# ‘Making the most of it’:
# The emergence, maintenance, and legitimation of the contemporary Northern Irish republican armed struggle

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TESI DOCTORAL UPF / 2017

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*Mural at the offices of the Irish Republican Prisoners´ Welfare Association (IRPWA) in Chamberlain Street, Derry.*

ACKNOWLEDGEMENTS

The first expression of gratitude is for my supervisor, Mariona Ferrer-Fons, to whom I am grateful for the given opportunities, the mentoring and support, and for enabling my research ideas.

The institutional setting at the Department of Political and Social Sciences at the UPF was very supportive of my research, where I am particularly grateful for the research funding which enabled me to carry out the fieldwork for the production of this work.

I would like to thank all my peers and colleagues at the UPF who over the years left imprints on my work and thoughts, with my gratitude extended particularly, but not exclusively and in no particular order, to Olatz Ribera Almandoz, Antonella Levatino, Queralt Capsada, Elisabeth Kraus, Francesco Pasetti, Albert Jiménez, Peter Clinton, Adam Holeszewitz, and Lesley-Ann Daniels, who had the immense misfortune of sharing my research interests and thus had to endure my rants, raves, and random thoughts.

In the later stages of writing the opportunities at the Scuola Normale Superiore in Florence and the mentorship there of Professor Lorenzo Bosi offered a highly stimulating setting for the completion of this work and an opportunity for which I am very thankful.

Finally, I want to thank Maja for her endless support and care.

RESUM

La tesi es centra en l'actual iteració de la lluita armada republicana a Irlanda del Nord, activa des de l'època del procés de pau a finals dels anys noranta. Tot i caracteritzar-se per una intensitat menor que la del conflicte armat que es va produir entre 1969 i 1998, l'actual campanya de violència política continua sent letal, amb episodis periòdics de violència dirigits contra ambdues entitats estatals i contra aquells entesos com a amenaces per a les comunitats nacionalistes. La tesi doctoral aquí presentada assumeix la tasca d'estudiar aquesta lluita armada des d'una triple perspectiva, observant-ne l'emergència, el manteniment i la legitimació. Aquesta tasca es caracteritza per la seva exploració de la naturalesa entrellaçada de les diferents formes de violència política que constitueixen la lluita armada, fent-se especialment evident en el caràcter mútuament constitutiu de les condicions que faciliten l'existència de violència política. La present és la primera investigació en problematitzar aquesta relació i, per tant, ofereix una comprensió innovadora dels fenomens estudiats.

ABSTRACT

The thesis is focused on the contemporary iteration of the Northern Irish republican armed struggle, which has been active since the time of the peace process in the late 1990s. Despite being characterised by a lower intensity than the armed conflict that took place between 1969 and 1998, the ongoing campaign of political violence is still lethal, with periodic instances of violence directed against both entities of the state and those understood to be threatening the nationalist communities. The presented doctoral thesis takes up the task of studying this armed struggle in a tripartite focus, by looking at the emergence, maintenance, and legitimation thereof. This work is defined by its exploration of the interwoven nature of the different forms of political violence that makes up the armed struggle, with this most evident in the mutually constituting nature of the facilitating conditions for the existence of political violence. It is the first work to problematise this relationship and thus offers a novel understanding of the studied phenomena.

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# INTRODUCTION

*To hell with the future, let s get on with the past![1]*

On August 15th 1998 a car-bomb exploded in the town of Omagh in Northern Ireland. 29 people were killed, and over 200 were wounded. The act was carried out by the Real IRA (RIRA), a faction of the Provisional IRA that was heavily opposed to the peace process which was taking place in Northern Ireland at that time, and which reached its peak with the signing of the Good Friday Agreement (GFA) on April 10th of that year. The bombing strenghtened both the international and domestic commitment to the successful outcome of the peace process, which included strong condemnation from both the republican and the loyalist sides. However, despite the act being still regarded as the most prominent one that anti-GFA armed republican groups (ARGs) have undertaken, this lack of a campaign marked by high casualties is far from an indicator of a completed peace process.

While most scholarship on the topic of the behaviour of ARGs is in agreement as to the limited nature of the armed struggle being waged against the British state in Northern Ireland since the 1998 peace agreement, there is also agreement as to the desire to continue exercising political influence through violent means by ARGs, thus contributing to a particular form of peace spoiling. Scholarly inquisitiveness therefore provides the basic questions that need to be answered for the understanding of these entities and their actions. How has this struggle emerged, or indeed, why has it survived the peace process? Why has the popular opposition to armed struggle not affected the capacity to act in such ways? And how is the struggle justified and legitimacy for it achieved?

This work echoes and attempts to heed to the call by Sophie Whiting who notes the following:

> "whilst continuous observations of these groups have been made through the media, government reports and intelligence services, few attempts have been made to form a comprehensive understanding of 'dissident' actions. There is a need therefore to provide further insight into the ideology and functioning of 'dissident' groups in order to expand beyond

1 Unknown Northern Irish protester, cited in: James K. Sebenius and Daniel F. Curran, "To Hell with the Future, Let's Get on with the Past: George Mitchell in Northern Ireland," (Cambridge: Harvard Business School, 2001).

the descriptive analysis. For example, do these groups have ideological and political purpose or is it simply enough to explain their actions as possessing an affinity to violence?[2]"

In the following sections, I will present the research context, justify the research with a reflection of the field of research, and finally provide an overview of the argument as it will be developed through the thesis.

## I. Context

### *Setting the stage for spoilers*

As any work that deals with the aftermath of a given conflict, this work needs to briefly address the extent and dynamics of the Northern Irish conflict of the second half of the 20th century, and to link the trajectory of the conflict with the political and security landscape of the post-conflict period leading up to the present day. Focusing on the development of the intractable conflict stemming from the initial political cleavages that traditionally make up the justificatory postulates for political violence, we can identify several that have persisted as identifiable concepts in the intra-conflict period, with these largely falling under cleavages from discriminatory and exclusionary practices in economic, labour, and political affairs, as well as high levels of sectarianism and unresolved historical injustice that makes up a complex martyrology on both sides of the divide. This divide, variously labeled as between Catholics and Protestants, Catholic-Nationalists and Protestant-Unionists, or Catholic-Nationalist-Republican and Protestant-Unionist-Loyalist sections of the Northern Irish society reached the flashpoint of its most recent large-scale conflict in the late 1960s. By then, the underlying cleavages, primarily driven by economic and social inequality, became a coherent mobilising factor in the nationalist community that was set on achieving given civil rights that it had not enjoyed by then. This mobilisation "had become more vocal and prompted reactionary responses from the Northern Ireland government and the loyalist majority"[3], with this leading to increased violence but

2 Sophie Whiting, "Spoiling the peace? The threat of dissident Republicans to peace in Northern Ireland," (Manchester: Manchester University Press, 2015), p. 4-5.

3 Roger Mac Ginty, "Northern Ireland: A peace process thwarted by accidental spoiling," p. 155. In: Edward Newman and Oliver Richmond (eds.), "Challenges to peacebuilding: Managing spoilers during conflict resolution," (Tokyo: United Nations University Press, 2008).

also to a reframing of the political objectives, with "demands for civil rights [giving] way to a more nationalist "Irish unity" agenda"[4].

The late 1960s represent a period of significant development in the conflict, with the escalations and violence increasing, the conflicting sides becoming bolder in their use of weapons legitimised through 'self-defence', as well as the entry into the conflict of another actor, the British Army, which was deployed in Northern Ireland as part of Operation Banner in August 1969. With the changing tactics and strategy driven by a shift from a community-defensive to an offensive focus on the sides of the paramilitary groups from both sides of the divide came increased casualties, with this increase often driven by retaliatory or 'tit-for-tat' attacks which had a primarily sectarian nature. This meant that by the time of the peace negotiations in the mid 1990s, over 3,500 people had lost their lives. The explanations for the occurrence of peace negotiation and the ultimate success of the peace treaty have generally focused on one factor first and foremost[5], the "mutually hurting stalemate" and the associated 'ripeness theory', with the underlying logic thereof being an awareness and recognition by the warring parties that there is a logic of diminishing returns at play if violence continues beyond an identifiable point of stalemate[6]. With this contributing to the explanation of the behaviour of the paramilitary actors and the elites of the republican and loyalist camps, it is important to recognize two further factors that contributed to both the timing and the success of the peace process: the first is the gradual political shifts as part of a changing republican strategy which began enabling political means for the attainment of macropolitical goals, and the second, the 'war-wariness' not only of the paramilitaries but also within their constituencies. This latter factor meant that with the emergence of the before-mentioned political trajectories the public was highly supportive thereof and thus less-so of a potential continuation of the armed conflict.

These developments must be considered for the understanding of the central topical focus of this work, which is the emergence and behaviour of peace spoilers. Taking a broad understanding of the concept of spoiling, Roger Mac

4 Ibid.

5 A notable exception to this being the work of Tonge e*t al.* See: Jonathan Tonge, Peter Shirlow, and James McAuley, "So Why Did the Guns Fall Silent? How Interplay, not Stalemate, Explains the Northern Ireland Peace Process," *Irish Political Studies* 26 (11) (2011), p. 1-18.

6 I. William Zartman, "Ripeness: the hurting stalemate and beyond". In: Paul Stern and Daniel Druckman (eds.) "International Conflict Resolution after the Cold War" (Washington, DC: National Academy Press, 2000).

Ginty notes that the "Northern Ireland peace process was constructed with spoilers in mind"[7]. What the author has in mind is a broad as opposed to a narrow conceptualisation of peace spoiling which does not focus only on acts of political violence, but also includes political attempts at peace spoiling, such as those undertaken by the Democratic Unionist Party at the time of the peace process, as well as criminal behaviour and the informal policing thereof. An awareness of the potential of acts other than political violence to derail the peace process is what lead to the inclusion of what Mac Ginty understands as 'veto holders', thus reducing the opportunities for spoilers. However, the peace process was not entirely without those. Indeed, besides the mentioned political or 'peaceful' spoiling by the DUP, there were other events, both 'accidental' as well as deliberate, which took place during all stages of the peace process. The focus of this work is exclusively on the deliberate spoiling that has persisted throughout the post-conflict period. Even in relation to what some term as 'accidental'[8] spoiling, understood as "activity that erodes support for a peace process or accord as a *byproduct* of its primary intention", this work will argue that this is anything but. As the section on the continuity of institutional arrangements will show, they persisted as a result of the criminal and anti-social activities taking place in nationalist communities, but they were far from 'accidental', with the removal of the functional legitimacy of the statutory framework a defnining characteristic.

In terms of the deliberate spoiling by republican actors, primarily through the use of political violence, the drivers of that are easily identifiable. Feargal Cochrane notes on the achieved peace in 1998 that "the euphoria did not last long"[9] as,

> "in many ways the GFA was a 'hard sell' for Sinn Féin. It did not have Irish unity. It did not even have a promise of Irish unity (even a vague one). It merely had a *right to aspire* to Irish unity, while recognizing the legitimacy of Northern Ireland and operating a set of political structures under the sovereign control of the British parliament.[10]"

7 Mac Ginty, 'A peace process', p. 153.

8 Mac Ginty, 'A peace process'; Patlee Creary and Sean Byrne, "Youth Violence as Accidental Spoiling?: Civil Society Perceptions of the Role of Sectarian Youth Violence and the Effect of the Peace Divident in Northern Ireland," *Nationalism and Ethnic Politics* 20 (2) (2014), p. 221-243.

9 Feargal Cochrane, "Northern Ireland: The Reluctant Peace," (New Haven: Yale University Press, 2013), p. 189.

10 Cochrane, 'The Reluctant Peace', p. 192.

With the paramlitary splits that in the 1980s and 1990s produced new entities that abstained from the emergence of a pro-political trajectory for the achievement of macropolitical goals, the increased presence of peace spoiling through political violence in the post-GFA period was to be expected. The Omagh bombing in 1998 is wildely understood to be an attempted derailment of the peace process and intended to damage the implementation of the GFA[11], with this motivation largely the sole one in the continuation of political violence directed at statutory entities.

*Entities*

> "The lads [paramilitaries] are members of the community here, they're not these people you see on TV, where you think they're Al Qaeda or something. They walk the same streets we do and we know we can trust them.[12]"

The emergence of the contemporary republican armed struggle is frequently interpreted through splits that occurred within the Provisional movement at various stages. The first of these groups to introduce themselves to the public with an act of political violence was the "Continuity Army", henceforth known as "Continuity IRA", which first emerged from a split in the Provisional IRA in 1986, and became broadly known when it planted a car bomb in Belfast city centre in October 1996[13]. The motivations behind the split from which it emerged was an unwanted political move, specifically in relation to the absentionist practice or 'tradition' which is driven by a rejection of the legitimacy of the two parliaments on the island of Ireland. In 1986, the withdrawal of this practice was under consideration (and finally approved) by the Provisional movement with particular consideration of Sinn Féin's contestation of seats in the Irish Dáil.

In the aftermath of the motion being passed the first still-active group to split from the PIRA emerged. Similar political moves produced the second, and arguably most active of the contemporary ARGs, the RIRA in 1997. The motivation in this case was the PIRA ceasefire and related shifts towards political means, which were

11 Cochrane, 'The Reluctant Peace', p. 204.

12 Interview with anonymous respondent, Derry, December 2014.

13 *An Phoblacht/Republican News*, "Raids linked to Belfast bomb," October 10th 1996.

seen as a "betrayal on the part of the leadership.[14]" The RIRA emerged as a significantly stronger group due to the membership that led the split, heralded by the PIRA quartermaster Michael McKevitt, who ensured that a noticable part of the resources of the PIRA were now in the caches of the RIRA. This capacity arguably led to the devastating nature of the Omagh bombing, less than a year after the emergence of the group. After announcing a ceasefire, it reactivated again, claiming another notorious attack on March 7th 2009 when it killed two British soldiers at Massereene Barracks in Antrim – the first military casualties in Northern Ireland in 12 years[15].

This event can be considered as part of a critical juncture in the re-emergence of significant peace-spoiling activities which began in 2009, when the two dominant ARGs inflicted the first casualties since the peace treaty on entities of the British government. The second significant event took place on March 9th when the CIRA shot dead a police officer in Craigavon, providing the following justification: "As long as there is British involvement in Ireland, these attacks will continue.[16]" The acts represented two significant events of an observable rise in republican political violence in Northern Ireland, where between the PIRA decomissioning in 2005 until 2009 there were 105 casualties of various degree from shootings or other assault, with just the six months after the two shootings desribed here seeing 63[17].

The last significant actor in this environment is however not a product of a split, but rather a merger. 'The IRA' or 'New IRA' is a coalition of previously existing paramilitary (RIRA) and vigilante (Republican Action Against Drugs) organizations, along with previously dormant independent groupings, which formed in 2012 with the intent of establishing a stronger republican paramilitary organization modeled after the original IRA. Consider the following from the communiqué announcing their formation, dated July 26th, 2012:

14 Andrew Sanders, "Inside the IRA: Dissident Republicans and the War for Legitimacy," (Edinburgh: Edinburgh University Press, 2011), p. 209.

15 Alonso provides a detailed description of the history of the Real IRA. See: Rogelio Alonso, "The IRA and Armed Struggle," (London: Routledge, 2007), p. 128-129.

16 [unknown], "Two men held over PSNI murder," RTE.ie (March 10th, 2009). Published at: http://www.rte.ie/news/2009/0310/craigavon.html (Web Archive copy).

17 IMC, "Twenty-second report of the Independent Monitoring Commission," (London: The Stationery Office, 2009), p. 21-30.

> "The IRA s mandate for armed struggle derives from Britain s denial of the fundamental right of the Irish people to national self-determination and sovereignty - so long as Britain persists in its denial of national and democratic rights in Ireland the IRA will have to continue to assert those rights.[18]"

The second significant constitutive group, RAAD, was formed primarily as a vigilante organization. It first emerged in Derry as a named group in 2009, with the stated aim to clean up nationalist areas, especially from the effects of drugs[19].

The political stances and activities of all considered actors are shared with a broader anti-GFA movement, which contains entities involved in a range of activities, from active peace-spoiling, representation of republican prisoners, as well as those involved in local-level participation in political institutions. Their shared macropolitical stances emerge from a common understanding of the peace process and peace treaty, which is seen as a point of tangential departure in the achievement of republican political goals. As such, republican entities, such as Sinn Féin, who were actively involved in this departure or support it since, are actively evaluated for their positioning.

Crucially, there is no evidence to support an understanding that the various armed entities are engaged in any significant cooperation. In fact, some research argues the opposite[20]. A further conideration is the ubiquitous adoption of organisational names that one can note in multiple organisationally-fragmented settings. This means that while there might be the continued presence of the name 'Real IRA' or 'Óglaigh na hÉireann', the entities using such a name in one location, say Derry in 2009, have little organisational or operational commonalities with that in another, say Strabane in 2012. Such labels are adopted for their projected ideological and organisational continuity, arguably building on the past heritage of the entity in question. The implications of this are that the focused evaluation of the activities of particular entities in a historical perspective becomes difficult. As Feargal Cochrane notes of the state, "sometimes it all borders on the farcical: the Continuity IRA, for instance, has itself split into three groups, each of which

18 The full text can be found at the collated Ulster University repository of IRA communiqués at: http://cain.ulst.ac.uk/othelem/organ/ira/ira_2012-07-26.htm.

19 IMC, "Twenty-fifth report of the Independent Monitoring Commission," (London: The Stationery Office, 2010).

20 See the following chapter on framing the research for a deliberation on this.

claims the name as its own. One is based in Limerick, and the other two are in Belfast, under the control of rival individuals.[21]" Therefore, the argument proposed by this work is that such an organisation-focused approach would not be a viable nor a valid way of looking at the issue, with the work heralding an understanding that is based on the interpretation of the common cross-movement outcomes that are produced through disparate activities involving the use of force or threats thereof.

This is understood as 'spoiling experimentation', where seemingly isolated and low-level attempts at spoiling the peace still contribute to the achievement of a scaled-down strategic outlook. The premise of such an approach is that any form of political violence is helping maintain the non-normalised state, which is at the same time the most that the movement can hope to achieve, while still being significantly disruptive to the political and social developments to affect significant changes. The particularities of the strategy are explored in greater detail in the second section.

Returning to the consideration of the disparate entities that make up the spectrum of ARGs, the proposal is that a particular form of non-coordinated coalition has emerged in the post-conflict setting, which echoes the fragmented nature of the movement, as well as the various constraints that the entities encounter in their activities. Where this could be considered an obstacle to the achievement of significant success, this is not the case in light of the reframed political objectives of the post-conflict period. Quite the opposite, certain scholars see the fragmented nature of the movement as a factor in the endurance of this form of peace spoiling, as the targeting of specific entities is almost impossible, with repression focused on the identifiable individuals involved[22]. On the other hand, the struggle of the ARGs is comparatively simple. The post-conflict political and social landscape provides the entities struggling against it a relatively easy target. There thus exists a particular non-coordinated strategic outlook (predicated on the prevention of normalisation, or the maintenance of such a state) that does not require coordination due to its simplicity. As Suzanne Staggenborg notes, coalitions that work for the achievement of certain goals do not necessarily coordinate activities in formal ways, but 'may act in "coalition" as long as they are working towards a common goal'[23].

21 Cochrane, 'The Reluctant Peace', p. 264.

22 Ibid., p. 265.

In terms of identifying the characteristics of the armed campaign, the fragmented nature of the movement is translated into a fragmented opus of tactics adopted, with two commonalities. The first is the strategic and tactical innovation that is undertaken to minimise the depletion of resources while still attempting to disrupt the normalisation. And the second is the inheritance of knowledge, and in certain cases the resources, of entities that operated before the transition to peace. Despite these unifying mechanisms quite disparate approaches have emerged across the space of operation of the ARGs. Indeed, in one location, the tactics adopted may be of a nature that is avoided in another, with this determined by factors such as the environment of operation (urban vs. rural), the intended effect (disruption vs. attempted causing of harm), and the type of resources at their disposal (a remote, technically advanced act vs. an act driven by the individual physical force of a combatant).

*Dissent or not?*

A note on the outgroup-defined labels that are widely adopted in the research of the anti-GFA republican entities needs to be written, with a particular emphasis on the implied properties of 'deviation' or 'critique' that can be assigned to the labels in question. The most common term that is adopted when describing this broad movement both in academic and popular discourse is 'dissident republican'. Whiting notes that this label is ambiguous on several counts. First, it does not provide insight into what dissent actually constitutes, whether "dissent from Sinn Féin, or from peace, or from a political process, or a constitutional process, or does it constitute all of these things?[24]". Secondly, it denies any acknowledgement of republicanism as a heterogenous entity, reducing it as an ideology to what one particular party offers[25]. "The term 'dissent' indicates that there is a settled and definitive checklist of what constitues republicanism, a creed from which dissident groups have strayed.[26]" Crowley provides further critical commentary that is rooted in the genesis of the term, noting that it was defined by the "agenda set by the intelligence and security services of Britain and Ireland (whose main concern

23 Suzanne Staggenborg, "Conclusion: Research on Social Movement Coalitions." In: Nella Van Dyke and Holly J. McCammon (eds.), "Strategic Alliances: Coalition Building and Social Movements," (Minneapolis: University of Minnesota Press, 2010), p. 318.

24 Whiting, 'Spoiling the peace?', p. 3.

25 Ibid.

26 Ibid.

was the threat of organised violence against the GFA), the media began to use the term 'dissident Republican' to refer to those who were prepared to continue armed struggle against British rule.[27]" On the other hand, Horgan provides a realist's perspective, where reflecting on the complex and often unprecise application of the terminology, he notes that a change thereof "is not only unnecessary and inappropriate but potentially misleading. In his view,

> "´´dissent´´ does not convey a value judgement on the acto of dissidence, any more than it does on what is being dissented. Consequently, use of the title ´´dissident´´ does not place any value judgment on an individual or organization but instead describes that person or group's defining characteristic.[28]"

That such a contested term would find its way into academic discourse is not unexpected, for as social scientists we frequently adopt the terminology associated with phenomena or entities that first draw public attention, even when they are disputed[29]. However, the recognition needs to be made that this term is not adopted by the ingroup and indeed, is largely opposed by members of the broad anti-GFA republican movement[30]. Further characteristics should be explored by way of an initial literature review.

