested because of involvement with the IRA were not sentenced and then placed into high security prisons as a criminal would be; these men were treated like prisoners of war. As an example, I shall use Long Kesh, one of the more famous prisoner of war camps, in order to show the special status with which IRA members were treated. The living conditions within Long Kesh were more than tolerable for both Unionists and Nationalists. Being recognized as prisoners of war meant that the men at Long Kesh had no prison work to do nor did they have to wear prison uniforms (hence they kept their personal identity). They had a relatively large amount of freedom; they held worship, practiced military drills,

conducted classes in Irish, and even watched TV.⁹⁹ Inside this relaxed confinement, the imprisoned IRA members fell into an organized military society which shadowed that of the IRA on the outside. There was an Officer in Command over the entire compound who was elected by all of the men. Individual leaders were elected over small groups and each of these small groups had a quartermaster in charge of weapons training.¹⁰⁰ Long Kesh could hardly be called a prison; it more resembled a military training camp. This policy of treating arrested IRA members as if they were prisoners of war is obviously important. Britain could have just arrested the men involved and sent them to prison alongside of thieves and rapists. Had Britain treated the IRA prisoners as if they were criminals, the situation would look merely as if the British only had an unstable political situation on their hands, one that may have required the need to call in troops, but only to curtail the riots until peace could once again be restored. In this scenario, the question of 'war' need not be raised. Instead, the British made the mistake of giving IRA members special status.

Being considered prisoners of war was of enormous political value to the Nationalist movement. Holding special status meant that the British admitted being at war with the nationalists and that they did not brush off the conflict as merely a confinable and minor insurrection. Patrick Bishop, an expert on IRA History and the IRA's substructure, writes of the IRA's POW status, "It allowed the IRA to claim that the British Government had accepted it at its own assessment - an army in revolt, with genuine political aspirations."¹⁰¹ It is important to note that the British government does not still hold this policy today. In fact, it was only a few years after the troubles began that they changed this policy. In early 1976, the British government decided to implement a new policy in an attempt to normalize the problem in Northern Ireland. The British realized that giving the IRA member's special status in prison was a political mistake and they announced that any person found guilty of a

crime after March 1, 1976 would be labeled an ordinary criminal and sent to a correction facility.¹⁰² In a single action, the British government succeeded in changing the entire basis of their involvement in Northern Ireland. They hoped that by treating IRA members as nothing more than common criminals, they would normalize the problem. This process is called 'criminalization'. Not only was this a political strategy to slowly take the situation in Northern Ireland and reduce it to merely criminals carrying out criminal acts, but some of those who created the legislation truly believed that the situation had degenerated to this state. On the PIRA's reaction to this new policy Margaret Thatcher was quoted in the Irish Times as saying, "a crime is a crime is a crime."¹⁰³ The British believed that when popular belief within the country accepted this fact, the situation would soon be under control.

Nevertheless, there still exists the reality that the British authorities did initially choose to treat the IRA as prisoners of war. This fact is still of great importance. It proves that, at least in the first few years of the conflict, the British government legally recognized the Provisional IRA's authority. By using this policy the British sent out the message to the IRA and to the world that they were dealing with a legitimate authority.

If the British government considered the IRA a legitimate authority, did the rest of the world share this opinion, and if not in word, then, like the British, in action? One of the most important countries to consider in this inquiry is the opinion of the Republic of Ireland. Did the Republic of Ireland treat the IRA as a legitimate authority through action, as the British did? Charles Haughey, a minister for the Republic of Ireland, authorized a grant of 100,000 Irish punts to be given to the Irish Red Cross for the situation that was at play in the north. Since the Irish Red Cross had no standing in Northern Ireland, that money was placed in a branch of the Bank of Ireland, and at least 30,000 punts vanished to import arms for the Provisional IRA.¹⁰⁴ Another minister within the government in the Republic, Neil Blaney,

advocated sending troops across the border. In December of 1969, Blaney openly stated that 'no one has the right to assert that force is ruled out' as a way of ending partition.¹⁰⁵ These instances show that there were ministers within the Government in the Republic of Ireland who were more than willing to help the Provisionals. Jack Lynch, the Taoiseach (Prime Minister) of the Republic declared in 1969 that his government "would not [idly] stand by" in the Northern Irish conflict, but would act as "second guarantor" to protect the Catholic minority.¹⁰⁶