## II. Framing the research

It has been recognised that initial assessments of the Northern Ireland peace process as 'one without faults' and one that would sooner or later see the dissolution of armed struggle have been mistaken. Indeed, the activities of the contemporary ARGs have emerged as highly diverse. However, significant benefits in terms of rising support have not been achieved, and as such, this is considered as the republican armed campaign with one of the smallest supportive structures

27 Tony Crowley, "'Dissident': a brief note," *Critical Quarterly* 53 (2) (2011), p. 6-7.

28 John Horgan, "Divided We Stand: The Strategy and Psychology of Ireland's Dissident Terrorists," (Oxford, Oxford University Press, 2013), p. 13.

29 Murray Edelman, "Politics as Symbolic Action: Mass Arousal and Quiescence," (New York: Academic Press, 1971), p. 1.

30 As such, while recognizing the wide acceptance of this term in academic writing, but driven by the absence of a need to continually write the central defining term in quotation marks, this work will instead adopt ingroup-defined or descriptive labels when refering to the entities or stances under study.

in history[31].This makes one ask, why is it done? What motivates individuals and groups to strive for broad political goals through means that are rejected by most of the people which a new political order that they propose to build would rule over?

Academic inquiry into the contemporary armed campaign has established a broad-ranging opus with scholarly work produced across disciplines and with highly diverse areas of focus, including early evaluations of the resilience of the republican peace spoilers[32]. Arguably the most productive research interest has been that which seeks to explores avenues of support that the armed struggle, anti-GFA sentiment, and the entities involved enjoy. Undertaking studies of popular sentiment both through large-N and qualitative approaches, research has shown that while measured as a proportion of the population the support for this form of republican ideology is small particularly when measured through electoral support[33], it is larger than was initally acknowledged[34], and it possesses determinants that are largely different from the support that the Provisional movement enjoyed. In terms of an ideological profile, Evans and Tonge find that this support is mainly drawn from the "Green-Red strata of society, nationalists of a left-wing orientation[35]". However, this support seems not to be structurally determined, "nor are there particularly strong demographic factors at work. Instead, dissident sympathies appear to be the products of ideological choice, based upon deep nationalism."[36] In a related view, Bean echoes evaluations of activists such as Eamonn McCann in noting that support is very localised in communities 'left behind by the peace process[37]'. Indeed, for Bean it is this

31 Kevin Bean, "'New dissidents are but old Provisionals writ large'? The Dynamics of Dissident Republicanism in the New Northern Ireland," *The Political Quarterly* 83 (2) (2012), p. 217.

32 Maurice J. Bric and John Coakley (eds.), "From political violence to negotiated settlement: The winding path to peace in twentieth century Ireland," (Dublin: UCD Press, 2004); Jonathan Tonge, "'They haven't gone away, you know'. Irish republican 'dissidents' and 'armed struggle'," *Terrorism and Political Violence* 16 (3) (2004), p. 671-693.

33 It can be argued that in the studied period electoral participation was not a focus of the anti-GFA republican movement. However, the electoral support that Tonge mentions is very similar to other measured levels of support. See: Jonathan Tonge, "'No-one likes us; we don't care': 'Dissident' Irish Republicans and Mandates," *The Political Quarterly* 83 (2) (2012), p. 219.

34 Whiting, 'Spoiling the peace?', p. 125-142.

35 Jocelyn Evans and Jonathan Tonge, "Menace Without Mandate? Is There Any Sympathy for "Dissident" Irish Republicanism in Northern Ireland?," *Terrorism and Political Violence* 24 (1) (2012), p. 76.

36 Ibid.

37 Bean, 'New dissidents', p. 212.

alienation and "the fact that some are still fighting [..] that draws the support towards armed struggle[38]". This latter factor speaks of the simple presence of actors willing to undertake action of this nature, which largely means that as long as the underlying reasons are there, "some form of IRA will always remain[39]" in Northern Ireland, and will be involved in at least low-level political violence.[40]

Research into the emergence of the contemporary armed struggle and the entities undertaking it has as its starting point the splits that were produced within the Provisional movement at various stages, as driven by the unwillingness of a section of its membership to join in the rising preference for a political and civic campaign. This is the organisational explanation of the ARGs' genesis, which represents the underpinnings of all work on the entities produced. This *organisational continuity* is linked to factors such as (a) security force penetration[41] and counter-terrorist activity[42], (b) mainstream republican opposition[43] and PIRA violence against anti-GFA ARG members after 1998[44], (c) the fractured nature[45], and (d) a reduced support from the milieu for an armed campaign in the post-GFA landscape[46], to explain the comparative underdevelopment or small-scale nature of the armed campaign. In light of such a contained armed campaign and indeed broader political visibility, a significant attention of scholarly study has been devoted to the motivational underpinnigs of such activities. Frenett and Smith see the "notions of sustaining an ideological commitment" as the leading driver of anti-GFA violence[47], while the leading motivational driver is a particular

38 Ibid.

39 Ibid.

40 Ross Frenett and M. L. R. Smith, "IRA 2.0: Continuing the Long War – Analyzing the Factors Behind Anti-GFA Violence," *Terrorism and Political Violence* 24 (3) (2012), p. 375-395. Also see: Richard English, "Terrorism: How to Respond," (Oxford: Oxford University Press, 2009), p. 120-3.

41 Tonge, 'No-one likes us'.

42 John Horgan and John F. Morrison, "Here to Stay? The Rising Threat of Violent Dissident Republicanism in Northern Ireland," *Terrorism and Political Violence* 23 (4) (2011), p. 661.

43 Sophie Whiting, ""Dissident" Irish Republican Newspapers and the "Propaganda War," *Terrorism and Political Violence* 24 (3) (2012), p. 483-503.

44 Tonge notes the PIRA's actions against these groups in the aftermath of the peace treaty and before its "decomissioning and formally abandoning violence in 2005" (p. 223). Particularly the RIRA felt the effects of that with the killing of a prominent Belfast RIRA member, Joe O'Connor. See: Tonge, 'No-one likes us', p. 223. Also see: Richard English, "Armed Struggle: The History of the IRA," (Oxford: Oxford University Press, 2003), p. 320.

45 Frenett and Smith, 'IRA 2.0', p. 392; Horgan and Morisson, 'Here to Stay?', p. 642-669.

46 Tonge, 'No-one likes us'; Whiting, 'Spoiling the peace?', p. 184-191.

47 Frenett and Smith, 'IRA 2.0'.

explication of a 'historical mandate'[48] which is linked to the historical struggles from Wolfe Tone onwards[49]. Tonge writes of this that "a mandate from the living has always eluded armed republicans and modern dissidents seek comfort in historical determinism[50]". Indeed, analysing the narratives produced within the ARGs communicative environment, Tonge finds that "they highlight the supposed hypocrisy of celebrations of the 'good old' IRA(s), armed rebels bereft of a mandate at the time, contrasting it with the contemporary ostracism of those who continue to fight for a 32 Country sovereign Irish Republic.[51]" Such a historical mandate is therefore understood as the central source of the self-ascribed legitimacy of the ARGs, a temporally limitless justification for armed rebellion to any form of British presence on the island of Ireland.

While this form of a deontological justification[52] for acting simply for believing to be right is represented in the abstract macropolitical goals as exemplified by "national self-defence and the right to national self-determination[53]", this obscures the entirety of the range of activities as embedded in the contemporary armed struggle. When considering the previously noted duality of the armed campaign as being comprised of both anti-state violence and the violent enactment of informal justice, we see that a significant element of the justificational postulate rests on a *functional legitimacy* that is granted based on the primacy over the means of violence in the given space. With paramilitary punishments of anti-social and criminal behaviour increasing[54] since the culmination of the peace process to levels

48 Ibid.; Martyn Frampton, "Legion of the Rearguard: Dissident Irish Republicanism," (Dublin: Irish Academic Press, 2010), p. 39.; Whiting, 'Propaganda War'; Evans and Tonge, 'Menace without Mandate'.

49 Tonge, 'No-one likes us', p. 218.

50 Tonge, 'No-one likes us', p. 219.

51 Ibid., p. 225.

52 Garrett O'Boyle, "Theories of Justification and Political Violence: Examples from Four Groups," *Terrorism and Political Violence* 14 (2) (2010), p. 28.

53 Ibid.

54 An exception to this evaluation is the work by Cody that argues (incorrectly) that "paramilitary violence has essentially disappeared in the regions of Northern Ireland in which CRJI [Community Restorative Justice Ireland] and NIA [Northern Ireland Alternatives] have been operating" (p. 568). See: Patrick Cody, "From Kneecappings Towards Peace: The Use of Intra-Community Dispute Resolution in Northern Ireland," *Journal of Dispute Resolution* 2 (2008), p. 555-569.

of reporting higher than during 'the Troubles'[55], the origin[56] and continued existence[57] of such acts must be considered, as they represent a central repertoire in the behaviour of ARGs. Topping and Byrne provide an exploration of the phenomenon that is based on community-level perceptions of informal justice and the legitimacy of the entities undertaking it, noting that there is a seeming indifference of those supporting paramilitary punishments as to the agency undertaking it. They conclude that "certain sections of Republican communities have not so much become desensitized to the use of violence *per se* as a means of policing, but have in fact become more sensitive to the need for someone in the community – PSNI or otherwise – to police at a local level and maintain the traditionally low levels of crime to which they have become accustomed[58]". However, no research speaks of the underlying causes of the neccessity for that 'someone' to do the task of the PSNI. Indeed, a consideration of why this gap exists in formal policing is a significant part of the contribution of this thesis.

On the topic of the armed anti-state campaign several findings need to be emphasized. If we consider the scale and constraints of the campaign, what are to be its purposes? Bean argues that this particular form, characterised by a 'small scale and seeming futility' has a mobilisational role, "intended to draw fresh layers of younger repubicans towards groups opposed to the new dispensation[59]", and should as such be considered as 'a version of the PIRA's Long War strategy'. Others, such as Whiting, speak of violence not as an expression of a "belief that it will provide a route to their ultimate constitutional claim," but one that presents "an opportunity to provide a physical expression of 'resistance' to the current status quo.[60]" Generally, the evaluated macropolitical strategic goal of the entire repertiore of political violence by ARGs is that of 'disrupting' or 'preventing' the

55 Rachel Monaghan, "'An imperfect peace': Paramilitary 'punishments' in Northern Ireland," *Terrorism and Political Violence* 16 (3) (2004), p. 452; John Topping and Jonny Byrne, "Paramilitary punishments in Belfast: policing beneath the peace," *Behavioral Sciences of Terrorism and Political Aggression* 4 (1) (2012), p. 42-43.

56 Neil Jarman, "Vigilantism, transition and legitimacy: informal policing in Northern Ireland." In: David Pratten and Atreyee Sen (eds.), "*Global Vigilantes,*" (London: Hurst & Company, 2007); Ronaldo Munck "Repression, insurgency, and popular justice: the Irish case," *Crime and Social Justice* 21-22 (1984), p. 81-94.

57 Heather Hamill, "The Hoods: Crime and Punishment in Belfast," (Princeton: Princeton University Press, 2011), p. 41-43.

58 Ibid., p. 48.

59 Bean, 'New dissidents', p. 213.

60 Whiting, 'Spoiling the peace?', p. 189.

normalisation of Northern Ireland[61]. This refers to the obstruction of a comprehensive transition from dynamics of conflict to a state of peace, characterised by heightened security measures, militarised policing[62], and the functional incapacity of statutory entities (primarily security-focused ones). While such studies are widespread and indeed such findings appear to be the norm, no attempts have been made to consider *why* such positioning is beneficial, or, to frame it differently, what benefits the actors employing it are expecting to achieve. Such benefits are primarily considered in an abstracted form[63], with the notable exception of the work of Mitchell[64]. Framed in the perspective of 'conflictual world-building', such undertakings are seen as precisely designed to return some of the lost 'social capital' of previous paramilitary groupings[65], with this corresponding to an analysis based on an actor-driven process of violently eliciting support, as opposed to the entities acting as agents of the principal of a disilusioned or alienated populace. A final consideration is to be made on the comparative aspect of the violence of contemporary ARGs and the PIRA. Owing to evaluations of a continuation of a 'historical mandate' last held by the PIRA before its perceived 'betrayal of the struggle', analysts such as Edwards find themselves in the analytical trap of evaluating the contemporary armed campaign through a comparisson with that of the PIRA[66]. The belief expressed in this work is that such evaluations are implausible and do not contribute much to the evaluation of the strategic outlook of the ARGs or broader movement.

Finally, while the broader anti-GFA movement and the armed element thereof are characterised by their high level of fragmentation and absence of a collaborational platform, there is a particular element of modernity that has benefited them. The internet has been studied as a key platform for mobilisation and ideological entrenchment that lowers the burden of maintaining a campaign[67]. This

61 Horgan, 'Divided we stand', p. 21-45; Horgan and Morisson, 'Here to Stay?', p. 660.

62 English, 'Terrorism', p. 129.

63 Whiting, 'Spoiling the peace?', p. 189.

64 Audra Mitchell, "Lost in Transformation: Violent Peace and Peaceful Conflict in Northern Ireland," (Houndmills: Palgrave Macmillan, 2011).

65 Mitchell, 'Lost in Transformation', p. 191-199.

66 Aaron Edwards, "When Terrorism as Strategy Fails: Dissident Irish Republicans and the Threat to British Security," *Studies in Conflict & Terrorism* 34 (4) (2011), p. 318-336.

67 Frenett and Smith, 'IRA 2.0'; Lorraine Bowman-Grieve, "Irish Republicanism and the Internet: support for New Wave Dissidents," *Perspectives on terrorism* 4 (2) (2010), p. 22-34; Lorraine Bowman-Grieve and Maura Conway, "Exploring the Form and Function of Dissident Irish Republican Online Discourses," *Media, War & Conflict* 5 (1) (2012), p. 71-85.

environment has also positively contributed to the capacity of the broader movement to engage in a highly productive production of competing narratives with mainstream republican entities[68], with this particularly the perogative of the political wings of the anti-GFA ARGs[69] as well as groups that do not advocate an armed campaign, such as Éirígí[70].

## III. Outline of the argument

This work proposes a tripartite division based on the desire to explain gaps in the understanding of three stages of the development of the contemporary armed struggle: (1) its emergence, (2) its maintenance, and (3) its legitimation. As such, three research questions, corresponding to the three research foci are provided which offer themselves through a critical reading of the established scholarly work. The first concerns itself with the emergence of the struggle, and asks the following:

> Focusing on the informal justice institutions that form a central pillar of the campaign of political violence of the ARGs, how have these survived the transition from conflict to peace?

The second concerns itself with the maintenance of the anti-state campaign of political violence, and inquires:

> How have the anti-GFA ARGs adapted to a reduced resource potential, while still maintaining a strategic outlook that is based on political violence?

And the third is focused on the legitimation of the armed struggle, asking:

> How do ARGs and their political wings apply a threat construction to frame the state as a hostile entity and legitimise resistance to it?

Briefly summarising the justification for each of the research foci, the following section should serve as a connecting overview of the argument that flows through

68 Whiting, 'Propaganda War'.
69 Ibid.
70 Tonge, 'No-one likes us'.

the thesis. Beginning with the emergence of the armed struggle, an important determinant in the achievement of legitimacy by a non-state actor in terms of the legitimacy-conferring constitutency is the functionality that it employs. Pointing to developments of 'rebel governance'[71], the argument is that at the core of these actors' influence is the ability to address the specific issues within their topical scope in a short time, quickly responding to a state of emergency present in their constituencies. As such, what makes non-state actors relevant is the relative failure or crisis of the statutory institutions in the context of a specific issue.

This can mean either (a) failure in terms of a complete absence of adequate policy or its enactment, or (b) failure in terms of an *inefficient* policy, where the desired outcome is not met. In light of these failures or inefficiencies, alternatives are formed or demanded by the public. Indeed, such demands are a permanent presence in the communities under study[72]. The key factor in the development of tactics based on the high integration with the host community is the duality of power that emerged as a result of two processes: first, the error-prone process of post-conflict reconstruction which left a void of institutional power that was abused by groups seeking to profit from the institutional confusion[73], and second, the integration of the armed militant groups – now acting as local vigilante groups - into parallel structures of power. This is where the duality of power from which they draw support emerges. Due to the inability of established statutory institutions to address local social issues, the parallel structures of power which are run mainly by anti-GFA ARGs are implemented, and when functionally successful confer a particular legitimacy on the enforcing agency. The first section of this work therefore forcuses on the survival (and by extention, emergence) of the

This work also links the two forms of political violence that contemporary ARGs undertake, by exploring their nature as one of intrinsic interwovenness. One aspect is the shared agency that they inform. Therefore, the granting of a certain legitimacy to an entity as desribed above means this being done to an entity that is

71 Zachariah Mampilly, "Rebel Rulers: Insurgent governance and civil life during war," (Ithaca: Cornell University Press, 2011); Nelson Kasfir, "Rebel governance – constructing a field of inquiry: definitions, scope, patterns, order, causes." In: Ana Arjona, Nelson Kasfir, and Zachariah Mampilly (eds.), "Rebel Governance in Civil War," (Cambridge: Cambridge University Press, 2015).

72 IMC, "Twenty-fourth report of the Independent Monitoring Commission," (London: The Stationery Office, 2010).

73 Topping and Byrne, 'Paramilitary punishments', p. 47.

involved in not just the violence as embedded in informal justice enforcement, but also in the anti-state political violence. However, in light of an absence of large-scale support and a group-level self-aware understanding of its resource constraints, this work proposes that the maintenance of the anti-state political violence is not inteded for the achievement of large-scale macropolitical goals as framed in the ideological postulates of the movement, but rather, for the achievement of lower-tier goals which reflect the specifics of the post-conflict landscape and the constraints faced. These goals are therefore broadly characterised by the previously discussed 'prevention' of normalisation, but which this work attempts to clarify and frame within an understood strategic outlook of the ARGs. Of crucial importance here is the link between the two forms of political violence, where the anti-state armed campaign has as its most significant achievement the maintenance by the ARGs of the primacy over violent means in the areas of operation. The question that this section of the work answers is one of the adaptation and innovation that such changes have driven.

While the above noted constraints inform the strategic outlook of the ARGs, their abstract macropolitical goals remain the same. This influences the justificational underpinnigs of their acts and indeed their long-term motivation for the mobilisation. These abstractions need to be contextualised as narratives intended for the legitimation of political violence, with this section of the work exploring the particularities of the threat-based process of self-advancing legitimation. The threats as they are perceived and framed by the alliances of the ARGs and their political wings are understood to hold a particular content that allows the entities stating them to undertake extra-political action that might otherwise not be permitted by their supporters or constituents. Drawing on theories of securitisation, this section of the work therefore focuses on the strategic application of threats for the achievement of a particular actor' strategic outlook. The final section thus answers the puzzle of the application of threat construction for the legitimation of the political violence studied in the previous two sections.

## IV. Methodology

### *Data and methods*

The exploration of the research questions of this thesis is undertaken using data amassed through a broad qualitative approach relying on three sources of data.

The first is that gathered through in-depth interviews conducted as part of three separate one-month fieldwork stays in the area under study[74]. The first phase of the interviewing strategy relied on the identification of gatekeepers or liaisons, which were believed to be willing to adopt such a function as per my requirements[75]. These individuals were identified either through their public involvement with the anti-GFA republican movement, by their publicly known function as mediators between the paramilitary organisations and the public or public institutions, or by their professional activity, primarily journalism, as being of such a nature as to include contact with the anti-GFA republican movement.
This group of liaisons was used to gain access to anti-GFA activists and militants, as well as their supporters. For a separate group of respondents no liaisons were required. These were members of the security forces and local governmental officers. For the interviewing process itself, a varied interview schedule was developed, based on the profile of the respondent. I intentionally formed a broader interview schedule for the respondents from an activist and militant profile with the intention of gaining an understanding of the complexity of the ideational and motivational underpinnings of their political involvement[76]. The final number of interviews conducted was 46, of which 24 were with anti-GFA activists (17), anti-GFA elected representatives (3), and anti-GFA militants (4), 10 with residents of the community, 13 with community-level mediators working to de-escalate tensions with the paramilitaries, and 1 each with local governmental officers, local academics, members of the security services, and victims of paramilitary punishment.

Following the widely publicised events surrounding the 'Belfast Project' led by Boston College[77] and the rising mistrust towards researchers, the decision was made to mitigate the potential disturbing effects of research with various approaches, one of which was the absence of recording devices and instead a reliance on note taking complemented by an extensive and detailed fieldwork

74 A detailed summation of the interviewing process and of the interviewees is presented in the appendix at the end of this work.

75 The practice of identifying liaisons of such a nature has a proven track record in researching paramilitary violence in Northern Ireland. See: Dermot Feenan, "Researching paramilitary violence in Northern Ireland," *International Journal of Social Research Methodology* 5 (2) (2002), p. 147-163.

76 Kathleen Blee, "Interviewing Activists." In: David A. Snow, Donatella della Porta, Bert Klandermans, and Doug McAdam (eds.), "The Wiley-Blackwell Encyclopedia of Social and Political Movements," (Hoboken: Wiley-Blackwell, 2013).

77 The implications thereof are discussed in the final section of this chapter.

diary. This was welcomed by the respondents, with one liaison noting that those contacted through him felt at ease during the interview as in multiple cases were audio recordings of individuals used for the establishment of their identities and affiliation with proscribed groups[78]. Furthermore, a note of reflexivity must be made of the 'outsider benefits[79]' for the interviewing process, as I evaluate that on multiple occasions this drove respondents to attempt to explain more details of the context to me than they would to a researcher from the United Kingdom or Ireland.

The second source of data were Freedom of Information (FOI) requests, as dictated by the 'Freedom of Information Act 2000'[80], which were adopted with the intent of obtaining information on the adoption of hoax devices and bomb attacks in Northern Ireland in the studied period. 17 FOI requests were submitted in the process, to the Northern Ireland Policing Board (10) and Police Service of Northern Ireland (7). Of those, 13 requests were denied, either due to the costs of answering the request being higher than the maximum stipulated amount[81] (10), or due to the addressed organisation not in possession of the requested information (3). The approved FOI requests were the sources of data on hoax events in the studied area, which were complemented with previously approved publicly available FOI requests[82], as well as data on public satisfaction surveys carried out on the topic of policing.

The third source were public statements and publications. These were sought out for their functioning as 'securitising moves' under study in the third paper. The public statements were sought out in various media affiliated with or reporting on the anti-GFA republican movement, as well as websites and blogs of organizations belonging to the movement. Additionally, widely publicised statements such as that announcing the formation of a 'new' or 'merged' IRA in 2012, were also collected and analysed. Further details on the specific methodology applied in the third paper is noted therein.

78 Interview with HB, Derry, February 2015.

79 As opposed to the benefits of the approach of the 'activist researcher'. See: George Smith, "Political Activist as Ethnographer," *Social Problems* 37 (4) (1990), p. 629-648.

80 Published at: http://www.legislation.gov.uk/ukpga/2000/36.

81 This amount is £450.

82 Publicly accessible through the official websites of the respective institutions.

The work presented here relies on various forms of triangulation, defined by Wendy Olsen[83] as "the mixing of data or methods so diverse viewpoints or standpoints cast light upon a topic". The adoption of a range of different kinds of triangulation, both that of data types as well as theory, is justified by two factors: first, the relative scarcity of valid secondary data, which combined with a limited potential for original data-gathering offers limited resources for research work were triangulation not adopted; and second, by the evaluated complexity of the studied phenomena at the onset of the research, where the intention of the work was the introduction of novel evalutions of the studied phenomena that go beyond the current literature. This latter reasoning is particularly apt in the application of theoretical triangulation. Namely, with the work presented here focusing on three dictinct yet inter-related processes – emergence, maintenance, and legitimation – of a broad campaign of political violence, a complementary set of analytical frameworks was chosen that would best capture the phenomena while maintaining validity across the work. I believe that the belonging of the frameworks to different ontological 'traditions' does not invalidate the findings, as the delineation of their reach is evident from their application[84].

*Effects of and lessons from the 'Boston College' oral history project*

The developments of what was to be known as the Boston College 'IRA Tapes' had a significant impact on the interviewing process with members of the broader republican movement, with specific references to it featuring both in negotiations with gatekeepers and in the interviews themselves. In 2011 a subpoena was issued to Boston College, seeking the disclosure of interviews from the school's 'Belfast Project', which was an ongoing recording of oral history of The Troubles from the perspective of former combatants, specifically centred around narrations of violent acts - bombings, kidnappings, and murder[85]. The subpoena was directed at a very specific case, the murder of Jean McConville, who was executed by the IRA in 1972 under accusation of being a British informant. As part of their cooperation in

83 Wendy Olsen, "Triangulation in Social Research: Qualitative and Quantitative Methods Can Really Be Mixed." In: M. Holborn (ed.), "Developments in Sociology," (Ormskirk: Causeway Press, 2004).

84 I acknowledge this in recognition of the critiques of the application of an uncritical adoption of triangulation. See: Norman W. H. Blaikie, "A critique of the use of triangulation in social reserch,"*Quality & Quantity* 25 (1991), p. 115-136.

85 Ted Palys and John Lowman, "Defending Research Confidentiality "To the Extent the Law Allows": Lessons from the Boston College Subpoenas," *Journal of Academic Ethics* 10 (4) (2012), p. 271-97.

the project, the respondents in the 'Belfast Project' were promised an expected degree of confidentiality by the researchers, which would be severely violated in the instance of the recordings being passed to the PSNI. Where this example has become primarily a study in the inconsistency of the legal approaches undertaken by a research institution, it also echoed broadly in both the popular and academic realms. In the former, this contributed to reduced trust of research-focused professions, or, as one of my gatekeepers noted, "don't take it personally, people here simply don't trust researchers and journalists after the whole Boston College thing [..] they were trapped like that a few times.[86]"In the latter, these developments had a two-fold effect: first, the popular mistrust manifested itself in reduced respondent returns and denials of access, contributing to the closure of major research projects; and second, the awareness of the errors done as part of the 'Belfast Project' led to increased consideration of ethical obligations of researchers in ethnographic work. Such considerations were a significant driver in my own research undertaken for the production of this work. This meant the adoption and adherence of strict ethical guidelines for the interview portion of the research. These were the provisions of the protocol:

> (1) The protocol is the result of a potential low number (N < 50) of respondents, with a small geographic distribution. As a result of this, the identity of individuals could easily be uncovered and they could potentially be targeted for retaliation if information about particular acts became public.
>
> (2) As the university at the time did not maintain a set of internal guidelines or a committee on dealing with ethical issues encountered as part of research in the social sciences, any extraordinary ethical consideration that emerges outside of the provisions presented here was to be directed to the PhD program coordinator, and my thesis supervisor, professor Mariona Ferrer-Fons.[87]
>
> (3) Anonymisation is not universal, save for the anonymisation of respondents classified as (a) republican activists and militants, (b) civilian supporters of the anti-GFA republican movement, (c) members of the

86 Interview with anonymous respondent, Derry, September 2014.

87 No such extraordinary situations emerged.

security forces. All anonymization is carried out with the intention of 'doing no harm'[88].

(4) All respondents were familiarised with the nature of the research and were asked for consent for the specific information gathering before the interview began.

88 Elisabeth J. Wood, "The Ethical Challenges of Field Research in Conflict Zones," *Qualitative Sociology* 29 (3) (2006), p. 307-41.

Section 1:
# EMERGENCE

*Territory in rebellion: Remnants of rebel governance in a Northern Irish republican community*

*Abstract*

While the empirical study of informal institutional arrangements in various forms of states of emergency has become a significant part of the contemporary social scientific focus, most of this research is characterised by an absence of temporal elements. This work focuses on one such context and proposes a decidedly temporal understanding of the development of such institutions as conflict-emergent, but also takes a further step in proposing why such institutions survive transitions from conflict and peace. The proposed argument is that periods of isolation as exist during states of emergency or conflict enable such institutions to undertake path-dependent development which greatly increases their prospects of long-term survival, even in light of a potential loss of exclusivity in the surrounding where they are adopted.

## *Introduction*

Periods of conflict produce a wide range of informal institutional arrangements as the result of a section of the population either being cut off from formal institutions (involuntary severing of ties), or as the result of some population-internal agency-driven factors of separation (voluntary severing of ties). The informal institutions that emerge in either variant of this 'breakdown of the social contract'[89], do so to address a new gap, which is either broad or specific. Primarily focused on the guaranteeing of essential services for the population where they emerge, these informal institutions are mostly based on decentralized frameworks of operation with ideological factors the primariy determinant of the informal policy direction. However, if prolonged exposure to such states is present in the given context, then initial periods of *ad hoc* governance schemes (such as basic

89 Patricia Justino, Tilman Brück, and Philip Verwimp, "Micro-Level Dynamics of Conflict, Violence, and Development: A New Analytical Framework." In Patricia Justino, Tilman Brück and Philip Verwimp, "A Micro-Level Dynamics of Conflict, Violence, and Development," (Oxford: Oxford University Press, 2013), p. 12.

rationing and division of labour) are followed by progressively more bureaucratised forms of governance to replace the now-absent functioning of formal institutions. This is of course in response to new challenges and social issues that emerge in need of formalized addressing. Studied as 'rebel governance'[90] regimes, the arrangments that emerge do so for various reasons and with different levels of communal input (or scope), ranging from rebel-driven establishment of new resource-extractive arrangements to communally mandated institutions of self-governance. With entire volumes[91] dedicated to the analysis of the functioning of rebel governance regimes, less attention has been given to the remnants of rebel governance in a given post-conflict state. With conflict termination implying changing resource availability, shifting legitimacies, and demobilization, as well as either a re-entry of the state and its institutions into rebel territories (in the event of a state victory) or an integration of rebel structures into formal governance institutions (in the event of a successful rebellion), the post-conflict fate of rebel governance regimes is highly diverse and a worthy area of scholarly focus. Not least for the predictive properties that the rise and attainment of political power of intra-conflict actors has for the post-conflict political landscape.

This work proposes a mechanism of survival of conflict-emergent or 'wartime'[92] informal institution as a response to the puzzle of why such institutions remain present in post-conflict settings where conflict termination has seen other actors, including the state, proposing alternative institutional arrangements that functionally replace the conflict-emergent ones. Based on the thinking that institutional development that occurs in relative isolation and persists for extended periods of time[93] produces more resilient institutions, the argument of this work is that this is valid for institutional arrangements that emerge during extended conflict. This shows that peace processes do not act as broad critical junctures

90 Zachariah Mampilly, "Rebel Rulers: Insurgent governance and civil life during war," (Ithaca: Cornell University Press, 2011); Nelson Kasfir, "Rebel governance – constructing a field of inquiry: definitions, scope, patterns, order, causes." In: Ana Arjona, Nelson Kasfir, and Zachariah Mampilly (eds.), "Rebel Governance in Civil War," (Cambridge: Cambridge University Press, 2015).

91 Ana Arjona, Nelson Kasfir, and Zachariah Mampilly (eds.), "Rebel Governance in Civil War," (Cambridge: Cambridge University Press, 2015).

92 Ana Arjona, "Wartime Institutions: A Research Agenda," *Journal of Conflict Resolution* 58 (8), p. 1360-1389.

93 Steven Levitsky and María Victoria Murillo, "Variation in Institutional Strength," *Annual Review of Political Science* 12 (2009), p. 115-33.

leading to informal institutional decay unless certain conditions are met. Grzymala-Busse[94] for instance argues that in periods of transitions, "informal institutions can replace, undermine, and reinforce formal institutions irrespective of the latter's strength". In transitions from conflict, informal institutional arrangements do not cease to exist at the moment of the conclusion of the conflict if both the principal and agent involved therein do not cease with activities upholding it. In other words, the continued presence is maintained if there is any mechanism stabilizing the institutional embeddedness at the time of the critical juncture. The institutional decay is therefore prolonged and bound by other political developments, as well as by various contingencies.

In forwarding an analytical approach that focuses on the informal institutions and their survival, this work echoes the developments of the 'historical' strain of neo-institutionalist thought, which is focused on understanding "how institutions emerge from and are embedded in concrete temporal processes"[95]. This work recognizes the critique of historical institutionalism, primarily the 'determinism' of such institutional theory[96] and an overt negation of agency in institutional change, but further recognizes that adjusted or contextualized understandings driven by various extensions of the institutional variety[97] contribute to the production of "a sophisticated and more rounded account of how interpretive agents interact dialectially with institutional and wider structural contexts and produce change"[98]. As such, rooting the analysis in a more nuanced approach within historical institutionalism that does not entirely exclude agency input into the stabilisation of paths[99], this work hopes to contribute to a growing literature on institutional stability that hopes to address both the strategic investment of actors as well as "the degree to which the choice of a course of action depends on the interpretation of a situation rather than on purely instrumental calculation"[100].

94 Anna Grzymala-Busse, "The Best Laid Plans: The Impact of Informal Rules on Formal Institutions in Transitional Regimes," *Studies in Comparative International Development* 45 (2010), p. 311.

95 Kathleen Thelen, "Historical institutionalism in comparative politics," *Annual Review of Political Science* 2 (1999), p. 396.

96 Stephen Bell, "Do We Really Need a New Constructivist Institutionalism to Explain Institutional Change?," *British Journal of Political Science* 41 (4) (2011), p. 893.

97 Peter A. Hall and Rosemary C. R. Taylor, "Political Science and the Three New Institutionalisms," *Political Studies* 44 (5) (1996), p. 957.

98 Bell, 'New Constructivist Institutionalism', p. 884.

99 Jürgen Beyer, "The Same or Not the Same – On the Variety of Mechanisms of Path Dependence," *International Journal of Social Sciences* 5 (1) (2010), p. 1-11.

100 Hall and Taylor, 'Three New Institutionalisms', p. 939.

This work focuses on one specific post-conflict setting, that of contemporary Northern Ireland, with no initial attempt to generalize the specific findings beyond the confines of the environment under study in the production of this work[101], which focused on the anti-GFA republican population in two communities in the Derry area. However, with this in mind, the argumentation proposed here and the mechanisms explored could easily be translated into other contexts, indeed not just in Northern Ireland, for the work attempts to follow the call of Arjona *et al.*[102] for a reliance on clearly defined concepts and transparent measurements in order to allow for comparisons across and within cases. The work focuses on the survival of informal or immediate justice institutions, which emerged during the conflict for the control of criminal or anti-social behaviour[103]. This highly codified[104] vigilantism, focused on the enactment of various forms of punishments is a highly visible surviving element of the conflict, with the frequency of its application showing no signs of abating, according to statistics produced by the Police Service of Northern Ireland. Data shows that such punishments as attributable to republican groups numbered 26 casualties from shootings, with one death, as well as 10 assaults or punishment beatings for the period between April 1st 2016 and March 31st 2017, with shootings doubling from the past year[105].

101 The research is based on 46 interviews conducted over three one-month fieldwork sessions in the Derry area, carried out in September and December of 2014, and February of 2015. Except when noted, the interviews are non-attributable to guarantee the anonymity of the respondents.

102 Ana Arjona, Nelson Kasfir and Zachariah Mampilly, "Conclusion". In: Ana Arjona, Nelson Kasfir, and Zachariah Mampilly (eds.), "Rebel Governance in Civil War," (Cambridge: Cambridge University Press, 2015), p. 296.

103 Neil Jarman, "Vigilantism, transition and legitimacy: informal policing in Northern Ireland." In: David Pratten and Atreyee Sen (eds.), "*Global Vigilantes,*" (London: Hurst & Company, 2007), p. 326; Heather Hamill, "The Hoods: Crime and Punishment in Belfast," (Princeton: Princeton University Press, 2011), p. 41-43.

104 The codified nature is characterised by the following: a predictability of the nature of the punishment for similar infractions, a scalar nature of punishments, and an understood set of exceptions where punishment is not enacted – such as mental illness – or infractions where excaptions are not made and particularly severe punishments are carried out – such as serious sexual offences, particularly against minors.

105 *PSNI*, "Statistical Press Notice – The PSNI's Official Statistical Reports: 1st April 2016 – 31st March 2017."

*Conflict and institutional emergence*

*I. Cleavages and the replacement of statutory frameworks*

Operating with the premise that sites of conflict undergo profound institutional change[106], the conflict in Northern Ireland that formally concluded with the 1998 peace treaty can be understood to have produced outcomes of significance. Taking into account the rising tensions between the communities, and the nationalist population's perception of the institutional bias laid against them, the delegitimation of formal institutions was a central mechanism influencing political developments[107]. Besides continued inequality, the perceived selective ill-treatment of this section of the population (and indeed, the systematic targeting of civil rights activists) by statutory entities caused the emergence of severe ruptures[108]. As Ó Dochartaigh[109] writes, 'the abruptness and intensity of the rioting which followed the RUC baton charge of 5 October 1968 showed how thin had been the crust of legitimacy on which acceptance of the RUC's authority had been based'.

Driven by these developments the intra-conflict period was characterised by a presence of significant levels of 'legal cynicism'. This describes a population-level negative evaluation of statutory frameworks, the underlying premise thereof being that a perceived wrongful treatment of an identifiable subsection of the population or the failure of the legal system to address that subsection's grievances leads to resilient mistrust of the formal institutions that make up the (formal) legal system and the organizations tasked with enforcing it[110]. Crucially, legal cynicism does not

106 Patricia Justino, "Research and Policy Implications from a Micro-Level Perspective on the Dynamics of Conflict, Violence, and Development." In: In Patricia Justino, Tilman Brück and Philip Verwimp, "A Micro-Level Dynamics of Conflict, Violence, and Development," (Oxford: Oxford University Press, 2013).

107 Ronaldo Munck "Repression, insurgency, and popular justice: the Irish case," *Crime and Social Justice* 21-22 (1984), p. 81-94.

108 Jarman, 'Vigilantism', p. 326; Ronald Weitzer, "*Policing under fire: ethnic conflict and community relations in Northern Ireland,*" (Albany: State University of New York, 1995).

109 Niall Ó Dochartaigh, "*From Civil Rights to Armalites: Derry and the Birth of the Irish Troubles,*" (Houndmills: Palgrave MacMillan).

110 David S. Kirk and Andrew V. Papachristos "Cultural Mechanisms and the Persistence of Neighborhood Violence," *American Journal of Sociology* 116 (4) (2011), p. 1190-1233; David S. Kirk and Mauri Matsuda, "Legal Cynicism, Collective Efficacy, and the Ecology of Arrest," *Criminology* 49 (2) (2011), p. 443-72; Michele Lamont and Mario Luis Small, "How Culture Matters for the Undestanding of Poverty: Enriching our Understanding." In: Ann C. Lin and David Harris (eds.), "The Colors of Poverty: Why Racial and Ethnic Disparities Persist," (New

describe a void, 'but an active, negative stance towards the law'[111], primarily focused on the evaluations of the procedural element of statutory frameworks. However, as understood therewith, what is not questionable is the substance of the law, namely the conviction that the entrenched social norms do have value and should not be breached – meaning a breach that is formally classified as a felony or crime will in most cases not be tolerated even in a system where legal cynicism exists, and as such, other means of coping with them will emerge in more or less formalized community-level form[112].

As noted, the political cleavage between the nationalist population and republican entities on one side and the statutory entities on the other was a highly visible driver of the expansion of the conflict in Northern Ireland. Statutory entities, primarily the police service, were gradually losing the legitimacy they had before the violent clashes marked the beginning of the expanding conflict in the early 1970s. Such a state of dischord between the nationalist population and the police service during the conflict, with a specific emphasis on the period between the 1994 ceasefire and the peace treaty in 1998, was described by Mulcahy and Ellison[113] as 'republican intimidation and nationalist timidity'. They find that in multiple instances such a state was driven by republican delegitimation, including such done by Sinn Féin[114]. They note that this prevented 'the RUC from accruing the political capital associated with community involvement and service provision', while also having 'the detrimental impact of preventing the community from availing of the RUC's potential services'. Such an active delegitimation of the statutory frameworks was widespread in the intra-conflict period, with the initial delegitimation driven by escalating political cleavages of the kind mentioned earlier. The republican movement's narrative of the RUC contributed to the delegitimation thereof, with issues such as the escalatory potential of RUC obstruction of and violence at the funerals of republican volunteers extensively

York: Russell Sage, 2008).

111 Jonathan Jackson, Ben Bradford, Mike Hough, and K. H. Murray, "Compliance with the law and policing by consent: notes on police and legal legitimacy." In: Adam Crawford and Anthea Hucklesby (eds.), "Legitimacy and Compliance in Criminal Justice," (London: Routledge, 2012), p. 5.

112 Diane E. Davis, "Non-State Armed Actors, New Imagined Communities, and Shifting Patterns of Sovereignty and Insecurity in the Modern World," *Contemporary Security Policy* 30 (2) (2009), p. 221-45.

113 Aogán Mulcahy and Graham Ellison, "The language of policing and the struggle for legitimacy in Northern Irleand," *Policing and Society* 11 (3-4) (2001), p. 392-3.

114 Ibid., p. 393.

taken up in the discourse. As the IRA noted in a statement released after the bombing of Roselawn Cemetery in East Belfast before the funeral of an RUC officer, 'for three years now mourners at republican funerals have had plastic bullets fired at them, been batoned into the ground and attacked within church grounds and at gravesides. To seize flags from coffins, the RUC has used wanton brutality and has desecrated the dead.'[115]

This political delegitimation needs to be contrasted with a functional delegitimation that developed in parallel therewith. The latter is driven by significantly different mechanisms than the former, with a central difference between the two being the political actors involved. Where political delegitimation is driven by the noted abstract political differences between the community and the state that is represented in the essence of the organization of the police force, with these differences rooted either in the experiences or an ideological footing as perceived by the population, the functional delegitimation is driven by the elaborated quality (or perceived lack thereof) of the public service carried out by the entities tasked with enforcing it[116]. In the communities where it takes place, this form of delegitimation and the associated legal cynicism emerges as a result of what is perceived as an exercise in the objective inefficiency or incompetence of the police service. Crucially, this quality of the service does not depend only on the entity in question but also on any potential actors that attempt to prevent it from fulfilling its function. Indeed, in the intra-conflict period the absence of statutory enforcement is to be expected. In Northern Ireland, the paramilitary tactic of attacking police and army patrols was a strong deterrent for the continuation of established pre-conflict policing routines, where the simple threat of violence was to prevent regular policing tasks to be carried out[117]. This proved to be a highly effective way of functionally delegitimating the statutory framework, which was complemented by republican actors and entitites legitimising the informal framework that they developed within the communities[118].

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115 Excerpt from an IRA statement reprinted in *An Phoblacht – Republican News*, March 19th, 1987, 'RUC warned: 'Keep a dignified distance''.

116 This was expressed by one of my respondents as 'why bother calling 'em, if the man will be out soon after' (Interview with anonymous respondent, Derry, December 2014). It's important to note that this might not be universally applicable. Rather, in the past, the perception of a perpetrator was released so soon would generally point to some form of an informant arrangement made with the police service. See: Knox (2002: 176).

117 Heather Hamill, "The Hoods: Crime and Punishment in Belfast," (Princeton: Princeton University Press, 2011), p. 41-43.