The Republic was collectively willing to help the IRA in deed and the constitution of the Republic showed that the Republic did believe in the IRA's cause. The constitution still included the article that laid claim to the northern six counties. In the Republic, the government did recognize the authority of the IRA in word and in principle (the constitution). It is important to note that, in the course of the arms scandal that Blaney and Haughey were caught in, the Provisional IRA leader in Belfast, John Kelly, declared "We asked for guns- and no one from Lynch (the Prime Minister) down refused that request or told us that this was contrary to Government policy."¹⁰⁷ While Mr. Kelly's claim cannot be proven, neither can it be disproved. In the case of the Republic of Ireland, it is sufficient to claim that support was given to the North, at least in word. And the Republic still had the article within its constitution that claimed Northern Ireland. And this article asserted what the IRA had claimed all along, that the northern six counties lawfully belonged to the Republic of Ireland. While the Constitution of the Irish Republic contained this article, it is safe to claim that the Republic did deem the PIRA a legitimate authority.

The last part of the legitimacy question has to do with the angle that perhaps the IRA has the most concrete claim in, the question of legitimacy according to history. Although some may say that the IRA has little entitlement to legitimacy, the IRA can argue

its legitimacy rests on the history of oppression at the hands of the British. Throughout Ireland's history, Britain has repeatedly treated the Irish people unjustly. Henry II did nothing to protect the people of Ireland when the Normans invaded. Henry VIII forced the Gaelic lords to either become subjects of his, or to lose their land. He imposed the feudal system on Ireland and unlawfully declared himself King of Ireland. Henry's daughter, Elizabeth, developed the 'scorched earth' policy to quiet rebellion. During the Plantation Era, the English supplanted the Irish gentry with English landlords. After the British had successfully appropriated most of the Irish land, they then proceeded to desecrate their religion as well. Oliver Cromwell directed the execution of the Catholic primate of all of Ireland and then the deportation of Catholic priests. William III instituted the penal laws, which oppressed the Catholics in every area of their lives. In 1720, the British government in London passed the Declaratory Act, which gave Westminster the authority to pass legislation over Ireland. Through this act, the British approved legislation limiting the sort of goods that could be exported from Ireland and taxing all goods going in and out of the country. During the famine, the British did little to ease the suffering of the starving. The list of injustices goes on. The English exploited the Irish through taxes and tariffs and they oppressed them religiously, socially, economically, and politically.

Irish history is full of instances of injustice and oppression at the hands of the English. And it is not as if this oppression suddenly ended in the twentieth century. The Penal laws no longer existed, and the government no longer stole land from the Irish population, however, the Catholics were still discriminated against. In the allocation of jobs and housing, the Protestants always had priority. This is reflected in the modern-day unemployment rates. According to the census of Northern Ireland published in 1971, Catholic women were 1.9 times more likely to be unemployed than Protestant, and Catholic

men were a staggering 2.6 times more likely to be unemployed than Protestants.¹⁰⁸ Numbers like these are not merely fortuitous, it is obvious that there must be something working against the Catholics. When the PIRA was organized in 1969, it had the right of history behind it. Pope Pius stated that a country could go on the defense if it has been injured in such a way that its vital rights have been attacked.¹⁰⁹ And history shows this occurrence repeatedly. The next principle of just war is interconnected with this fact as well.

The next principle states that war can only be fought to redress a wrong suffered. Was Ireland wronged in such a way that it deserves restitution? Ireland has suffered so many wrongs at the hands of the British, the only question to ask is, which wrong? Even if one were to discount any event that has not occurred in the last fifty years, there would still be the problems of religious discrimination that have only recently begun to melt into the past. When the PIRA began its military campaign, the British Army and the Irish Police were in the habit of breaking down doors in Catholic neighborhoods, intimidating the inhabitants inside, smashing private property, and then leaving the house, but not without first grabbing a bystander and arresting him without a concrete reason. At the beginning of the Troubles, the Irish people needed a defender, and someone to redress the situation they were being forced to live with. That defender turned out to be the IRA. The IRA was at war to redress wrongs suffered.