118 Mulcahy and Ellison, 'Language of policing', p. 393.

The phenomenon of informal justice has been explored in line with two general motivations for such activities in the context of the Northern Irish conflict. Silke[119] and Johnston[120] in two notable works on the matter note a two-fold motivation behind such activities by paramilitaries, distinguishing between the punishment of criminal and anti-social behaviour that would have otherwise fallen to the statutory entities – this being the substitutive function – and the punishment of behaviour that threatened the paramilitary entities and the social order they maintained in the communities. The latter constituted particularly the punishment of informing as a behaviour most threatening to the paramilitaries, with such a justification featuring in the discourse or 'defensive propaganda'[121] of the Provisional IRA. As the Belfast Brigade wrote following the execution of an informant on June 26th, 1981, 'the Irish Republican Army has a responsibility both to its Volunteers and to those who support the struggle against the British, to protect them from the criminal activities of paid informers.'[122]

While communal-level informal institutions, particularly those of dispute resolution, were present in republican areas well before the period[123] with this 'tradition of alternative justice'[124] representing an important justificatory postulate in republican circles as the institutions developed further, the first visible conflict-contemporary iteration of more security-focused frameworks emerged in the aftermath of RUC and army incursions into republican areas in Derry and Belfast[125]. It must be noted that not much analysis exists of formalized frameworks of this period[126]. Namely, the ad hoc governance schemes that characterized these earlier iterations were such that organized policing and justice were simply not a

119 Andrew Silke, "The lords of dicsipline: The methods and motives of Paramilitary Vigilantism in Northern Ireland," *Low Intensity Conflict & Law Enforcement* 7 (2) (1998), p. 121-156.

120 Les Johnston, "What is Vigilantism?" *British Journal of Criminology*, 36 (2) (1996), p. 220-36.

121 Kiran Sarma, "Defensive Propaganda and IRA Political Control in Republican Communities," *Studies in Conflict & Terrorism,* 30 (12) (2007), p. 1073-1094.

122 Excerprt from an IRA statement reprinted in *An Phoblacht – Republican News*, July 4th, 1981, "Informer shot".

123 Munck (1984: 82) argues that the Republican movement forged its conceptions of popular justice and the need for an alternative legal system with the 'land courts' that took place during the first war of independence, between 1919-21.

124 Kieran McEvoy and Harry Mika, "Punishment, policing and praxis: Resorative justice and non-violent alternatives to paramilitary punishments in Northern Ireland," *Policing & Society,* 11 (3) (2001), p. 361.

125 Ó Dochartaigh, 'From Civil Rights'.

126 Jarman (2007: 327) notes the poor documentation of paramilitary policing activity in the early 1970s.

priority, and were undertaken on a case-by-case basis, with often the sheer presence of paramilitary patrols9 on the streets acting as sufficient deterrents from anti-social behaviour of the kind that was later to become widespread. However, as the conflict progressed and the cleavages were deepening, leading to the retrenchement of the polarised extremes of the divide, justifications for the increased informal justice framework emerged in open narratives. Furthermore, as Kennedy[127] notes, the punishments helped 'manufacture community support' against the state, arguably based on the beforementioned delegitimation, and contributing to the at least symbolic creation of the idealised parallel 'state-like' entity represented by republican-dominated areas in rebellion against the British government.

*II. Development in isolation and establishing a path*

A particularity of the intra-conflict period needs to be considered for its effect on informal institutional development and resilience, and that is the relative isolation and absence of viable alternative institutional frameworks in many communities. In considering this, the argument presented here is based on the writing of Levitsky and Murillo[128], who note that time is an essential factor influencing institutional stability, for two underlying reasons. The authors10 first note the importance of the pace of institutional design, following the argument of Grzymala-Busse[129], with the slower development of institutions enabling the actors to 'evaluate their (often unintended) consequences, calculate how [the institutions] affect their interests, and organize for the collective defense of (or opposition to) [them]', with those institutions that 'survive a slow process of formation [...] thus more likely to enjoy organized support and other means of institutional reproduction'[130]. The second way in which time influences the stability of institutions is its passage. This means that where persistent (and persistently enforced) institutional arrangements survive 'repeated crises and changes of government, actors develop expectations of stability and consequently

127 Liam Kennedy, "Nightmares within Nightmares: Paramilitary Repression in Working Class Communities." In: Liam Kennedy (ed.), "Crime and Punishment in West Belfast", (Belfast: The Summer School, 1995).

128 Levitsky and Murillo, 'Variation', p. 123.

129 Anna Grzymala-Busse, 'Disaggregating temporal effects'. Unpublished conference paper.

130 Ibid., p.123. See also: Anna Grzymala-Busse, "Time Will Tell? Temporality and the Analysis of Causal Mechanisms and Processes," *Comparative Political Studies* 44 (9) (2011), p. 1267-1297; Mehran Kamrava, "Preserving Non-Democracies: Leaders and State Institutions in the Middle East," *Middle Eastern Studies* 46 (2) (2010), p. 251-270.

invest in skills, technologies, and organizations that are appropriate to those instititutions', with the 'existing arrangements grow[ing] increasingly attractive relative to their alternatives' as the investments of the actors accumulate[131].

If we place the process of an institutional development into a context of relative isolation, with this driven by a broader state of emergency (or conflict-driven severance of ties with formal frameworks) that offers lower levels of challenging or destabilising behaviour, informal institutions that develop therein have an important temporal advantage. That advantage is a significant period of time as determined by the duration of the conflict to undergo such a process of isolated an self-stabilising development. In the case of the Northern Irish conflict that is under consideration in this work, we can note that this period was comparatively long if considered from the perspective of formal institutional development. From the initial progressive formalisation in the early 1970s to the rising challenges of informant behaviour, anti-social behaviour, and trade in narcotics, this process of institutional development lasted nearly the entirety of the conflict. What was continuous throughout this was a varying degree of isolation of development, particularly in the context of so-called 'no go' zones for police, of which the communities researched for the production of this work were understood to be such.

It is in this isolated environment of institutional development where we can see a path developing, and, as stability of development enables it, a 'lock in'[132] is achieved. As with other analysis that focuses on path dependence for arguing why something develops in a particular manner, it is important to recognise the warning by Stone Sweet[133] not to use it as an 'empty rhetorical device', further noting that the central contribution of such an explanatory approach is its capacity to link 'effects and outcomes that operate and are observable at a systemic level' and those 'that operate and are observable at the domain of the individual decision-maker'. Furtheremore, such an explanatory approach must be rooted in the understanding and analysis of positive feedback mechanisms that reinforce these linkages, with those understood as where 'a nascent, or maturing, standard

131 Ibid.

132 Paul Pierson, "Path Dependence, Increasing Returns, and the Study of Politics," *American Political Science Review* 94 (2) (2000), p. 251-67.

133 Alec Stone Sweet, "Path Dependence, Precendent, and Judicial Power." In: Martin Shapiro and Alec Stone Sweet (eds.), "On Law, Politics, and Judicialization," (Oxford: Oxford University Press, 2002), p. 113.

of behaviour induces increasingly larger, and better networked, individuals to behave similarly, that is, in ways that adapt to, and thus reinforce that standard'[134]. While there is some disagreement in the literature on path dependence on the importance of initial conditions for the path dependence process[135], this work is in favour of the argumentation that the base formations that emerge and are reinforced through feedback processes have some element of constraint on future institutional development, without necessarily limiting the development to a unitary path.

The central argument of this work is therefore that the development of informal institutional arrangements during the intra-conflict period in Northern Ireland were set on a path-dependent trajectory, and its conflict-emergent property enabled it to achieve a form of a 'lock in' before the political 'normalization' period of the post-conflict era began. It must be noted that this form of stability (characterized by being 'locked in') does not imply a morphostatic[136] state of the institution, which would be unalterable, but, as Beyer writes[137], 'to talk of path dependent development being 'locked in' is no more than a metaphor for ongoing effectiveness of the stabilization mechanism'. The following section will thus explain the various mechanisms that contributed to the development and continue to contribute to the stability of the informal institutional arrangements in certain Northern Irish communities.

*Stabilisation and post-conflict continuity*

The legal cynicism that characterised the intra-conflict period did not disappear immediately or in its entirety after the cessation of the conflict, as formal political agreements naturally do not alter popular sentiment with the same stroke of the pen with which they are written. Knox[138], writing an evaluation of popular perception in nationalist communities of statutory entities a few years after the peace treaty was signed, noted that 'Patten's reforms appear unlikely to inspire confidence in, and respect for, the new 'Police Service for Northern Ireland' [...] in

134 Ibid.

135 Ian Greener, "The Potential of Path Dependence in Political Studies," *Politics* 25 (1) (2005), p. 66-68; W. Brian Arthur, "*Increasing Returns and Path Dependence in the Economy,*" (Ann Arbor: University of Michigan Press, 1994).

136 Greener, 'Path Dependence', p. 66-68.

137 Jürgen Beyer, "The Same or Not the Same – On the Variety of Mechanisms of Path Dependence," *International Journal of Social Sciences* 5 (1) (2010), p. 10.

138 Knox, 'See no evil', p. 181.

the short term.' Similarly, commenting on the effectiveness of the various institutions designed to bridge the discord between predominantly nationalist communities and the police service, Ellison, Shirlow & Mulcahy[139] write that their creation 'may not be sufficient in itself to enhance public confidence in the police, particularly in transitional settings. Measures may also be necessary to make certain that the requisite levels of trust to ensure the success of these institutions is generated [...]'.

With the conflict first giving way to the ceasefires of the republican paramilitary groups and then to the peace treaty, at least some of the underpinnings of the political and functional delegitimations began to decay, with public support for policing slowly rising until the 2007 Sinn Féin-driven mainstream republican legitimation of policing and the 2010 devolution of policing and justice. Nonetheless, these developments should not be seen as a general return of the legitimacy of the state in general or of its functional efficiency, with this actively challenged not only by anti-GFA republican armed groups, but as this work argues, also by the complementary informal policing and conflict-preventing institutions that are maintained on sub-state levels either through the support of political entities, such as CRJI and Alternatives, or local councils, such as the Community Wardens.

Developing in parallel with restorative justice initiatives which were to be a transitional go-between in terms of policing, the schemes provided and continue to provide an additional challenge to both the paramilitary as well as formal policing in terms of the challenging of their legitimacy through the removal of their functional need in the select areas where transitional schemes operate. The complementary institutions represent non-threatening challengers[140], where the primacy over the means of violence of neither the statutory entities nor the paramilitaries is threatned, but instead, their existence and functions represent a buffer that has a high potential for conflict de-escalation. The paramilitary groups do not see the institutions as challenges to their position in the community, or rather, as ones that would limit or threaten their reach[141]. At the same time, the statutory entities understand these arrangements as complementary as it limits

139 Graham Ellison, Peter Shirlow and Aogán Mulcahy, "Responsible Participation, Community Engagement and Policing in Transitional Societies: Lessons from a Local Crime Survey in Northern Ireland," *The Howard Journal* 51 (5) (2012), p. 499.

140 Elsewhere conceptualised as alternative authorities. See: Barry Jones (2002: 229).

141 Interview with DH, Derry, February 2015.

their exposure to potentially threatening behaviour, where individual units responding might be put into situations of risk or escalation of violence. It is important to note that in the most serious of cases, where de-escalation on site is impossible, the PSNI are still called in[142]. This independent complementarity is central to the success of the various programs. As Cody[143] notes of two of the programs mentioned, 'CRJI and [Alternatives] are local programs created to deal with disputes in the best way for their communities. There is some concern that requiring all activity to pass through a formal government agency before reaching one of the programs could blunt the efficiency and effectiveness of the local programs.'

Where for those evaluating the trust of statutory institutions in Northern Ireland, especially the police service, particularly on the basis of the Omnibus survey of the Northern Ireland Policing Board and other survey-based studies of trust in policing, a notable mistrust of statutory entities might be surprising as it does not emerge therein, there are very evident reasons for that which do not contradict the argumentation of this work. Namely, where the surveys mentioned offer a broad view of policing in the whole of Northern Ireland, there are a few considerations to be made. First, the argument of the paper rests in the understanding of pocketed, territorially-constrained iterations of high levels of anti-state sentiment, with this either produced[144] or a result of contingency. Second, taking into account the surveys themselves, one can note a low or non-existent sampling in such communities. For instance, the survey done for the production of the 2014 report of the Northern Ireland Policing Board entitled 'What influences people's perception about whether the police are doing a good job in NI?" had in Derry no sampling in the communities of the Bogside or Creggan[145]. As such, while survey-based analysis of the relation of the residents with the policing institutions might indicate generally positive trends, they inform little of the situation in communities where the legitimacy of statutory frameworks is challenged by non-state actors.

142 Ibid.

143 Patrick Cody, "From Kneecappings Towards Peace: The Use of Intra-Community Dispute Resolution in Northern Ireland," *Journal of Dispute Resolution* 2 (2008), 569.

144 As a result of what Ó Dochartaigh calls the 'institutionalization of local territories'. See: Niall Ó Dochartaigh, "Bounded by Violence: Institutionalizing Local Territories in the North of Ireland," *Nationalism and Ethnic Politics* 19 (1) (2013), p. 119-39.

145 Northern Ireland Policing Board, "Policing 2014: *What influences people's perception about whether the police are doing a good job in NI?* " Summary Report of Findings, p. 68.

Explaining the particular mechanisms for the stability and survival of informal institutional frameworks now becomes the challenge. For this, it is first important not to analytically simplify the institutional arrangements under study. When we refer to the substitutive informal institution of 'immediate' or informal justice, we are considering the functional aspect thereof, where what is being substituted is the formal procedural framework for the persecution of violations, comprised of formal policing and justice institutions. Crucially, this substitutive procedural element has an implied link with mechanisms which make the substitution a viable solution to the outstanding social issues that communities face. This is the element that justifies and legitimises the substitution in its credibility. The two elements each have their own mechanism of stabilisation or reproduction[146].

Owing to its needs-based origins in providing an essential service, the procedural element is reproduced due to its functionality in providing a needed service which is otherwise left unfulfilled[147], or, as Beyer[148] writes, summarising Mahoney[149], 'functional reasons play a role if an institution is reproduced because of its function within an institutional system.' With this reasoning being at the centre of the development of the substitutive framework, the effectiveness of the stabilizational mechanism that reproduces it has largely been determined by two functional factors: (a) the highly efficient procedures of the persecution of violations in terms of the predictability of the outcome, and the related capacity for deterrence from future violations, and (b) the ability of the procedural framework to adjust to new challenges as they arise. In terms of the latter, it was especially the introduction of narcotics into the communities which caused significant changes to the procedural framework. This was largely the result of more complex criminal networks that needed to be challenged, and the increased perceived threats to individuals and the communities, with stricter punishment developing as a result of this. An illustrative example of this is the escalation of punishments, or the development of

146 James Mahoney, "Path dependence in historical sociology," *Theory and Society* 29 (2000), p. 507-48

147 See: Mahoney, 'Path dependence'. It is important to note an alteration of the original "functional explanation" that Mahoney proposes. A characteristic of the institution is that it "may be less functional than previously available alternatives" (Ibid., p. 517). Driven by this study into *substitutive* institutions, the proposition of this article is that the potential characteristics of institutions reproduced under a functional mechanism is that they are less functional than the *alternatives being substituted*.

148 Beyer, 'Variety of mechanisms', p. 4.

149 Ibid.

what Conway[150] terms the 'Republican tarriff system', from acts of 'taring and feathering' that were common punishment for acts of fraternisation[151], to the 'kneecappings' that became representative of the informal justice in the final instances of the intra-conflict period, when the most common behaviour punished was the 'pushing of drugs'. Additionally, it is important to note that the function-based stabilizational mechanism was reinforced by the mandates granted to paramilitaries during 'the Troubles' by members of the communities who might not have been supportive of the principles of the paramilitary groups in waging an armed struggle[152]. Individuals living in these cut-off republican communities where there was no regular statutory policing had no other option but to resort to whatever entity of enforcement was available in their communities when exposed to anti-social behaviour or inter-communal crime, with this further motivated by fears over 'being the person responsible for bringing the RUC into [the neighborhood]. That wouldn't end well.'[153]

With the application of the procedural framework of the substitutive institutions largely dependent on a community-granted mandate, which is in turn dependent on complex motivations including the perception of the effectiveness of alternatives, the second element of the informal institutional arrangement is placed in the spotlight. The legitimacy-based ideational underpinning is a more complex phenomenon in terms of stabilizational mechanisms, as it is comprised of both challenging or delegitimizing, and reinforcing or legitimation-granting behaviour. This means that the stabilizational mechanism is not acting only to reinforce a 'belief in legitimacy'[154] of an institution, but also, to challenge the potential legitimacy of an alternative which might achieve increased adoption by the population at a critical juncture. Where the delegitimation within this broad informal institution in republican communities is not focused only on the policing service, but the wider social reality described by terms such as 'occupation', the effects of the activities of the police force are still the most visible 'show of force' that the receptive population perceives, as will be elaborated in the following section of this work. Cultural frames, which contribute to this stabilisation

150 Pat Conway, 'Critical Reflections: A Response to Paramilitary Policing in Northern Ireland,' *Critical Criminology* 8 (1) (1997), p. 109.

151 Rachel Monaghan, "Community-Based Justice in Northern Ireland and South Africa," *International Criminal Justice Review* 18(1) (2008), p. 91.

152 Interview with anonymous respondent, Derry, February 2015.

153 Interview with anonymous respondent, Derry, December 2014.

154 Beyer, 'Variety of mechanisms', p. 9.

mechanism[155], are highly rigid in that it is primarily the positive/self-advancing function thereof that is present, and not the negative/limiting function as well. Kirk and Papachristos elaborate on this perpetuation of cynical views, writing that we should 'consider that in certain neighborhoods, it can be quite risky for residents to express pro-police views and to cooperate with the police' and 'thus, even in a neighborhood with an abundance of both positive and negative views about the law and the police, residents may still encounter relatively more legal cynicism than optimism'[156].

As we have shown, informal institutional frameworks can become deeply embedded in the community-level structures. Where as analysts we might refer to the informal institutional framework as 'substitutive'[157], this is an exercise in semantics that the members of the community do not employ. To paraphrase one respondent speaking about the functions of the informal institutions, 'you don't even think about going into town, everything is here'[158]. For them, this analytical category does not exist, and the informal institutions are not 'substitutive', but have during the intra-conflict period become legitimised as the de facto norm. This characterises the 'lock in' of path dependent development, as the substitutive nature of the informal institutional framework by need became the exclusive domain of given social problems, with the legitimacy of the institutional arrangements rising with continued application thereof by the relevant population. The intergenerational transmission of ideological narratives and values is important in this regard. On this, Beyer[159] writes that 'in terms of legitimacy, stability is likely to be most sustainable if legitimacy seems 'objectively' predetermined'. This insight has significant implications. As the author notes, 'with reference to Berger [and] Luckmann, it is possible to link the transition of habitual patterns of action into 'objective reality' with the alteration of generations. To individuals who did not immediately experience the emergence of patterns of action, their legitimacy seems to be predetermined and not socially constructed'[160]. Indeed, it is both narratives expressing the legitimacy of the informal (republican) institutional framework as well as the illegitimate nature of

155 See Lamont and Small, 'How Culture Matters', for an in-depth discussion on this.

156 Kirk and Papachristos, 'Cultural Mechanisms', p. 1202.

157 Gretchen Helmke and Steven Levitsky, "Informal Institutions and Comparative Politics: A Research Agenda," *Perspectives on Politics* 2 (4) (2004), p. 725-40; Hans-Joachim Lauth, "Informal Institutions and Democracy," *Democratization* 7 (4) (2000), p. 41.

158 Interview with anonymous respondent, Derry, February 2015.

159 Beyer, 'Variety of mechanisms', p. 8.

160 *Ibid.*

the formal (state) framework that were observable in the responses of members of all ages of the studied republican communities[161], with one respondent noting, 'you just learn who you need to talk to when you have problems with the hoods [...] it's not the police'[162].

*Challenges and the potential for path termination*

*I. Critical junctures and the feedback of statutory action*

That an institution has a continuous presence does not simply mean that we can trace its path-dependent development, but that in the course of its existence, there was no path termination where the institution would disappear or be replaced by alternatives when critical junctures would emerge. It is important to note that the critical junctures that emerged, and which offered the potential for path termination, all did so fairly recently. The delegitimation of specific organizations due to their wide-ranging political violence, the demobilization of the PIRA, the peace process, and finally the support for policing by Sinn Féin all took place in the past 20 years. It can be argued that all these produced certain changes to the informal institutional framework. However, the argument remains that the stabilizational mechanisms at each of these stages were effective enough to maintain the continuity of informal institutions. This was reinforced by exogenous developments, which enabled the dominant institutions due to their established dominance and effectiveness of enforcing entities as actors with power[163] to address them, thus contributing to the positive feedback necesary for their persistence.

If we consider the substitutive nature of the informal justice framework as the central challenge to state authority, then destabilizational challenges to the

161 Of significant note is the observation that the term 'RUC', which denoted the police service before the changes instituted during the peace process, was being applied in select cases even by younger members of republican communities as a derogatory term for the police service – now known under the abbreviation 'PSNI'. Sophie Whiting in her work notes that the use of the name RUC is common among anti-GFA or 'dissident' republicans and is deployed in respect of the police service in Northern Ireland in an attempt to portray the force as a continuing sectarian and colonial entity. See: Sophie Whiting, ""Dissident" Irish Republican Newspapers and the "Propaganda War," *Terrorism and Political Violence* 24 (3) (2012), p. 483-503.