This principle of just war is reminiscent of what Pope John XXIII believed of war. The Council made statements that seem to condemn the actions of the IRA's enemy, Britain. This is important because, if Britain has fulfilled its role as a responsible and just government, then the IRA has no real reason to openly wage war against the British. However, if the British government has unjustly treated the people of Northern Ireland, then the IRA does have a wrong to redress. The British government has not successfully followed

what the Vatican considers just. The Council says of political leaders: "With integrity and wisdom, they (those who are suited for the noble role of politics) must take action against any form of injustice and tyranny, against arbitrary domination by an individual or a political party and any intolerance."¹¹⁰ While the domination of the Protestants as a political majority within Northern Ireland is not arbitrary, one must call into question the origin of this majority. The reason behind partition of Ireland was not so that Britain could still lay claim to a part of Ireland; this was not their ends. The problem was that every time the question of Home Rule was brought up, the Protestants in Northern Ireland rallied against the idea. The Protestants, who were the minority in Ireland, still held all of the power. The inequitable distribution of wealth between Protestants and Catholics that the Plantation era precipitated was still quite evident. The Unionists, not willing to live in a country in which they were the minority, settled for the Partition of the North, where their population was strongest. Britain knew that it was going to have to partition Ireland, and in order to make Ireland easier to rule, it meticulously picked the boundaries of the North so that the Protestants would have the majority. The Unionists were then allowed to openly gerrymander the counties and townships in their favor. An example of this is Londonderry. Up until 1969 in Londonderry the Unionist had the majority on the Council, while only 37% of the population was Protestant.¹¹¹ Most legislative power over Northern Ireland was still in the hands of the Parliament in London, which made Catholic power such a small minority as to have no threat against the Unionists. Even when there was a working Parliament in Northern Ireland at Stormont, this Parliament was majority led, and while within the context of Northern Ireland the ratio for Catholics is better, it was still a minority and had little power.

Pope John XXIII says of such political institutions "Those political systems, prevailing in some parts of the world are to be reprovved which hamper civic or religious

freedom, victimize large numbers through avarice and political crimes, and divert the exercise of authority from the service of the common good to the interests of one or another faction or of the rulers themselves.”¹¹² Every aspect of this quote in some way describes the British government and its relationship with Northern Ireland. The ‘hampering of civic or religious freedom’ is everywhere evident in Northern Ireland. The government discriminated against Catholics in the allocation of jobs and houses. The Catholic unemployment rate was significantly higher than that of the Protestants. The permanent emergency legislation that existed over Ireland served to ‘victimize large numbers through avarice and political crime’. Through the use of internment, the Northern Irish Police force could, without reason, arrest any individual they perceived as threatening and then hold them for up to a week before even bringing them in front of a judge (a time period that in reality often extended beyond a week). The police did not need warrants, and it was rare that a house that was searched was left unscathed. The Royal Ulster Constabulary habitually destroyed furniture and beat inhabitants. They would regularly bring Protestant civilians along with them to aid in house searches. These Protestants did not aid in policing, they were there only for the brutality and intimidation factor. The British government ‘diverted the exercise of authority from the service of the common good to the interests of one faction’ through their system of electoral abuses. The details about Britain’s abuses, and the Vatican’s condemnation of such acts are valuable because they explain why the conflict has been perpetuated for as long as it has. The IRA does not have a great claim in the legitimacy argument outside of that of history and recognition by the Republic. But, the Vatican council condemns the actions of Britain and supports a war to defend against such actions.

The next to last principle states that the violence used in war must be proportionate to the injury suffered. The Irish have suffered many injuries at the hands of the British. But the

IRA needs to base its proportionality within a modern period so that it deals with those people that are alive now or only recently dead. They must then only use the grievances that have occurred in the past few generations, because it is unfair to victimize portions of the civilian population today due to what their ancestors did. The IRA does have a legitimate claim to their own national identity, religion, and maybe even to the land itself by the right of history, but the IRA does not have a legitimate claim to violently attack civilians because of history. In the past fifty years the British have treated the Catholics unequally, and they passed many unjust laws, however this does not justify the fact that the IRA sets off bombs which kill innocent people. They may claim that this is still proportionate to what the people of Ireland have suffered, but the IRA does not have the right to compile all of their past grievances to justify massive acts of violence. This is not justice, but rather revenge. but it cannot justify killing innocent people with a "they did it first attitude". On the issue of proportionality, they IRA fails as well.