162 Interview with anonymous respondent, Derry, February 2015.

163 Pierson, 'Path dependence'.

continuity of the presence of path dependent institutions should arise from the state. With these not having occurred, or not having occurred effectively, it is important to consider the potential challenges that did in regards to the destabilizational options of the stabilizational mechanisms contributing to the continuity of path dependent institutions. The most prominent approach that the state undertook is the expansion of the criminalization of paramilitary activity in Northern Ireland. With this targeting the procedural element of informal justice, which relies on a functional mechanism of stabilization, this is hardly a challenge that would disrupt the functional needs that drive it. Furthermore, this challenge represented an additional feedback that reinforced the political delegitimation of the statutory frameworks and the related continuity of legal cynicism, with this coming in the form of increased police activity.

Police repression of former and active paramilitaries from the anti-GFA republican movement that are understood by the PSNI to be involved in the informal institutional frameworks as well as the low-level armed peace-spoiling campaign is often perceived as unjust in republican communities[164]. Where the frequency of anti-GFA republican bomb and arson attacks against organizations of the state and loyalist representatives have decreased in recent years, they are still a feature. However, the police raids of properties tied with anti-GFA republicans, as well as their arrest are often seen as 'selective targeting' in light of the relatively low incarceration rate of republicans under terrorism legislation[165]. While this justification by republican activists is very much present in public discourse[166], there exists little consideration thereof outside of these specific republican sub-communities. It must be noted, that the British government's Independent Terrorism Reviewer David Anderson[167] commented on the matter by writing that the 'mismatch between the high number of Terrorism Act arrests in Northern Ireland and the relatively small number of charges, prosecutions and convictions [is] a continuing concern', thus giving some validity to the grievance in question. In the eyes of the supportive population, such statutory action is seen as an intrusion that they link to the high intensity period of the conflict, described by one of my respondents as 'showing that for us nothing has changed in the past years'[168].

164 Characterized by one respondent as "it's always us, you get tired of it" (Interview with anonymous respondent, Derry, December 2014).

165 Several respondents interviewed as part of the research for this work noted the selective targeting of the same anti-GFA republican activists as frequent. Note that this is a perception.

166 Whiting, 'Propaganda War', p. 495-6.

167 David Anderson, "*The Terrorism Acts in 2015*", (London, The Stationery Office, 2016).

168 Interview with anonymous respondent, Derry, December 2014.

Indeed the most effective challenge arising from the formal sector seems to have been the establishment of the hybrid regimes that were mentioned earlier, where 'functional equivalents'[169] with significantly less negative impact as perceived by the communities were established for the fulfillment of particular needs previously done so by paramilitaries. However, this leads to two considerations: first, this framework is intended to tackle low-level anti-social behaviour, and not drug dealing, which is the primary issue legitimizing the paramilitary approach; and second, this has not legitimized the state and statutory formal frameworks in any significant faction, for, as we mentioned, these are largely not state-driven approaches. Instead, an issue - anti-social behaviour - (a) that is in the formal domain of persecution of the police service, (b) that was previously resolved by paramilitaries implementing immediate justice, (c) is now resolved by employees of the local government or political entities as part of a complementary informal institution. It must be noted that the researchdone for the production of this work has uncovered that there is an overlap of the same individuals seeking help from both the hybrid system and from those employing immediate justice approaches, as per the severity of the situation[170]. This development disproves an approach that would understand policing as simply activities in the domain of 'horizontal institutions'[171] of paramiltary organizations with stated macro-political goals, vested in an imposed control of a given population. Namely, in the absence of conflict between entities enforcing immediate justice and the newfound entities of the hybrid system, it must be argued that a lack of political agenda behind the activities is present, in turn confirming the mandate-based 'results-first' approach argued by this work.

*II. Statutory responses and organisational targeting*

Finally, the organizational element of informal institutional enforcement needs to be considered. Topping and Byrne[172] offer a similar analytical framework as the one presented in this work, by exploring how 'community demand for alternative

169 Beyer, 'Variety of mechanisms', p. 9.

170 The justification by those interviewed in favour of the Community Wardens program in Derry is similar to the argumentation in favour of the immediate justice schemes – "they resolve things quickly and efficiently" (Interview with anonymous respondent, Derry, February 2015).

171 Yale Ferguson and Richard Mansbach, "*Polities: Authority, Identities, and Change,*" (Columbia: University of South Carolina Press, 1996).

172 John Topping and Jonny Byrne, "Paramilitary punishments in Belfast: policing beneath the peace," *Behavioral Sciences of Terrorism and Political Aggression* 4 (1) (2012), p. 41-49.

policing is also linked to the quality of policing service delivered by the PSNI'[173]. However, where Topping and Byrne focus on the activities of so-called 'dissident republicans', who are constitutive to the phenomenon they dub "new' paramilitary policing'[174], the argument proposed in this work is different. Following North's[175] argumentation for separating actors from institutions, the stance proposed is that the organizational landscape of the enforcers of informal justice is not significant for the continuity of the informal institutional arrangements. Both previous research[176] as well as this work show that the range of entities undertaking the enforcement of the institutions of informal justice is broad and uncoordinated, with organisational disappearance not influencing the continuity or scale of the institutional arrangement or indeed a broader yet low-level armed campaign[177]. This means the institutions survive the individual targeting of members of active paramilitary groups, which is the established statutory approach which attempts to curtail their presence[178].

Despite the highly politicized findings which emerged in the political crisis in the summer of 2015 that there are remnants of organizations active during the Troubles that were still active then[179], or the frequent ascription of punishments to recognisable organisations from the anti-GFA spectrum, it must be noted that the enforcement of informal justice has been the perogative of various entities in the past and now, from active paramilitary groups, to former paramilitaries[180] without a contemporary political agenda who are simply 'fed up' with crime in their neighborhoods[181]. This means that the existence of any available agency willing to enact the informal institution is not dependant on any particular agency's current legitimacy as perceived by the conferee, which is in this scenario represented by the community. Otherwise put, if an organization that is the agency of enfocement

173 Ibid., p. 42.

174 Ibid.

175 Douglass North, "Institutions, Institutional Change and Economic Performance," (Cambridge: Cambridge University Press, 1990).

176 Jarman, 'Vigilantism', p. 321; Topping and Byrne, 'Paramilitary punishments', p. 48-9.

177 Kevin Bean, "'New dissidents are but old Provisionals writ large'? The Dynamics of Dissident Republicanism in the New Northern Ireland," *The Political Quarterly* 83(2) (2012), 210-18

178 Feargal Cochrane, "Northern Ireland: The Reluctant Peace," (New Haven: Yale University Press, 2013), p. 265.

179 See for instance: Belfast Telegraph, "Provisional IRA still exists but not involved in terrorism – George Hamilton." Published online, August 22nd 2015.

180 Topping and Byrne, 'Paramilitary punishments', p. 48-9, themselves note such requests to various individuals, including former combatants.

181 Interview with anonymous respondent, Derry, February 2015.

at a given time subsequently looses its legitimacy, the institution itself is not delegitimized. Furthermore, the fluid membership of various paramilitary groups must be considered. The non-organizational constrain of the informal justice institutions is driven precisely by the fluid membership that sometimes enables a membership overlap, or indeed, an organisational independence, where it is precisely the personal networks-based nature of these institutions, combined with the acquaintanceship-based and familial mechanisms of cohort replacement, which contribute to the continuity of the availability of entities for the enforcement of the institutions.

This factor gains validity if we consider the neighborhood-level determinant of the enactment of informal jusice, where there has historically been little overstep of the activities of the agency active in one neighborhood into another if a different agency for the enforcement is present there[182]. In the past, the fluid membership played a stabilisational role during the emergence of a critical juncture. After the PIRA ceasfires, when military operations ceased, it was still required that someone continue enforcing immediate justice. After the 1994 ceasefire elements within the substructures of the PIRA continued their publicised enforcement of informal institutional arrangements under the label of Direct Action Against Drugs, which despite a novel nomenclature[183] was understood to be affiliated and at least in part supported by the PIRA[184]. This sentiment was shared in the communities, for as one interviewed respondent put it, 'it was good knowing the Provos were still looking out for us'[185]. Despite this expected agency-driven stability, the critical juncture that emerged at the time of the peace process meant that the support from the PIRA was to be only limited, as that organisation itself was undergoing a change with a new political focus. As such, considering a longer post-transition continuity of the institutional enforcement, this cannot be tied to the two-fold motivation of social and criminal control by a given entity (the PIRA) discussed earlier in this work, but was in terms of agency driven more by what Bernhard,

182 This is evaluated through the identification of agency by mediators working to de-escalate threats issued by paramilitary groups. (Sourced from interviews with anonymous respondents, Derry, December 2014; February 2015.)

183 As Sarma notes, identifiable links with the PIRA had to be broken to allow the organisation 'plausible deniability' as not to threaten the negotiations and later the peace process. See: Sarma, 'Defensive Propaganda', p. 1081.

184 Pat Conway, 'Critical Reflections', p. 113; Rachel Monaghan, "The Return of "Captain Moonlight": Informal Justice in Northern Ireland," *Studies in Conflict & Terrorism,* 25 (2002), p. 48; Sarma, 'Defensive Propaganda', p. 1081.

185 Interview with anonymous respondent, Derry, February 2015.

Fehr and Fischbacher[186] consider as actors with some sort of self-sacrificing behaviour that they understood is done for a common good, where actors 'who observe a norm violation, are willing to incur costs to punish the norm violator', and this seemingly without reaping material benefits from the punishment. Indeed, the expanded organisational landscape of actors enforcing the various territorially-embedded instances of this broad informal institutional arrangement would confirm this, as several of those are entities that were outright challengers to the position of the PIRA, such as the Real IRA and the INLA with its remnants. On the basis of these considerations this work argues that maintaining an analytical focus on either remnants of paramilitary organizations or on a subset of the republican movement with non-universal macropolitical goals would be erroneous.

*Conclusion*

Heeding to the call of Topping and Byrne, who find that 'little research attention has been paid to the relationship between communities, paramilitary actors and the PSNI as part of a broader policing landscape'[187], this work has attempted to offer an avenue of the exploration of the ideational sources of ongoing peace spoiling in Northern Ireland. By tracing the changing institutional landscape in a given 'area of limited governance'[188] an exploration of a spatially-constrained embeddedness of anti-state sentiment is possible. The relevance of the approach presented is tied to the consideration of the policing-as-grievance approach in mobilizing violence[189], which has seen a substantial amount of events in intra- and post-conflict Northern Ireland, and which is especially valid in the interactive aspect of its reproduced territorial boundedness[190].

Part of the view that 'conflict-affected countries [are] sites of intense institutional change'[191], is that there is a significant change in the ideational structure in the affected communities. As part of these changes, elements such as the legitimacy of

186 Helen Bernhard, Ernst Fehr and Urs Fischbacher, "Group Affiliation and Altruistic Norm Enforcement," *The American Economic Review* 96 (2) (2006), p. 217.

187 Topping and Byrne, 'Paramilitary punishments', p. 54.

188 Thomas Risse (ed.), "Governance Without a State?," (*New York City: Columbia University Press,* 2011).

189 Donatella della Porta, "Social movements, political violence, and the state: A Comparative Analysis of Italy and Germany," (Cambridge: Cambridge University Press, 1995).

190 Ó Dochartaigh, 'Bounded by Violence.'

191 Justino, 'Micro-Level Perspective', p. 294.

actors may be contested and removed, and the animosity towards a perceived 'enemy' may not only be instrumentalized in the form of political violence, but also embedded in the broader narrative of a group, community, or nation. This in turn provides the intergenerational fuel for the reactivation or continuation of conflicts in the form of various justifications[192]. In the given case, the predictive power of the institutional approach contributes to the understanding of the continuation of political violence (in a limited extent) as being rooted in the ideational underpinnings for the challenging of the statutory legitimacy which have remained embedded in spatially-constrained frames.

192 Garrett O'Boyle, "Theories of Justification and Political Violence: Examples from Four Groups," *Terrorism and Political Violence* 14 (2) (2010), p. 23-46.

Section 2:
# MAINTENANCE

# *'Doing a number:' Strategic innovation of republican non-state actors in contemporary Northern Ireland*

*Abstract*

Focusing on the contemporary iteration of the republican armed struggle in Northern Ireland, this work begins by challenging analytical approaches that ascribe large-scale strategic thinking to republican non-state actors. Instead, by arguing a scaled-down approach to their strategic outlook which was developed as a reaction to resource constraints and a changed post-conflict landscape, the presented findings show how the achievement of a tactical stability of low-intensity acts of political violence contribute to the achievement of adjusted strategic goals that reflect the altered priorities. With a particular emphasis on the employment of 'hoax devices' – objects made to resemble viable improvised explosive devices – the strategic innovation of contemporary republican armed groups is studied for the awarness of constraining factors while acknowledging their desire to influence the political process.

## *Introduction*

Northern Ireland's post-conflict period has often been described as one of an 'imperfect peace'[193]. While the period since the 1998 peace treaty has seen increasing levels of perceived political concession on both sides, with this exposing severe political cleavages, the presence of armed elements determined to continue the struggle through non-peaceful means has offered a continued destabilizational option, albeit one to which different levels of influence are ascribed. Indeed, a return to large-scale political violence has proven to be largely improbable, but such an optimistic evaluation, based largely on considerations of the limited resources and influence of the entities in question, obviates complex dynamics at the heart of the republican struggle in the contemporary period. Contemporary research shows that the actual support for anti-GFA republican

193 Rachel Monaghan, "'An imperfect peace': Paramilitary 'punishments' in Northern Ireland," *Terrorism and Political Violence* 16 (2004), 439-61; Peter R. Neumann, "The Imperfect Peace: Explaining Paramilitary Violence in Northern Ireland," *Low Intensity Conflict & Law Enforcement* 11 (2007), 116-38.

groups is more substantial than commonly recognized[194], with this complemented by analyses of the increasing frequency of instances of paramilitary violence and growing strength of the groups involved[195]. While such findings contribute to the removal of the analytical perplexity over the sources of support of the *armed* groups as well, this also reopens the consideration of the specific mechanisms of justification and motivation that exist both in terms of the supportive milieu[196] and the actual enactment of the political violence.

Focusing on the application of 'hoax devices' – objects made to look like viable improvised explosive devices (IEDs) – which in the researched period outnumbered any other tactical approach used by paramilitary groups, this work explores their expanded use and suggest the underlying strategic innovation that drives this. The study of the particular tactical approach is driven by an observed *tactical stability*, which is defined as the continued application of a given tactic in armed struggle, with this stability identified by the frequency of events with similar characteristics in terms of scope, targeting, and response, and the lack of temporal variation in any of the three factors. In the application of terrorism, tactical repertoires are often evaluated for their continuity[197], with the strategic advantage of terrorism emerging from its temporal and spatial uncertainty, not varying tactics. Such a characteristic of stability can be motivated by two processes. First, the achievement of set strategic or partial strategic goals[198], or the contribution of

194 Kevin Bean, "'New dissidents are but old Provisionals writ large'? The Dynamics of Dissident Republicanism in the New Northern Ireland," *The Political Quarterly* 83(2) (2012), 210-18; Lorraine Bowman-Grieve and Maura Conway, "Exploring the form and function of dissident Irish Republican online discourses," *Media, War & Conflict* 5(1) (2012), 71-85; Martyn Frampton, "Dissident Irish Republican Violence – A Resurgent Threat," *The Political Quarterly* 83(2) (2012), 227-37; Sophie Whiting, "Spoiling the Peace? The threat of dissident republicans to peace in Northern Ireland." (Manchester: Manchester University Press, 2015).

195 Ross Frenett and M. L. R. Smith, "IRA 2.0: Continuing the Long War – Analyzing the Factors Behind Anti-GFA Violence," *Terrorism and Political Violence* 24(3) (2012), 375-95; Audra Mitchell, "Lost in Transformation: Violent Peace and Peaceful Conflict in Northern Ireland" (Houndmills: Palgrave MacMillan, 2011).

196 Stefan Malthaner and Peter Waldmann, "The Radical Milieu: Conceptualizing the Supportive Social Environment of Terrorist Groups," *Studies in Conflict & Terrorism* 37(12) (2014), 979-998.

197 Brian M. Jenkins, "International Terrorism: The Other World War" (Santa Monica: RAND Corporation, 1985); Bruce Hoffman, "Terrorist targeting: Tactics, trends, and potentialities," *Terrorism and Political Violence* 5(2) (2007), 12-29.

198 Richard English in his work "*Does Terrorism Work?*" (Oxford: Oxford University Press, 2016) summizes *partial strategic goals* of the Provisional movement as *partial* defensive security for the supportive community, and "a diluted but significant and otherwise unattainable degree of

the tactic to the effectiveness of the broader strategic configuration. And secondly, by the inability to develop beyond that tactic due to various constraints, primarily in terms of resource mobilization, with the stable tactic driven by widely available resources. By understanding that given strategic goals require specific tactical approaches for their achievement, this work explores the underlying motivations for employing a specific tactical approach.

This work focuses on instances of political violence in the Derry and Strabane area, and applies an approach of methodological triangulation based on original fieldwork producing in-depth interviews, as well as secondary sources, and qualitative event-level data. Apart from the analysis of a limited number of outlier events, this data is temporally constrained to the period between January 2013 and October 2015, with this driven both by the containment of the fieldwork rounds as well as the release of official territorially-disaggregated PSNI data on bombing- and hoax-related events. With a consideration of only the dimension of anti-state violence as undertaken by armed republican groups (ARGs), the other elements, such as challenger-prevention, policing and punishment, and feuds, remain ackowledged as agency-related acts under study elsewhere.

By encompassing shifting strategic priorities and diminishing resources into an actor-driven process of self-limitation in a given strategic and tactical approach, this work expands the thinking of strategic or terrorist innovation. Innovation or learning in strategic terms is related to processes of 'problem-solving' that follow various forms of failure that groups experience[199]. This problem-solving can be extended to behaviour in relation to constraining developments that affect the attainment of given goals. Indeed, in proposing a self-awareness of the actor's limitations or of those of the broader movement, this work focuses on the balancing that non-state actors undertake between guaranteeing their own survival while still continuing their political struggle. The balancing between the two produces strategic innovation.

political equality, power, and freedom for Irish nationalists" (pp. 107).

199 Martha Crenshaw, "Innovation: Decision Points in the Trajectory of Terrorism." In: Maria J. Rasmussen and Mohammed M. Hafez (eds.) Terrorist Innovations in Weapons of Mass Effect (Ft. Belvoir: Defense Threat Reduction Agency, 2010).; Louise Kettle and Andrew Mumford, "Terrorist Learning: A New Analytical Framework," *Studies in Conflict and Terrorism* (2016).

*Development of a strategic outlook in the modern republican struggle*

Studies of the republican movement will at any point since its emergence in the aftermath of the partition of Ireland be able to identify one commonality – the abstract, temporally undefined macropolitical goal of (re-achieving) Irish unification. Representing the essence of the justificatory ethics for those taking part in Irish nationalist and republican politics, this achievement has eluded the movement, but the efforts that were made produced noticable secondary outcomes as a result of barganining processes between the actors involved[200]. In focusing on the particularities of the military strategy, the ultimate goals thereof and the ultimate goals of the broad republican movement need to be considered separately, while still acknowledging their complementarity, with this recognizing the co-existence of armed/extra-political and political strategies as affiliated elements of a a broad repertoire[201]. The heightened visibility of, and a potential greater reliance on, either of the two approaches at any given period was the result of the dynamics between the republican movement and the British state, with political strategies dominating the effort at a time of rapprochement and increased negotiation – however, often doing so on the back of a visible extra-political campaign preceeding or coinciding with that period[202].

Strategic goals are naturally not static but instead are shaped by various processes, both agency-internal as well as adapting to the changing environment[203]. A broad national liberational movement such as the Republican one in Northern Ireland is able to utilize a wide range of approaches in its attempts to achieve both their overarching end-goal as well as the secondary strategic goals that represent self-identified thresholds to be achieved. Furthermore, such approaches – ranging from deliberative processes, through low-level extra-political action, to political violence – are generally applied for the achievement of goals in which they seem appropriate. For instance, a group will not attempt to achieve a lower-tier goal through the use of resource-heavy means, and will adjust its strategy appropriately.

200 M. L. R. Smith, "Fighting for Ireland – The Military Strategy of the Irish Republican Movement" (London: Routledge, 1997).

201 Thomas Whelan, "The Capability Spectrum; locating terrorism in relation to other manifestations of political violence," *Journal of Terrorism Research* 7(1) (2016), 11-19.

202 Niall Ó Dochartaigh, "The Longest Negotiation: British Policy, IRA Strategy and the Making of the Northern Ireland Peace Settlement," *Political Studies* (63) (2015), 202-220. See also: English, "*Does Terrorism Work?*",

203 Paul Gill, John Horgan, Samuel T. Hunter, and Lily D. Cushenbery, "Malevolent Creativity in Terrorist Organizations," *The Journal of Creative Behaviour* 47(2) (2013), 125-151.

In the repertoire of the Republican armed struggle in 20th and 21st century Northern Ireland, two specific tactical approaches were and continue to be dominant. The first was the application of confrontational acts of political violence, which were primarily directed against loyalist paramilitaries, informants, and political opponents. These acts were characterised by the application of force *directly* by the militants, primarily in the form of shootings. The second was the strategic application of terrorism, which was directed primarily at entities of the British state, civilian targets, and in certain stages, entities of significant economic power[204]. The benefits of such an approach, especially in later stages of the Provisionals' campaign with the application of 'proxy bombs' that relied on the forced delivery by individuals who were not a member of the group, were primarily in regards to a lower exposure of the already-scarce and at-risk militant body.

Evaluating the Provisionals' campaign for hierarchically differing goals brings one to the consideration of secondary goals as contributing to the achievement of the macropolitical end-goal, either through the application of political violence for the direct benefit of the community in terms of guaranteeing its protection, or in terms of a protracted military campaign to elicit an improved bargaining position. An essential strategic goal for any rebelling force is the guaranteeing of the security of the host community, for reasons of appeasing the civillian base as members of the shared ethnic community and strategically for guaranteeing their alliance and preventing betrayal[205], or for reasons of the mobilization of various resources, including the induction of new combatants[206]. The activities of the Provisional movement have extensively been researched as fitting with such goals, with the endeavors largely ascribed to the organizational nature of the anti-British opposition during the Troubles. In line with a military strategy, these activities are essential for the guaranteeing of the capacities required for a broader military campaign such as the one waged in the high-intensity period of the Troubles. For the achievement of such strategic thresholds, the Provisional movement relied on a mixed set of tactics that both contributed to the prevention of statutory entities (primarily the RUC) from exercising its task of policing, as well as guaranteed the

204 The 1996 bombing of Canary Wharf is the most notable of these cases.

205 Stathis N. Kalyvas, "The Logic of Violence in Civil War," (Cambridge: Cambridge Univeristy Press, 2006).

206 Jeremy M. Weinstein, "Inside Rebellion: The Politics of Insurgent Violence," (Cambridge: Cambridge Univeristy Press, 2006), 96-126.

security first-hand by persecuting criminal and anti-social behaviour, often mandated by the communities where they operated.

The fractioning of the Provisional movement in the 1980s and 1990s that produced splinter paramilitary groups can be framed as an organiational fragmentation based on differing strategic outlooks. In both 1986, with the eventual emergence of the Continuity IRA, and 1997, with the emergence of the Real IRA, there was an opposition to alterations in the general strategic approach which saw greater emphasis on political goal-attainment. In the first instance this alteration was in relation with the absentionist practice or 'tradition' which is driven by a rejection of the legitimacy of the two parliaments on the island of Ireland. In 1986, the withdrawal of this practice was under consideration (and finally approved) by the Provisional movement with particular consideration of Sinn Féin's contestation of seats in the Irish Dáil. Echoing the coming trend that would culminate in substantial demobilization efforts over the coming decade, this produced the duality of strategic endeavors that are still present today, with the political option favored by mainstream republican entities, and the extra-political option favored by paramilitary groups. In the second instance, with the emergence of the Real IRA in 1997, the fractioning developed along similar cleavages, with the Provisional IRA ceasefire of 1997 understood as a "betrayal on the part of the leadership" as one scholar described it[207]. As such, a faction led by the Provisional IRA quartermaster opted to forego this strategic adjustment and continue the armed struggle. From a strategic perspective, both splits occurred when the organization opted to introduce an alteration of the strategy for the attainment of more immediate but hierarchically lower strategic goals that complement the political goals of the broader republican movement, with this producing factions that were more in favour of maintaining the primacy of the hierarchically higher-tier strategic goals, along with their existing means of attainment.

The immediate post-split endeavors of the Real IRA were not fruitful in terms of their strategic goals or the attainment of legitimacy for their approach to the struggle. The Omagh bombing of August 1998, which killed 29 in the deadliest attack of the conflict, reinforced the strategic shift to political paths of goal-attainment in the republican movement. However, while this had an impact on the macropolitical strategy, the secondary strategic goals were left in place, largely by a still-delegitimized state apparatus and continuing criminal and anti-social

207 Andrew Sanders, "Inside the IRA: Dissident Republicans and the War for Legitimacy," (Edinburgh: Edinburgh University Press, 2011), 209.

behaviour. As such, the protection of the respective communities became a prioritized goal in the immediate post-PIRA demobilization period for both the new factions and indeed for remnants of the old. In maintaining the belief that a military strategy is the correct one, and faced with a milieu that largely abandoned such practices, the newly formed factions gained a futher strategic goal in the post-Troubles period. This goal was the legitimization of their own presence, and by extension, the guaranteeing of the group survival.

*Contemporary strategic outlook of armed republican groups*

Following the post-split failures of the continued strategic direction there emerged a lengthy period of strategic adjustment that saw reduced political activity on the part of republican paramilitary groups, including a proclaimed ceasefire by the Real IRA during the September following the 1998 Omagh bombing. This decision was largely driven by a recognition of failure of the adopted strategy of large-scale bombing, which would come to impact strategic innovation of the Real IRA before its return to armed struggle in 2000. The new strategic outlook of the organization included significant changes that reflected the new post-conflict context in which all of the anti-GFA actors found themselves. This altered context primarily essentialized the popular rejection of the armed struggle in reduced potential for resource mobilization that could be exercised by the non-state actors. In light of this lack of support, there emerged a new strategic outlook, predicated on the limited resources.

These limited resources became one of the driving elements of an altered strategy which also reflected the decentralized and indeed competing organizational nature. If the strategic outlook of the Provisionals in later stages became the betterment of a bargaining position, and that of the post-1998 groups was the attempted large-scale disruption of the peace agreement, then the strategic outlook of the contemporary entities is primarily based on lower-tier political goals. In light of severe challenges to their activities emerging from the political option of mainstream republicanism, the persecution by statutory entities, the targeting by competing challengers, the retaliation by criminal enterprises, as well as the disavowal by the general public, the first goal that can be ascribed to contemporary ARGs is the striving to receive the necessary legitimacy to continue the struggle. Here, this work deviates from the focus on the 'historical mandate' that the groups frequently espouse and analysts focus on. By adopting Kalyvas' logic of why groups carry out violence against the civilian population, or

rather, why they opt not to[208], we can easily explain the rise in the paramilitary punishment shootings, beatings, and expulsions that have been observed in Northern Ireland since the GFA[209]. With groups attempting to legitimize their presence, and guaranteeing that their presence in the communities – if not the broader society – is *needed*, they are able to challenge the legitimacy of the state, thus contributing to the broader macropolitical goal. While such behaviour is indeed the dominant part of the ARGs repertoire, it is too scarce and despite the public communicative value still not a viable path to broad mobilization of a potential supportive milieu.

Where the anti-GFA movement may have broadly similar macropolitical goals despite its fragmented nature, and the armed aspect thereof largely similar tactics and indeed origins in the splits from previously-active armed groups, there has so far been no evidence of coordinated efforts in the achievement of a given macropolitical goal across the broader movement. The high penetration by informants largely prevents this from happening, and has as well already proven a significant obstacle in the organization of larger-scale attacks. Frampton in his work on the activities of the armed groups notes a similar finding, writing that "the dissidents, as they themselves admit, are not operating anywhere near the level of the Provisional IRA, and nor are they ever likely to"[210]. These movement-wide constraints appear present in the motivational structures of those with the agency to select into activities of the kind of political violence offered for analysis here, with these constraints further translated into the selection of the tactical approaches employed.

The confirmation of self-aware critique and limitations of their approach in terms of both a large-scale return to armed insurrection as well as a broad attainment of support from mainstream republican options was a central topic of the fieldwork conducted in the production of this work. This was echoed in the views of one self-described 'republican' respondent as "the occupation will not disappear in our lifetimes"[211], with the struggle seen as  as something "to be contributed to" not

208 Kalyvas, "The Logic of Violence in Civil War".

209 Neil Jarman, "From war to peace? Changing patterns of violence in Northern Ireland, 1990-2003," *Terrorism and Political Violence* 16(3) (2010), 423; Rachel Monaghan, "Community-Based Justice in Northern Ireland and South Africa," *International Criminal Justice Review* 18(1) (2008), 86.

210 Frampton, "Dissident Irish Republican Violence", 228.

211 Interview with anonymous respondent, Derry, February 2015.

something "to be concluded". As such, there is no set time horizon for the resolution of macropolitical goals, framed either as 'end of occupation', 'Irish unification', or other. A significant self-awareness of the limitations and constraints of the situation in which the groups find themselves can be noted in the following quote from a 2010 interview[212] with volunteers of the ONH:

> "An Oglaigh na hEireann capable of having a sustained campaign will take time to develop. It will take time to develop the structures, personnel, finance and weaponry. [. . .]
> To go at it full steam [now] would increase momentum short term, but we believe ultimately would fail within a very short period of time."

Translating the described boundaries into a motivational postulate of the active membership of the ARGs contributes to the understanding of limited time- and goal-horizons. Analytically speaking, in recognizing the limitations both in terms of resources as well as temporal and operational horizons there is no need to ascribe a highly optimistic strategy to largely disparate actors operating in isolation[213], and then to evaluate them under that framework. Instead, research should be employed to unravel the strategic outlook based on its constitutive lower-tier components.

The essential strategic innovation, or in other words, the central difference in strategic outlook between the Provisional movement, the post-split groups, and the contemporary ones thus emerged in the form of a self-imposed scaling-down of the immediacy of the macropolitical goal. With the abstract macropolitical goal still being 'Irish unification', the *attainable* strategic goal shifted, from terrorist disruption and making the statutory involvement in the conflict too costly – thus in later stages contributing to the bargaining process which had a temporal element – to the presentation of "Northern Ireland as ungovernable and not-yet normalised"[214], thus contributing to a lenghty struggle without a time-frame[215]. Due to its characteristics, terrorism and terrorist-akin actions are highly suitable for a strategy based on making the most out of limited resources. As Neumann and Smith note in their exploration of the subject, "strategic terrorism does not

212 Brian Rowan, "ONH Interview," *The Belfast Telegraph*, November 3rd 2010.

213 *Cf.* Aaron Edwards, "When Terrorism as Strategy Fails: Dissident Irish Republicans and the Threat to British Security," *Studies in Conflict & Terrorism* 34(4) (2011).

214 Sophie Whiting, "Spoiling the Peace?", 176.

215 Frenett and Smith, *IRA 2.0*, 392.

necessarily seek to eliminate the inequality of power, but instead [. . .] attempts to elicit a reaction in a target group that will facilitate the achievement of political goals."[216] The tactical stability of the application of a given approach is therefore to be equated with the achievement of the desired effect, with this eliminating the need for further strategic or tactical innovation. Such effects come on the backs of statutory responses, with the state and its entities being the primary targets of the ARGs campaign. The same predominantly non-damaging events are reproduced as the response that they elicit from the targeted entities is sufficient for the achievement of a given goal of a set strategic nature. In the context of the resource constraints in mobilizing a protracted campaign on the basis of limited manpower and material resources this entails actions of a smaller scale, but an increased frequency, with this especially valid in tactical approaches where no non- or strenuously-replacable resources such as explosives are spent.

A central tenet in the evaluated strategic outlook of ARGs is the insurrectionary nature thereof. Such an approach is expected in an environment where there is a reduced or permanently low support for a given act of violent uprising or rebellion. The central tenet of an insurrectionary logic is that through its use, "the savagery of the government's retaliation would reveal the true, repressive nature of the government [itself]"[217], with such goals seemingly ubiquitous in a context where the statutory proxy is considered illegitimate. By exposing the community to a broad repression after an insurrectionary act, those carrying out the primary act of aggression hope to achieve an increase in the scope of the political delegitimation, which could then be appropriated as a mobilizational or recruitment footing, both in terms of the militancy as well as a broader supportive milieu. The application of insurrectionary strategies is therefore motivated by first, an envisioned predictability in the response from the statutory entities, and second, the envisioned predictability of the response of the populace (the broad group targeted for mobilization or recruitment) to the act(s) of the state. Crucially, the predictability of the statutory response is generally higher than the response of the populace, with this primarily the result of highly codified practices of response to threat and attack.

The success of an insurrectionary strategy, and indeed the motivation for its original application by an armed group, is primarily predicated on the evaluated

216 Peter R. Neumann and M. L. R. Smith, "The Strategy of Terrorism: How it works, and why it fails," (New York: Routledge, 2008), 30.

217 Rosemary O'Kane, "Terrorism" (Harrow: Pearson Longman, 2013), 34.

predictability of the secondary response. Such a predictability is the result of two factors. First, the presence of to an extent already-delegitimized political entities. This influences the willingness of the mobilized to engage with the entity in a form of protest escalation or other radicalization. And second, the individual act or a series thereof that are carried out, and the legitimacy of the group carrying it out, are evaluated more favourably by the receptive populace vis-a-vis the delegitimized entities. This can either be the result of non-threatening attacks such as hoax devices, or, an existent desensitization to acts of political violence in periods or areas of high-intensity conflict, which in the Northern Irish republican case Mac Ginty understands as the development of a culture of 'ambivalence towards violence by the in-group'[218].

With the focus of the ARGs targeting campaign the individuals or entities affiliated with the security services in Northern Ireland, primarily the PSNI, the employment of what is considered as 'militarised policing' has featured extensively. The changes in policing practices were visible in the events surrounding the November 2014 bomb attack in the Creggan Heights in Derry. This event was one where the aftermath of the bomb attack, and the populace-perceived delay in the response to it by the PSNI led to a substantial, more militarized police response and large-scale rioting (the enactment of an insurrectionary potential)[219]. Indeed, the militarized police response and related escalation of violence was echoed in the statements of local politicians[220] as well as in the interviews conducted in the Creggan in December 2015. A respondent particularly emphasized the frequency of "us coming up against this" being particularly high in the Creggan in the then-recent past[221].

218 Roger Mac Ginty, "Northern Ireland: A peace process thwarted by accidental spoiling," p. 155. In: Edward Newman and Oliver Richmond (eds.), "Challenges to peacebuilding: Managing spoilers during conflict resolution," (Tokyo: United Nations University Press, 2008).

219 [unknown], "Rioting in the Creggan in the aftermath of bomb attack," *Derry Journal,* published online on 4. 11. 2014.

220 Gary Donnelly, an independent councilor in the Derry and Strabane City Council, and a member of the 32CSM, noted "*Tonight, women and children assaulted and gassed after armed police mounted footpaths in armoured vehicles. Community policing at its best.*" (*Facebook* post, 4. 11. 2014).

221 Interview with anonymous respondent, Derry, December 2014.

The militarised police presence – with the PSNI supported[222] by military bomb disposal technicians (Army Technical Officers - ATOs) – has proven to be conductive for large-scale popular opposition in two further instances, both involving *raids of private property* under Section 24 of the *Justice and Security (Northern Ireland) Act 2007* (JSA NI) Code of Practice[223]. These occurred on July 29th and August 4th 2015 in the Galliagh area of Derry and the Ballycolman estate in Strabane, respectively. Both events were undertaken as part of investigations of the behaviour of ARGs in the area, with the premises searched considered as affiliated therewith, specifically with activities of the construction of explosive devices. Significant media coverage in the former event of what was considered by local republican politicians as 'unacceptable' "use of British soldiers in house searches"[224], as well as 'disgusting' and 'outrageous' behaviour[225], put significant pressure on the Northern Ireland Policing Board, with policy changes emerging. The Reviewer of the JSA NI in his 8th report covering the period notes that as a result of these events "the PSNI have amended their practices and no searches involving the use of military assets will take place in Derry or Strabane without the authority of the District Commander and a local bronze commander will be tasked to conduct a community impact assessment and manage the deployment of all resources to minimize the impact on local communities"[226]. As further noted in that report, such changes of policy are the result of ongoing developments of negative perception of the involvement of military personnell[227]. Where the kinds of escalations of protest that occurred in the Creggan in November 2014 are a relative rarity in contemporary times, the hinted changes of policing tactics in

222 Such supportive provisions are warranted by 'Operation Helvetic' which frames additional support by the armed forces for the PSNI.

223 Northern Ireland Office, "Code of Practice for the Exercies of Powers in the Justice and Security (Northern Ireland) Act 2007," (Kew: The National Archives, 2013), Section 24/Schedule 3, 15-36.

224 Statement by Sinn Féin MLA Gerry Kelly, reported by the *Derry Journal*, Wednesday July 29th, 2015.

225 The first by Irish Republican Socialist Party spokesman Danny Morission, the other by the Independent District Councillor Dee Quigley. Reported by the *Derry Journal,* Wednesday July 29th, 2015.

226 David Seymour, "Report of the Independent Reviewer Justice and Security (Northern Ireland) Act 2007 – Eight Report: 1 August 2014 – 31 July 2015", (Kew: The National Archives, 2016), 40.

227 In section 12.7, the Reviewer notes that it "is important that the public understand that the military have, as a consequence of previous adverse commentary regarding their presence, made significant efforts to lower their profile whilst maintaining visible support to the PSNI," *8th Report JSA NI,* 39.

response to the attacks are not, with this true of both events involving hoax- and viable devices. Such developments should be considered as intended and predicted responses by the state, as conforming to the goals of the ARGs, as these tactics have reached a seemingly stable approach in terms of their frequency of employment, absence of secondary attacks, and arguably low disapproval thereof within the supportive milieu.

A further consideration of the altered, limitations-induced strategic outlook is the spatial constraint that drives it. Mitchell points to these specific territorial dimensions in the operation of ARGs and frames those in terms of "extreme forms of conflictual world-building, or the preservation of threatworks"[228]. The understanding of this specific spatial component of the struggle can be related to the concept of 'areas of limited statehood'[229], with these broadly understood as territories where statutory entities are not able to exercise their functions. Such spatial formations are hereby understood as *strategic achievements* and indeed a space that needs to be actively maintained. The 'no-go' spaces are something that the continuing 'threatworks' have come to contribute to, with the targeting of statutory entities at the heart of the approach. Here, the violent acts are specifically designed as a preventive measure to the regular policing, and as such contribute to the maintenance of the primacy of the means of force as part of either an extractive or non-extractive rebel governance regime[230]. With the attacks offering a predictable response from statutory entities in terms of the scaled-down and essentialized (as well as more militarized) policing, this directly reinforces the justificatory narrative of the ARGs and indeed broader anti-GFA republican movement, which is able to point to militaristic incursions and invoke imagery of the high-intensity period of the conflict. Furthermore, this directly contributes to the prevention of the functioning of the statutory entities, and consolidates the need for alternative power-players in the communities. As the agency in both these types of behaviour is shared, we can classify this as an evident strategic application of terrorism-akin tactics.

228 Mitchell, *Lost in Transformation*, 196.

229 Thomas Risse (ed.), "Governance Without a State?," (*New York City: Columbia University Press,* 2011).

230 Nelson Kasfir, "Rebel Governance – Constructing a Field of Inquiry," 33-34. In: Ana Arjona, Nelson Kasfir, Zachariah Mampilly (eds.), "Rebel Governance in Civil War," (*Cambridge: Cambridge University Press*, 2015).

*The innovation in IED application and the tactics of 'hoaxes'*

> "Recent years have seen the reorganisation and restructuring of Óglaigh na hÉireann. This is continuing and is constantly evolving and being refined to keep abreast of enemy developments in technology and modes of war."[231]

It is important to establish a temporal dimension to the learning and innovation of contemporary non-state actors, as well as to problematise the inheritance of resources. In terms of the organizational determinants of the innovation trajectories, the pre-split involvement of the membership is a central one. This is especially valid in the case of the Real IRA. This 'inherited knowledge' of the organization was tied to the former Provisional IRA quartermaster who founded the organization on the resource-basis of hidden PIRA munitions caches. Despite his eventual exit from the new organization, the resources were still being put to use in the Real IRA's campaign, which gives insight into the epistemic dissemination within the network. What this entails is that the decommissioning processes that the Provisional IRA undertook as part of the GFA did not affect the capacity of the groups under operation today[232]. Indeed, recent heavily publicized – and highly overstated – caches of material at the disposal of the ARGs[233] do offer an important avenue of analytical consideration, namely, to what extent are the ARGs indeed burdened or limited by recource-based constraints *in terms of weaponry*[234], and how that influences their selection of a given tactical approach.

With the Provisional IRA often considered as one of the most innovative and technologically-savvy non-state groups[235], it is to be expected that factions that emerged from it would continue in such a capacity. Crucially, these developments need to be linked to the new strategic outlook that was explored in the previous

231 Real IRA statement, April 13th, 2009.

232 However, an understanding of the presence of expiry dates on some of the materials present, such as the Semtex explosives used in the manufacture of pipe- and other explosive devices, needs to be acknowledged (*website of manufacturer*).

233 Colin Gleeson, "Dissident republican weapons becoming 'more sophisticated'," *The Irish Times,* published online on 6.1.2016.; Henry McDonald, "Police 'are facing sever terror threat from IRA'," *The Guardian,* published online on 15.5.2016.

234 As opposed to resources of a supportive nature necessary for the sustaining of their campaign, such as financial means, hideouts, and supportive institutions for the prevention of capture.

235 Magnus Ranstorp and Hans Brun, "Terrorism Learning and Innovation: Lessons from PIRA in Northern Ireland," (Stockholm: Swedish National Defence College, 2013).

chapter. With the essential goal of the organizations being their re-gaining of an operational validity from a given community, the tactics needed to be adjusted, as not to cause serious harm to the community while still contributing to the establishment of an insurrectionary potential. Communities in which groups operate tend to evaluate given tactics by non-state actors, both individually as well as in comparisson with their competitors and challengers[236]. In the behaviour of ARGs hoping to bridge the resource 'shut out' that emerged following the Omagh bombing, this was a difficult obstacle to overcome. The disastrous error of the tactical approach at Omagh was broadly recognized by members of the Real IRA and its affiliated political wing, with organizational-level repercussions felt in reduced support[237]. The Omagh bombing thus signified the error in the simplest trajectory of innovation, which is the enlargement of devices and the targeting of goals beyond territorial control or confluence, with this bringing the violence closer to a civilian body – which the non-state actors are hoping to appease – and doing so on a grand scale. As expected, in the aftermath of Omagh, no ARG has attempted to replicate this particular tactical approach, with the large-scale devices that were seized in raids by security services intended for the targeting of statutory entities, primarily those of the military.

The application of devices from the other spectrum seems like a more viable approach, with small-scale explosive devices used. Indeed, such forms of action represent low-resource-intensive means of operation, and, due to their functional characteristics, pose little exposure to the attacker(s) or ARG. Furthermore, they are highly specific in terms of the targeting. An overview of 14 events of viable device use[238] for which data is available - constrained by the temporal and spatial focus of the study, and for which the application by a broadly defined 'republican group' was understood by the PSNI - offers some insight into this, as well as avenues for further exploration. The territorial dispersion of the use of viable devices is very high, and differs from the use of hoax devices, which are often considered as being applied in the creation of no-go spaces *in urban environments*. Indeed, the use of viable devices is not only present in the urban environment in the Derry and Strabane area, but also in the rural environment.