The last principle states that the weapons used much discriminate between combatants and noncombatants. Simply stated, the IRA does not use weapons or tactics that discriminate between combatants and noncombatants. The IRA is a guerrilla army, and therefore they rely on military operations that do not require open fighting or a substantial amount of manpower. The IRA uses bombs because they fit both criteria. The problem with a bomb is that it does not wait until there are only military personnel around, nor does it strike only those who are the enemy. Bombs are indiscriminate toward everything. They are simply meant to destroy all life and property in the surrounding area. As a result of the Good Friday bombings, only two military personnel were killed out of the nine deaths. That is less than 25% accuracy. Not only did the bomb kill civilians, it killed *Catholic* civilians. What is the good of a weapon if it kills your would-be civilian supporters? From the beginning of the

Troubles until the cease-fire in 1997, the estimated loss of life attributed to the IRA is 1,776 people. Of these, 472 were ordinary citizens and 506 were native-born members of the police or army. This means that over two thirds of those dead are from Northern Ireland and over a quarter of those killed are local citizens.¹¹³ It is true that there are times when the killing of civilians cannot be helped, however, even in the selection of targets the PIRA fails to comply with just war. The Army members choose targets such as bus depots, public drinking houses, customhouses, and the like. These are places where there will naturally be a large number of civilians.

Part of the reason why the IRA kills so many civilians is the organizational structure of the army. On the organization of the army, the Handbook states that “above all it must not be rigid”, and most importantly the Handbook states that “Guerrillas’ work is decentralized or dispersed units. The independent detachment (15 to 25 men) is the key to the organizational structure. The detachment will decide its own local targets and carry out its job within an area without further orders.”¹¹⁴ The handbook directly states that an independent detachment of the IRA “picks its own targets except when acting under direct orders of a higher command.”¹¹⁵ Here lies the main problem. The Provisionals allow their volunteers to pick their own targets and they give them no concrete definition of who the enemy (and therefore their target) is. By organizing themselves in this manner, the army does several things. Firstly, it takes away the responsibility of having to maintain an invasive higher command, which would have to allot levels of authority, direct military orders, and a guided military strategy. The only strategy the IRA has (as listed in its handbook) is to build up a resistance, weaken the enemy’s resistance and administration, and to slowly drive the enemy out of its base, and therefore, out of the country.¹¹⁶ This military strategy is clearly not detailed, and leaves many things open to interpretation. As many times as the word ‘enemy’ is listed in the

Handbook, it is not once is it defined. While it may seem obvious who the enemy is, it is important to remember who the victims of IRA violence normally are. One would expect that the British Military should be the sole target of the IRA, because the IRA contends that Britain unlawfully holds Northern Ireland as its own territory, so in effect the occupation of British troops in Northern Ireland is an enemy occupation. Therefore, all militant acts should be directed towards the British Army. However, the British Army is not the only target of the IRA, nor is it even the main target of the IRA. The IRA could choose only army barracks, or police Headquarters but they simply do not and therefore, the Provisional IRA simply fails at this principle.

III Conclusion

According to the principles of just war outlined in this paper, the IRA is not fighting a just war. They do not follow many of the principles I outlined. The IRA is not proportionate in its violent acts. The IRA does not have the right to visit vengeance on the people of Northern Ireland for the misgivings of the past, nor does the IRA have the right to kill civilians as wantonly as it does. In past three decades, the IRA did not have the full support of the people of Ireland behind it, and it only has a minority of the support of the people in Northern Ireland. One of the most important details about the situation in Northern Ireland is the support of the people. The polls that show that the people of Northern Ireland do not support the IRA as a majority, and even the Catholics do not support the ideals of Sinn Fein as a majority. The Social Democratic Labor Party has always made a stronger showing in the polls than Sinn Fein. Without the support of the general population, the IRA is not a legitimate authority, and does not have the right to wage a war on behalf of the population.

The just war theory states that the peace that exists at the end of the conflict must be preferable to the peace that existed before the conflict. The IRA, if it achieves its ends,

cannot promise a better peace than that which existed in the late 1960s. It may be the goal of the IRA to establish peace, nonetheless, given the unstable nature of Irish society, it would be impossible to predict without a doubt that this peace would be attained. But can any nation entering a state of war promise a greater peace? And if they cannot, must they live with their situation, as unjust as it may be? Imagine a poor country, with a small population. Its larger, richer neighbor is exploiting this country. The people of the larger country treat the people of the small country like slaves. The population of the poor country wishes to rise up against its oppressor, however, given their small population, weakened status, and economic situation, they cannot guarantee a victory. The state of affairs after their defeat would probably worsen, however, there is a slight chance that if they start an insurrection, the eyes of the world community might turn to their corner of the world and aid might be given. They cannot give assurance of greater peace and justice. But does this mean that they must simply live with their situation? Must they endure their oppression because some set of guidelines shows that they will not be fighting a just war? It seems that it is their right to rebel, and moreover, they are just in doing so. The just war theory I chose to use is limited because it fails to make provisions for situations such as these. Every just war theory is limited in this aspect. Take for example one principle that is the most logically necessary for a just war: violence in a war must discriminate between combatants and non-combatants. Logically, it appears unjust to kill those who are not participants in a conflict. We obviously do not want a war that involves the wanton killing of civilians, however, many wars that have traditionally been considered just have done exactly that. World War II was called the war to end all wars. The Allies are not considered unjust participants in World War II; on the contrary, they are traditionally perceived to be the liberators. Nevertheless, the Allies killed a large amount of civilians in their campaign against the Germans. In fact, it was part of Allied strategy to kill