236 Mia Bloom, "Dying to kill: The allure of suicide terror," (New York: Columbia University Press, 2005).

237 John F. Morrison, "The Origins and Rise of Dissident Irish Republicanism: The Role and Impact of Organizational Splits," (New York: Bloomsbury Publishing, 2013), 161.

238 Out of the 34 that occurred, according to the PSNI. A list of the 14 events can be found in the appendix.

The majority of the devices were targeting individuals, patrols, or establishments in connection with the PSNI, the military, or the prison and post-incarceration system. The devices were of small scale, with no fatalities in the events where the devices were activated. The two instances where targeted individuals were present did not cause injury, but only material damage. However, this cannot be understood to be a feature of the design of the devices, especially considering other applications of explosive tactics. In response to the October 2014 attack in Ballyarnett Village, Detective Chief Inspector Una Jennings noted that the "sequence of events caused police to consider that this device had been left as a lure to draw officers into the area in an attempt to deliberately murder them"[239].

An important recognition needs to be made that applies largely to all IEDs in most conflicts around the world, which is the issue with determining the precise traceability of the devices to the attacker in the absence of a claiming of responsibility. Arguably, the difficulty in establishing a responsibility with such compact and highly mobile devices is one of the key motivators for their use by violent actors, with this especially valid in contexts where multiple actors operate with similar or identical tactics. Hoax devices are no different, especially in the Northern Irish context. The commentary provided by Horgan correctly identifies the precise difficulty in ascribing ownership of acts in this setting[240], with the tactic being applied not only by ARGs, but also by criminal entities, and lone actors with seemingly no political motivation. However, despite such a complex configuration of possible actors, the tactic is primarily in the domain of ARGs, and the majority of the evaluated cases can be considered as part of the anti-GFA republican strategic effort. Indeed, Horgan in his analysis of ARG tactics considers these as such[241].

Hoax devices are characterised as objects that are created to resemble a potential viable IED, primarily pipe and parcel bombs. They are often designed identically as such devices with the only ommission being the explosives and trigger mechanism – although a dummy mechanism is often attached. These devices are seeing more use in Northern Ireland since the post-1998 reinstatement of the campaign by ARGs than any other approach of political violence, including

239 Brendan McDaid, "Ballyarnett bomb "was attempt to lure and kill police"," *Derry Journal*, published online 14.10.2014.

240 John Horgan, "Divided We Stand: The Strategy and Psychology of Ireland's Dissident Terrorists" (Oxford: Oxford University Press, 2013), 67.

241 Horgan, *Divided We Stand*, 67-69.

punishment shootings and the use of viable IEDs. In the studied time period, the application of hoax devices outnumbered the use of viable IEDs (exploded and unexploded), with official statistics showing 74 hoax alerts between August 1st 2013 and July 31st 2014, and 49 between August 1st 2014 and July 31st 2015[242].

Whereas in the past the tactic of hoax devices was primarily used in what Frampton in a commentary on anti-GFA paramilitary activity understands as 'come on' incidents[243], where officers were drawn into situations and arenas where they are vulnerable to prearranged attack, this seems to be changing. Indeed, Mitchell in her work on 'conflictual world-building' in Northern Ireland notes the specific territoriality of hoax device use in order to demarcate a 'safe territory'[244], with this largely independent from the potential secondary attacks that would come on the basis of the application of the urban environment as a tool. Focusing on the territoriality of the use of hoax devices, the concept of 'safe territories' holds answers to the expansion of their use. With supportive environments for anti-GFA groups significantly more contained and limited to those of the Provisional movement of the past, the behaviour of the groups is more responsive to desires of the principal, in terms of a principal-agent relationship[245]. With the investment of the communities into the functioning of the organizations significantly more limited also due to the lower extent of the functional role thereof, the potential for divestment from their support is high. As such, the application of non-lethal hoax devices as opposed to actual explosive devices is to be expected, as the effects, as will be disussed shortly, are largely the same in terms of the immediate audience of the act. However, the potential or actual harm or damage inflicted to a potentially supportive environment is decidedly lower.

The tactical stability that is observed points to a developed modus operandi that has persisted due to its favoral outcomes in comparisson to other tactical approaches, the continuation of the use of the specific forms of the terrorism-as-strategy tactics needs to be explored. The argument proposed is that this stability has emerged because the balance between the extent of violence and the statutory responses are just large enough to maintain the 'non-normalized' situation as a

242 Summarized from the 7th and 8th Report of the Independent Reviewer JSA (NI) 2007.

243 Frampton, *Dissident Irish Republican Violence.*

244 Lorenzo Bosi, "Safe Territories and Violent Political Organizations," *Nationalism and Ethnic Politics* 19(1) (2013), 80-101.

245 Andrew Rehfeld, "Representation Rethought: On Trustees, Delegates, and Gyroscopes in the Study of Political Representation and Democracy," *American Political Science Review* 103(2) (2009), 214-230.

partial strategic success[246]. The innovation that emerged did so in the novel understanding of the effects of the 'hoax devices' and the contribution that this has to the overarching strategy of the individual group or broader movement. Crucially, the innovation depended on the previous continuous use of improvised explosive devices in the Northern Irish conflict. This influenced both the development of statutory countermeasures and policies of coping, which relied on elements of militarised policing, as well as a predictability of the effects. By basing a strategy on these findings, contemporary 'spoiling experimenters' have shown to possess a self-aware analytical thinking based on the experiences of previous republican armed campaigns.

Crucially, in terms of the entry into the use of the tactic by either resource-depleted groups or new actors, this approach offers some key benefits. Hoax devices crucially remove the factor of 'availability of quality human resources'[247] that are needed for forming (potentially available) material resources into viable devices. And in the absence of such material resources, where those available largely originate from pre-GFA caches that escaped decommissioning, hoax devices offer an entry point for new spoiler groups into violent (or expected) activity, due to their simplicity in construction and material non-constraint, and potentially driven by the 'simplicity in replicability'[248] of widely-publicized events. Thus, hoax devices enable that a given group or individual contributes to the non-normalization or spoiling 'experimentation' even without two otherwise key elements, the technical and material resources. Where this might only be valid in a given post-conflict environment, the approaches used still run counter to the consideration of the protracted maintenance of armed conflict or political violence, with the efforts understood to be difficult or depletionary. Instead, this maintenance of security risks appears to be rather ordinary for the disparate entities maintaining them. This ease of maintaining a state of emergency, or in other words, the success of the applied tactic, is the product of the specific post-conflict nature of the setting, where such behaviour is unexpected or 'not normal', with a nod to the strategic goal of the ARGs.

246 English, *Does Terrorism Work?*

247 Adam Dolnik, "Understanding Terrorist Innovation: Technology, tactics and global trends," (London: Routledge, 2007), 165.

248 Allan Mazur, "Bomb Threats and the Mass Media: Evidence for a Theory of Suggestion," *American Sociological Review* 47(3) (1982), 407-411.

The effectiveness of the hoax 'attacks' derives from the uncertainty of the given event, where what might be a low-cost tactic for the group undertaking it, every instance of the act is to be understood as a threatening, risk-infused situation by the statutory entity that is the immediate target of the act. In his seminal study of surprise in terrorist tactics, Morris writes that "[t]errorism is first and foremost a form of psychological warfare. As such, the primary weapons of the terrorist operate not on the body of the adversary but rather on his mind."[249] Where Morris sees surprise as one such weapon, this work proposes that uncertainty of the threat is another. The nature of risk and uncertainty of a hoax attack is tied not only to the potential escalatory nature in line with Frampton's understanding of the events as 'come on' situations – which arguably, have decreased in their application – but also to the uncertaintly of the nature of the device as a viable and directly-threatening or not. Namely, at the point of discovery either by a civilian or the security services, or indeed, when called in by the potential attackers, there is *no certainty in identifying the viability* of the IED. This is the precise goal of imitating an actual device. This uncertainty produces a predictable response in the actions of the statutory entities, with a militarised policing presence at the scene of the hoax bomb 'attack', specifically, the application of bomb-disposal technicians and an enacted security perimeter[250]. Hoax devices as such are a constitutive part of a broader repertoire of political violence that includes among others *viable devices*, with the simultaneous applications of both tactics producing the uncertainty that ultimately drives the tactical effectiveness.

In contrast to the 'come on' attacks that were characteristic of hoax device application during the Troubles, the effect of a contemporary iteration of the tactic is therefore primarily of a communicative nature. Through a continuous application of the tactic that reinforces other, more aggressive elements of the repertoires of violence, a temporally protracted militarised police presence is maintained in a civilian environment. This offers a visible manifestation of a long-held anti-GFA narrative – the establishment and maintenance of an environment

249 Daniel R. Morris, "Surprise and Terrorism: A Conceptual Framework," *Journal of Strategic Studies* 32(1) (2009), 1-27.

250 A description of the presence is provided by David Seymour, the Independent Reviewer, JSA (NI) 2007 in the 8th report, noting: "If a suspected IED is discovered in Northern Ireland the normal procedure is for the PSNI to request the assistance of an ATO who will be a bomb disposal expert. In these circumstances the Army deploy an Explosive Ordnance Disposal Vehicle (EODV). This is a large commercial style vehicle with distinctive livery, painted white with a single high visibility stripe down each side. They are equipped with blue bar lights and two tone sirens and can be clearly identified."

that is in terms of the experience of the populace more akin to an intra-conflict than a post-conflict setting – while also enabling the growing of the insurrectionary potential, whereby unresolved grievances offer the potential for rioting and clashes with the police.

*Conclusion*

The approach that this work argues is significantly different from most contemporary research into the activities currently active republican paramilitary groups. By arguing that the constraints in terms of resources and a new changing context that favored political paths forced the groups to innovate, the argument advanced is that they employ a broad repertoire of tactical approaches of varying lethality for the achievement of respective goals. Crucially, this broad repertoire is not applied for the immediate (or even intended) achievement of the stated macropolitical goal. Such thinking involvess an analytical overstatement that is often employed by analysts, especially those seeking to trace the continuity between the campaign of the Provisionals and the current ARGs, and does so even when acknowledging that there is a reduced potential for operation and political violence. In recognizing that the current episode of the republican armed struggle is in a low-intensity period, this work sheds the analytical burden of evaluating the strategy and tactics of ARGs from a perspective intended for the achievement of the set macropolitical goal. The pressing matter with the contemporary iteration of the armed republican struggle is not its potential for escalation into a broader campaign of violence, but rather, the succeeding in the laying of the insurrectionary foundation in the disenfranchised communities across Northern Ireland. Here, protest escalation could lead to violent encounters, albeit ones where the achievement of a political goal would in the immediate time horizon only be a minor concern. In the adjusted strategic outlook of contemporary anti-GFA armed groups, such developments offer a 'best case scenario' of their actions.

More present than actual radicalisation of protest in the studied period has been the communicative component of the strategy, where the militarised policing has featured prominently in the discourse of local politicians and the media. This achieved the rising awarenes in the local populace that the state is present in their communities in a capacity that is unwanted, as well as having achieved actual policy changes as a response. State repression has frequently been studied as a

driver of different forms of mobilisation or radicalisation[251]. However, the work presented here offers a nuanced approach that argues that state repression is not simply a motivator for the given movement, but instead, is *expected* and drawn out as part of a targeted tactical application, precisely because of the predictability of the response by the actor employing it.

251 Donatella della Porta, "Social Movements, Political Violence, and the State," (Cambridge: Cambridge University Press, 1995); Jeff Goodwin, "No Other Way Out: States and Revolutionary Movements, 1945-91," (Cambridge: Cambridge Univeristy Press, 2001). For an overview, see Jeroen Gunning, "Social movement theory and the study of terrorism." In: Jackson, Smyth, and Gunning (eds.), "Critical Terrorism Studies: A New Research Agenda," (New York: Routledge, 2009), 156-77.

## APPENDIX

List of 14 considered events in the period between January 2013 and October 2015 in the Derry and Strabane area, listed in chronological order;

| DATE | LOC | NATURE | TARGETING/MOTIVATION |
|---|---|---|---|
| January 2013 | Castle Street/Strabane | Postal device | PSNI (unknown) |
| October 2013 | Limavady Road/Derry | Postal device | Public Prosecution Services office |
| October 2013 | Lisburn | Postal device | PSNI (CI John Burrows) |
| October 2013 | Mallusk | Postal device | PSNI (CC Matt Baggott) |
| November 2013 | Derry | Package, public bus | PSNI station |
| October 2014 | Ballyarnett/Derry | Explosive, luring | PSNI patrols (unspecific) |
| November 2014 | Creggan Heights/Derry | Mortar bomb | PSNI patrol |
| April 2015 | Crawford Square/Derry | Explosive | Probation Office |
| May 2015 | Waterside/Derry | Explosive (2x) | Caw Army reserve centre |
| June 2015 | Eglington | Car booby trap | PSNI officer (specific target) |
| August 2015 | Skeoge Rd./Derry | Explosive | unknown |
| October 2015 | Drumsurn/Limavady | Explosive | unknown |
| October 2015 | Waterside/Derry | Pipe bomb | Resident of targeted property |
| October 2015 | Waterfoot Hotel/Derry | Explosive | PSNI recruitment event |

Section 3:
# LEGITIMATION

*Non-state actor strategy and securitization: Republican agency in Northern Ireland following conflict*

*Abstract*

This work explores the application of securitisation as a strategy in the repertoire of political actors acting as peace spoilers following a period of extensive conflict. Such activity is driven by the state of emergency that successful securitisations produce, with the threats that are securitised emanating primarily from the state, with the process thus legitimating political violence directed at the state. A further expansion of the securitisation approach is proposed which is based in the understanding of a role specialisation as part of the securitisation process, which sees declarative and functional actors as possible separate but allied entities thus obviating the need to focus on a unitary securitising actor. Finally, by presenting the activity of non-state actors in the contemporary Northern Irish case as strategic securitisation, the intention of this work is to explore the processes of legitimizing political violence in that context that reach beyond the widely adopted understanding of a 'historical mandate'.

## *Introduction*

Who can say that a threat is so significant that it warrants any kind of preventive action? Analogous questions have been at the centre of the securitization paradigm since the inception of a coherent analytical framework in the works of Ole Wæver, Barry Buzan, and Jef Huysmans. Whereas the securitization paradigm, which focuses on the behaviour of *securitizing actors* to raise an issue or threat to an 'essential' or 'existential' conception, has always understood the entities under threat or *referent objects* as being other than just the state, securitizing actors were considered with a state-focused bias. This frequently repeated defficiency became to be regarded as the paradigm's 'Westphalian straitjacket', which has led to significant political actors being disregarded for study as securitizing actors. However, with the securitization paradigm under constant refinement, new expansions of the analytical framework are constantly emerging. Following the

gradual outgrowth from its focus on 'ideal-typical' liberal-democratic political systems and related contexts and the application to non-typical security challenges, to actors beyond the state, and to non-Western political environments[252], empirically-driven studies are gradually enriching the securitization paradigm with findings from what are arguably more commonly present (in)security situations than those initially envisaged by its originators.

A widely-present context to which securitization has not yet 'traveled to' are those emerging from intractable conflicts, or, more specifically, those that are characterised by an inherited conflict-induced insecurity. The context-derived threats there are dependent on the nature of the conflict termination, with decisive victories implying a stronger statutory institutional framework with fewer challengers[253] and indecisive victories creating a more challenger-prone environment[254]. Considering possible scenarios of insecurity, the threats emerge from the potential return of conflict and other challenges to the increases of stability in comparisson to an intra-conflict 'state of emergency'. These scenarios are more likely in the former context, with challengers frequently posessing destabilizational or peace-spoiling goals. Such possible emergences of insecurity echo with significant resonance in such environments, with emergency action in prevention thereof swiftly implemented by both state and non-state actors. Environments where indecisive victories took place and where political power-sharing does not include *all* factions from the conflict also frequently give rise to actors with a unique characteristic: the strategic goal of attempted return to conflict, or, the strategic prolonging of a state of emergency[255]. The motivations for

252 Juha A. Vuori, "Illocutionary Logic and Strands of Securitization: Applying the Theory of Securitization to the Study of Non-Democratic Political Orders," *European Journal of International Relations* 14 (1) (2008), p. 65-99; Claire Wilkinson, "The Copenhagen School on Tour in Kyrgyzstan: Is Securitization Theory Useable Outside Europe?," *Security Dialogue* 38 (1) (2007), p. 5-25; Monika Barthwal-Datta, "Securitising Threats without the State: A case study of misgovernance as a security threat in Bangladesh," *Review of International Studies* 35 (2) (2009), p. 277-300.

253 R. J. Barry Jones, "Governance and the Challenges of Changing Political Space." In: Yale H. Ferguson and R. J. Barry Jones, "Political Space – Frontiers of Change and Governance in a Globalizing World," (Albany: State University of New York Press, 2002).

254 Thomas Chaptman and Philip G. Roeder, "Partition as a Solution to Wars of Nationalism: The Importance of Institutions," *American Political Science Review* 101(4) (2007), p. 667-691; Joakim Kreutz, "Civil War Outcomes and a Durable Peace: Setting the Record Straight," *DIE Briefing Paper* 17/2015.

255 Edward Newman and Oliver Richmond, "The Impact of Spoilers on Peace Processes and Peacebuilding," *United Nations University Policy Brief* 2/2006.

such behaviour can be either economic or political – in terms of conflict entrepreneurship driven by feared losses of position or gains after the termination of the conflict – or ideological, with the actors believing that peace following an indecisive termination of conflict is a 'betrayal of the struggle'. The behaviour of such actors encompasses a wide repertoire of activity, from destabilization as part of political processes, extra-political opposition and mobilization, violent acts, but also the application of perceivably hostile public discourse.

The case of Northern Ireland after the period of conflict known as 'the Troubles' warrants attention as a conflict with what was an indecisive termination, with the armed stalemate of the 1990s that produced a peace process and ultimate termination of hostilities also producing a number of peace-spoilers of varying determination. Where for these actors it is recognized that they lack the capacity – or indeed, even the desire – to stimulate renewed large-scale hostilities against the British state[256], their actions constitute 'spoiling experimentation' where any outcome of their activities can be understood to be contributing in some part to their strategic outlook. Of significant importance for this study is the understanding that such actors in most cases do not operate in isolation[257], but that they form conductive relationships with the broader supportive milieu and entities in roles of political representation thereof. These alliances are to be found in many contexts where the political and military wing of a given armed movement function under similar or identical ideological headings, but with differing yet often complementary means – the political and extra-political one. Indeed, such an alliance between Sinn Féin and the Provisional IRA is understood to be at the centre of the advances in the ultimate bargaining position of the Republican movement with the British government in the run-up to the 1998 peace treaty[258]. In the period since the cessation of the conflict the most recognizable alliances of such nature have been that between the 32 County Sovereignty Movement (32CSM) and the Real IRA (RIRA), that between the Republican Sinn Féin (RSF) and the Continuity IRA (CIRA), as well as an

256 With such constraint driven by reduced capacity and an awareness of tactical inferiority vis-a-vis the military apparata of the British state.

257 A visible exception was the former *Republican Action Against Drugs*, which in 2012 merged with the RIRA and several less prominent groups to form what was dubbed the ´New IRA´. These actors, including the newly formed group, display a lesser reliance on coalition-building and instead prefer to operate in clandestinity, communicating their legitimisational narratives through public media.

258 Niall Ó Dochartaigh, "The Longest Negotiation: British Policy, IRA Strategy and the Making of the Northern Ireland Peace Settlement," *Political Studies* (63) (2015), p. 202-220.

understood[259] alliance between the Republican Network for Unity (RNU) and Óglaigh na hÉireann (ONH), as it emerged from the splinter with the RIRA in 2009[260].

This work proposes a new capacity of the securitization framework in focusing on the strategic intentions of non-state actors in post-crisis contexts, with a particular focus on the destabilizing or peace-spoiling objectives that given actors may possess. Furthermore, the critical appraisal of the framework proposes a broadly-permeating clarification that suggests the differentiation of securitizing actors within the framework be considered not as unitary but also in terms of alliances with specialized functions, thus offering an advancement of the research on social movement coalition-building.

The study of securitization moves by non-state republican coalitions is based on the public statements expressed by either party of the alliance. These statements have been reproduced in the media or feature in the broader public discourse as narratives attributable to particular entities. As such, they constitute identifiable speech acts specifically formed as securitising moves or parts thereof. The presented work is focused on representative instances of securitising moves and does not attempt to charter the entirety of the communicative campaign by the studied alliances, as such an endeavor would outgrow the spatial constraints of this article.

*Securitisation and strategy following conflict*

*I. Conflict and threat perception*

The study of given large-scale conflict or aggression, as with other protracted states of emergency, must recognize the existence of specific critical junctures that demarcate shifts in the intensity. Such shifts may occur within the duration of the state of emergency, as epitomised by significant strategic goal-attainment.

259 John Horgan, "Divided We Stand: The Strategy and Psychology of Ireland's Dissident Terrorists", (Oxford: Oxford University Press, 2013), p. 123.

260 While RNU have frequently denied any affiliation with ONH, the group has often acted in capacities that mirror the behavior of 'political wings' of armed groups, including the public representation of political prisoners from ONH ranks, orations in favor of armed struggle, and others. An example of such is the formal addressing of cordiality stated at the 2011 RNU Ard Fhéis, which made it into the publicised summary of events: "This Ard Fhéis send comradely greetings to Óglaigh Na hÉireann." (Accessed at: http://www.indymedia.ie/article/98860)

However, the most evident critical juncture would be that delineating the existence and non-existence of a state of emergency of this kind, and indeed, the movement of that process in the opposite direction, marking an escalation or re-escalation of certain tension. Periodic outbursts of instability and a threatening re-escalation of hostilities is a frequently observed phenomenon in international conflicts and civil wars, particularly in contexts of temporary halts of hostilities[261], or ones with an indecisive victory[262]. Cessations of conflict are very rarely characterised by their decisiveness and absoluteness. Instead, most conflicts end by ways other than outright sucess of one party, and by extension, the demise of another, with these significantly impacting the duration or stability of the peace[263].