civilians in order to weaken the German resolve. The Allies leveled cities such as Dresden and Warsaw. The Germans also bombed Allied cities and did so before the Allies began their bombing campaign, however, does this make the Allies actions just? The Allies were simply trying to stay on the same level of combat as the Germans, however, they instituted methods that are expressly against the just war theory.

Here lies the fallacy of just war theory. The just war theory is meant to be much like Kant's categorical imperative. Kant believed that whatever moral choices you make, you must make them as if they should become universal law. Just war theory is written to provide a peaceful world *as long as* everyone follows the same just war principles. The problem is, not every country follows these principles. It is hard to fight a just war when your enemy has no moral qualms over employing any form of violence, no matter how cruel. The just war theory does not make provisions for this fact. The idea of just war works only in theory; for, it is only in theory that every country will follow just war guidelines.

If just war theory is flawed, then why not simply get rid of it. While I believe that just war theory is intrinsically imperfect, I would rather have an imperfect theory than none at all. Rules of war should exist. Even if these rules are unattainable, they still serve as an ideal for what we, as human beings, should act like. Unfortunately, there is no logical way to make war just. It is war, and the very nature of war is using violence as means to an end. In war, people die. Just war theory simply tries to stipulate who can die and for what reasons. We can only hope to maintain these principles, in hopes that some countries will follow them when it is necessary to go to war.

- ¹ Handbook for Volunteers of the Irish Republican Army (Boulder: Paladin Press, 1985), p. 5.
- ² R.S.P. Eliot and John Hickie, Ulster (New York: St. Martin's Press, 1972), p. 39.
- ³ Jonathan Bardon, A History of Ulster (Belfast: Blackstaff Press, 1997), p.477.
- ⁴ Paul Ramsey, The Just War (Lanham MD: University Press of America, 1983), pp. xi- xii.
- ⁵ "Behind the Mask: IRA and Sinn Fein" P.B.S. Frontline,
<<http://www.pbs.org/wgbh/pages/frontline/shows/ira/conflict/>>.
- ⁶ Ibid.
- ⁷ Conor Cruise O'Brien, "Terrorism Under Democratic Conditions" in Terrorism, Legitimacy, and Power, ed. Martha Crenshaw (Middletown, Connecticut: Wesleyvan University Press, 1984), pp. 98-99.
- ⁸ Bardon, p. 32.
- ⁹ Ibid., p. 33.
- ¹⁰ Ibid., pp. 38-58.
- ¹¹ Ibid., p. 26.
- ¹² Ibid., p. 70.
- ¹³ Ibid., p. 70.
- ¹⁴ R.F. Foster, The Oxford History of Ireland, (Oxford: Oxford University Press, 1987), p. 139.
- ¹⁵ Ibid.
- ¹⁶ Bardon, p. 70.
- ¹⁷ Ibid., p. 71.
- ¹⁸ Foster, p. 98.
- ¹⁹ Bardon, p. 72.
- ²⁰ Ibid., p. 71.
- ²¹ Ibid., p. 132.
- ²² Ibid., p. 75.
- ²³ Ibid., p. 116.
- ²⁴ Ibid., p. 125.
- ²⁵ Ibid., p. 128.
- ²⁶ Eliot and Hickie, p.30.
- ²⁷ Bardon, p. 118.

- ²⁸ John Darby, "Facets of the Conflict in Northern Ireland," CAIN (Conflict Archive on the INternet) Web Service, 1995. <<http://cain.ulst.ac.uk/>>.
- ²⁹ Darby, <<http://cain.ulst.ac.uk/>>.
- ³⁰ Bardon, p. 131.
- ³¹ Foster, p. 120.
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