Such (in)security situations are widespread, and instances thereof can be found in nearly every conflict-dominated context, with the potential for re-escalation an important normative focus. Within the broader securitisation paradigm, such (in)security situations have only been studied from the perspective of desecuritisation processes[264], where the focus lies not with the threat construction and raising an issue into the security domain, but with the opposite, the suppression of an issue from the sphere of security into the political. While such approaches echo the normative outlook of securitisation studies in the veneration of normalcy in political action, they leave unaddressed the threat construction and its impacts in a setting emerging from a large-scale state of emergency.

Such a setting began in Northern Ireland after the 1998 peace agreement, where political power-sharing offered the potential for successful devolved political institutions and the achievement of goals set in the peace process. However, the potential for re-escalation was present in light of insufficient IRA demilitarisation, ongoing violent enforcement of informal governance in both loyalist and

261 Timothy Sisk, "Peacemaking Processes: Forestalling Return to Ethnic Violence." In: I. William Zartman (ed.), "Preventive Negotiation: Avoiding Conflict Escalation," (Lantham: Rowman & Littlefield Publishers, 2001); Michael J. Grieg and Paul F. Diehl, "International Mediation," (Cambridge: Polity Press, 2012), p. 116.

262 Matthew Hoddie and Caroline A. Hartzell (eds.), "Strengthening Peace in Post-Civil War States: Transforming Spoilers into Stakeholders," (Chicago: University of Chicago Press, 2010).

263 Joakim Kreutz, "Civil War Outcomes," p. 2.

264 Bűlent Aras and Rabia Karakaya Polat, "From Conflict to Cooperation: Desecuritization of Turkey's Relations with Syria and Iran," *Security Dialogue* 39 (5) (2009), p. 495-515; Sung-han Kim and Geun Lee, "When security met politics: desecuritization of North Korean threats by South Korea's Kim Dae-jung government," *International Relations of the Asia-Pacific* 11 (1) (2011), p. 25-55.

republican communities, and an absence of trust by political actors. This contemporary Northern Irish (in)security situation is one characterised by multiple levels of securitisation and counter-securitisation between the state and non-state actors. The behaviour of the alliances under study in this chapter is reactionarily securitised by alliances of various political parties from the mainstream republican and unionist platform, as well as representatives of statutory entities, such as the police service, the military, and governmental officials. The intention of the counter-securitisation moves is the delegitimation of the behaviour of the threatening actors, primarily expressed through a proposed non-representativeness of the communities or the broader republican movement in general.

When, following three previous suspensions of devolved governance, in October 2002 the Ulster Unionist Party exited the government, the widely publicised reasons were placed in the foreground. Driven by allegations of ongoing Provisional IRA activity within governmental institutions, the construction of threats surrounding the group was adopted, and heralded by a fruitful context of ongoing low-level violence. The consequences of these threat constructions were significant, with the suspension of the Northern Ireland Assembly lasting from October 15th 2002 to May 8th 2007, and the Northern Ireland Secretary John Reid describing a complete undermining of trust as driven by "continuing alleged violence that is being used by the republicans." Threat construction of such a nature is viable as a result of the state of emergency-linked context in which it is are made and the implied tenability of the threat as linked to one entity, the Provisional IRA, whose activities determined the trajectory of the conflict.

The impact of such threat constructions is driven by the potential of re-escalation. What is implied in a threat construction of this nature is that the underlying drivers of conflict are still present in a context where this is not expected. From the perspective of the population, at whom these treat constructions are primarily directed, such situations of (in)security are evident in fitting with the mechanisms of threat perception and risk aversion that a population emerging from conflict would have[265]. Based on such mechanisms the evaluations of the potential for re-

265 A significant body of research explores the presence of risk-averse behaviour and highly adapted perceptions of threat in situations of (in)security, with such evaluations driving the support for more aggressive policies. See: Carol Gordon and Asher Arian, "Threat and Decision Making," *Journal of Conflict Resolution* 45 (2) (2001), p. 196-215; Daniel Bar-Tal, "Why Does Fear Override Hope in Societies Engulfed by Intractable Conflict, as It Does in the

escalation are done, driven by the information provided as part of the treat construction or securitisation process, with the evaluated end-state state of the (in)security situation the achievement of the renewal of conflict.

A given population that experienced a state of emergency is more prone to evaluate more aggressively and in more threatening tones the implications of given (in)security situations. This makes threat constructions addressed at them more likely to succeed. Would the moves be made in a different context, where a previous state of emergency was non-existent and the attention of the population could not be drawn to it, the perceived potential of the threat would be lower with a lower chance of the threat construction succeeding. Two elements embedded in this process, discourse and political constellations[266], are the building blocks of studies of securitisation, with the presented discourse typifying a speech act of the kind theorised by protagonists of the paradigm as elements of 'securitising moves'.

*II. Securitising moves and possible outcomes*

Interwoven processes, known as *securitising moves*, are the central unit of analysis for scholars working within the securitisation paradigm[267], with these defined as the acts of discoursive politics by which a security threat is identified by a given actor and framed with a particular urgency and weight and adopted for the justification of emergency action. Or, to paraphrase Ole Wæver, just by 'saying security' is an emergency condition declared, "thus claiming a right to use whatever means are necessary to block a threatening development[268]." Such an act produces an identifiable success or failure of the moves, where this outcome can be gauged by the achievement of the legitimacy for a needed emergency action to cope with the threat, with this process characterised by its defining difference from 'normal political' processes that would be applied in situations where the threats were not framed as urgent or of particular weight. The success or failure of the securitising moves has been theorised as dependant on the acceptance by a

Israeli Society?" *Political Psychology* 22 (3) (2001), p. 601-627.

266 Kathryn Fisher, "Terrorist threat construction and the transition to permanent British counterterrorism law," *Journal of Terrorism Research* 2 (3) (2011).

267 The identifiable elements of the securitising moves contribute to the rigidity and wide applicability of securitisation theory as a process-tracing tool. See: Rita Floyd, "Human Security and the Copenhagen School's Securitization Approach: Conceptualizing Human Security as a Securitizing Move, "*Human Security Journal* 5 (2007), p. 38-49.

268 Barry Buzan, Ole Wæver, Jaap de Wilde, "Security: A new framework for analysis,'" (Colorado: Lynne Rienner Publishers, 1998), p. 21.

given audience of: the threat as valid[269], the securitising agent as legitimate for its resolution[270], and the emergency action as appropriate. However, the acceptance by the audience does not necessarily entail an active support and granting of a mandate, but may simply constitute the absence of active opposition to the actions of the securitising actors or passivity/tolerance[271].

This positioning of the audience is determined by the context in which its previous and existing interactions with the securitising actor occurred[272]. For instance, in political systems characterised by autocratic rule, an audience is less likely to actively oppose securitising moves as a result of its fear of retribution or other evaluated risks or costs associated with doing so, as well as for the evaluated absence of benefits of doing so[273]. Despite this, an autocratic regime in the role of a securitising actor will still frequently resort to securitising moves to legitimise emergency action[274]. A central expansion of the securitization paradigm is provided by Juha Vuori's work on securitising moves in non-democratic contexts, where he sees security speech as possibly utilized "for other purposes than legitimating the breaking of rules. Security can be used to reproduce the political order, for renewing discipline, and for controlling society and the political order.[275]"

Thierry Balzacq's contribution of seeing securitization as a strategic (or pragmatic) practice was a crucial expansion of the securitization framework. Therewith, more attention is paid to the audience and its interaction with the securitizing agent, and in following that, a dynamics of legitimacy-granting and mandate conferrence are brought to the foreground. The underlying relationship between the audience,

269 Scott D. Watson, "'Framing' the Copenhagen School: Integrating Literature on Threat Construction," *Millenium: Journal of International Studies* 40 (2) (2012), p. 294.

270 Thierry Balzacq, "The Three Faces of Securitization: Political Agency, Audience and Context," *European Journal of International Relations* 11 (2) (2005), p. 192.

271 Holger Stritzel, "Toward a Theory of Securitization: Copenhagen and beyond," *European Journal of International Relations* 13(3) (2007), p. 367-383.

272 This is one of the central facilitating conditions that determine the success of securitising moves. See: Buzan et al., "Securty: A new framework", p. 32, for a deliberation.

273 Understanding these reasons is important in acknowledging that while we may 'not hear' the audience, it is still a constitutive part of the securitisation, and audience acceptance should not be disregarded, as some scholars argue. For an evaluation of this latter position see: Adam Côté, "Agents without agency, Assessing the role of the audience in securitization theory," *Security Dialogue* 47 (6) (2016), p. 543-4.

274 Vuori, 'Strands of Securitisation,' p. 68.

275 Ibid., p. 69.

acting as the conferees of legitimacy, and the securitizing agent can thus be studied. Falling into either conceptual support, meaning the support of a given group in its principles and ideology, and material support, referring to potential resources, these dynamics represent crucial links between the proposed framework and theories of representation and mandate. Such an approach underlines the importance of the audience for political agency employing securitization for strategic means. If namely the audience rescinds such support or if the actor does not even attempt to gain it, the strategic outcome that depends on the actor being seen as the legitimate extension of the audience cannot be attained.

The role of audience acceptance brings into consideration the underlying differences between what is understood as 'normal political' activity and securitising moves when it comes to security threats. These processual differences define the uniqueness of securitising moves and its associated emergency action. Namely, where 'normal political' activity is defined by its achievement of a granted mandate for political action, with this produced by codified deliberative political processes which make up the dominant political procedures in the given political system, this is not the case with securitisation. This, rather, is defined by the obviation of such rules for reasons that are framed as ones of urgency and weight by the securitising agents, but which indeed might have strategic intentions of those very actors behind them. The absence of a precise definition of this 'special politics' is most articulately defined by Juha Vuori, writing that "all societies have 'rules'. These 'rules' are products of historical and social contingencies, as are the referent objects and threats in security. When security logic and rhetoric is utilized to legitimate the breaking of these rues, we have a case of securitization"[276]. Floyd echoes this undefinable nature and with a particular emphasis on security situations involving non-state actors notes that "in the end the exception here may be whatever most reasonable persons would agree constitutes exceptional measures, mainly in terms of the harm, risked, caused or intended and/or the level of violence employed.[277]"

The final outcome of the securitising move is thus an exceptional measure that seemingly corresponds to the threat, and most likely something that would not be reached as a policy in a context of 'normal politics'. Such measures are adopted at

276 Vuori, 'Strands of Securitization", p. 69.

277 Rita Floyd, "Extraordinary or ordinary emergency measures: what, and who, defines the 'success' of securitization?", *Cambridge Review of International Affairs* (2015), p. 2.

the discretion of the securitising actor and echo that actor's capacity, previous experience in similar (in)security situations, evaluation of the needed tactic to achieve success, but also the potential loss of *ex post* legitimacy due to audience-unwanted consequences such as overt use of force, as well as their broader strategic outlook. Where securitising moves are successful, they produce new constellations of viable securitising actors, which through the success of the declarative and functional acts gain the legitimacy to act in similar capacity in further instances. This legitimacy may be gained in periods of broad suspensions of the functioning of alternative security regimes. In transitions from conflict to peace, this legitimacy is maintained in abstraction as the property of willing potential securitising actors.

*III. Securitising actors and their strategy*

The capacity of securitisation theory as a process tracing tool enables the introduction of actors' motivation into the analytical framework, thus contributing to the theorisation of various drivers underlying specific instances of securitisation. These include the enactment of foreign policy preferences, the enactment of an understood moral imperative in humanitarian action, the enactment of military strategy, and others. By exploring the underlying strategic goals of securitising actors as analysts we are able to understand in which instances they opt to carry out securitising moves as the path of 'normal politics' would not be successful in terms of the achievement of given policy or exceptional measures. As such, the strategy of the securitising actor is to adopt the mechanism of securitization – driven by the explication of a pertinent or existential threat – to further independent action in the form of legitimised behaviour to cope therewith, in such a manner that it furthers the securitising actors underlying strategic outlook. Such behaviour is characterised by a certain 'decisionist imposition of will'[278].

Returning to the specifics of the studied contexts as characterised by emergences from protracted states of emergency the potential for strategic behaviour is tightly interwoven therewith. Namely, an actor desiring the destabilisation of the achieved peace can adopt securitisation as a peace-spoiling strategy. The effectiveness of such a strategic application of securitisation is defined by two conditions. First, the existence of a suitable context where the (in)security situation is largely defined by the state of emergency that characterised the conflict. This implies the existence

278 Ulrik Pram Gad and Karen Lund Petersen, "Concepts of politics in securitization studies," *Security Dialogue* 42 (4-5) (2011), p. 318

of given narratives that have the potential for strategic exploitation, with these framed in particular forms. As Salter notes of the content of relations between a securitising actor and the audience, "securitizing moves in the popular setting use a unique language with a particular heritage, history, and heft[279]", with the benefits thereof for the strategically-oriented securitising actor the a given and widely-echoing frame of reference. The second condition is the nature of the relationship between the audience and other, competing, securitising actors, which in the given (in)security situation primarily mean the state, as the entity vying for a return of a legitimacy that might have been absent in the period of the state of emergency. As such, where the state is present through accessible institutional arrangements, this represents the 'normal politics' under the securitisation theory framework. Namely, the codified procedures for the resolution of non-securitised political issues are essentialised in statutory frameworks.

The peace-spoiling behaviour is characterised by an observed opposition to these statutory processes and institutional arrangements, with the strategy of the non-state actors focused on the severance of ties between a given section of the population and the state. This represents the end-goal of the strategic application of securitisation, with this achieved by functionally and politically delegimizing the state and its institutions and legitimizing the actor's independent behaviour. These strategic objectives problematise emergency action of the non-state securitising actor. As the strategy is directed at the state, the securitising actor may in return be exposed to statutory reaction which ranges from mediation and non-escalatory behaviour to violent confrontation. The most common example of states reacting to such forms of opposition is the criminalisation of groups characterised as various forms of peace-spoilers or terrorist organisations, with this driving criminal prosecution of membership or expressed support. Such policies target not just the activities of the non-state actors in question, but also the communicative channels at their disposal for conveying their policies. However, a way of circumventing this is the adoption of communication patterns or communicative acts that are sufficiently vague to fall outside the understood proscribed content. This work proposes that securitisation moves are precisely such a form of communication, as they focus on broadly-defined threat construction as framing for the audience, and not as a signaling move of a particular threat for the opponent – in this case the state. By not issuing direct threats, except in particular cases described in the following section which are not

279 Mark B. Salter, "When securitization fails." In: Thierry Balzacq, "Undestanding Securitisation Theory: How Security Problems Emerge and Dissolve," (London: Routledge, 2010), p. 117.

directed against the state, these particular forms of communication are not targeted as part of criminalisation policies. However, the exceptional measures of securitisation moves directed against the state still are, particularly when they take the form of violent behavior. Therefore, securitising moves, along with various other forms of supportive behavior, are frequently not the sole endeavor of a unitary actor, but instead see non-state armed actors supported by a varyingly legitimate 'political wing' that acts as public representation of the broader struggle.

*IV. Alliances and role specialisation*

Alliances between two or more political actors have been studied in diverse fields of study with generally similar findings about their nature and effectiveness. This is primarily driven by the benefits that alliance or coalition partners have in terms of reducing costs, implementing cross-alliance resource mobilization, and sharing strategies[280]. In traditional models of securitization moves with the state as the securitising actor, alliances frequently come into play in scenarios such as international humanitarian intervention[281], when a state (or an international coalition) will at will support a non-state actor in a given area of intervention[282]. Such non-state actors in these alliances represent what is to be understood as *functional* actors, to whom the enactment of a given section of the extraordinary measures falls. These actors are in turn symbolically, discoursively, and materially supported by a given *declarative* actor, whose task is the statement of securitising moves. Such divisions of tasks have the potential to be most fruitful in cases where there are temporally protracted (in)security situations, where ongoing issues are not relegated to single securitising moves, but feature in multiple or continuously present instances[283], the intention of which is a way to continuously legitimise an existing strategic approach that is formed as extraordinary measures.

By adopting this role specialisation into the analytical framework, this work proposes a reconsideration of the capacities of actors for emergency action. For this, it is important to first re-state the state-centric underdevelopment of the

280 Suzanne Staggenborg, "Conclusion: Research on Social Movement Coalitions." In: Nella Van Dyke and Holly J. McCammon (eds.), "Strategic Alliances: Coalition Building and Social Movements," (Minneapolis: University of Minnesota Press, 2010), p. 316.

281 Roger Mac Ginty, "International Peacebuilding and Local Resistance: Hybrid Forms of Peace" (Houndmills: Palgrave MacMillan, 2011).

282 Idean Salehyan, "The Delegation of War to Rebel Organizations," *Journal of Conflict Resolution* 54(3) (2010), p. 493-515.

283 Côté, 'Agents without agency,' p. 546.

securitisation theory that was discussed at the onset of this work. The above examples show that states are not the sole viable actors with a functional capability of addressing security issues. In further (in)security situations where the state is entirely absent, security regimes exist that rely entirely on informal institutional arrangements, frequently mirroring codified practices of abstract state institutions. Such contexts offer a particular invitation to the consideration of relative capabilities of functional actors for extraordinary measures. Rita Floyd writes of this that "for securitization to work, a securitizing actor needs capabilities, because otherwise the securitization will amount to nothing more than a securitizing move. A securitizing move would be the expression of existential fear only, with no resonance with the audience and, importantly, no consequent security practice.[284]" This work proposes a contextualised understanding of capabilities of the functional actors that echoes this consideration. Namely, where the state is an understandable functional actor possessing a range of institutions and frameworks for emergency measures addressing a variety of possible threats, actors that focus on specific threats in limited numbers have the potential to do so if they specialised accordingly.

The coalition between such functional actors that possess independent resources and capacity and supportive declarative actors can be framed as a 'securitising alliance', with securitising moves with successful outcomes depending on their complementarity. Such coalitions are characterised by ideological complementarity, with their emergence the product of various drivers such as the experienced violence or threats of violence by one or more alliance partners[285] and previous ties between groups "either among individuals involved in the groups or from past organizational collaborations[286]". As Staggenborg notes of the benefits of complementarity of such arrangements, "coalition work may allow [them] to reach new audiences and to spread their concerns to other SMOs or movements[287]". Indeed, while all members of the securitising alliance may communicate their policies for the benefit of the broader movement, in terms of securitising moves, the task of communication is primarily in the hands of declarative actors. As the functional actor is primarily responsible for emergency

284 Floyd, 'Human Security and the Copenhagen School,' p. 41.

285 Dina Okamoto, "Toward a Theory of Panethnicity: Explaining Asian American Collective Action,' *American Sociological Review* 68(6) (2003), p. 811-842.

286 Nella Van Dyke and Holly J. McCammon, "Introduction: Social Movement Coalition Formation." In: Nella Van Dyke and Holly J. McCammon (eds.), "Strategic Alliances: Coalition Building and Social Movements," (Minneapolis: University of Minnesota Press, 2010), p. xiii.

287 Staggenborg, 'Research on Social Movement Coalitions,' p. 324.

measures, the role of the declarative actor is the attainment or maintenance of suffiencient communicative visibility that enables the communication of the securitising moves to the targeted audience.

Returning to the proposed strategic application of securitisation in a peace-spoiling capacity with which this work concerns itself, a consideration of potential benefits of such alliances is warranted. Arguably the central benefit emerges in regards to statutory persecution, as was identified in the previous section. Through such arrangements, and in relying on the legitimational function of securitisation, the declarative actors are devoid of persecution on the basis of the violation of acts against public support of proscribed organizations. By simply communicating a securitisation move, again understood as the construction of a particular threat posed by a given entity, the declarative actor does not signal hostility towards that entity that would warrant any form of persecution or retaliation. Additionally, by not engaging in open support for a particular non-state armed actor, declarative actors avoid the potential for penalisation by its constituency and a potential loss of legitimacy as a result of attempted legitimisation of a potentially undersirable armed campaign. Indeed, such coalitions as are described here are often denied by its members. Such denials are nonetheless often accompanied by the recognition of the legitimacy of violent tactics for the achievement of coalition-wide macropolitical goals. Consider the following explication from the studied context:

> "The RNU does not have a military wing or military objectives. We acknowledge the right of the Irish people to resist British rule using a wide range of tactics, including armed struggle.[288]"

Finally, the autonomy of coalition members needs to be considered. First, coalitions do not necessarily coordinate activities in formal ways, but "may act in 'coalition' as long as they are working towards a common goal[289]". This is characterised by the complementarity of their repertoires as well as various forms of indirect support, such as that characterised by the securitisation alliances described above. Secondly, coalition members often carry out activity outside the scope of the alliance or the goals of their alliance partners or broader movement. Such activity often contributes to the increased legitimacy of individual actors, in

288 From the RNU document "Armed Struggle".
289 Staggenborg, 'Research on Social Movement Coalitions,' p. 318.

turn impacting the success of the securitising moves, as audiences are more likely to accept them.

*Securitisation by contemporary republican actors in Northern Ireland*[290]

Writing on examples of societies emerging from or enduring with protracted conflict, Messari notes that "when the state represents a solution to the security needs of one group of people, it is by nature a source of threat to another group[291]", and as such "the construction of the state is necessrily an exclusive process, and those who are excluded become in some cases a source of threat". The Northern Irish security landscape since the 1998 peace treaty has been altered significantly, driven both by the demobilisation of paramilitary organisations on both sides, as well as attempts and partial successes of the state in regaining the legimacy to enact security policy across the Northern Irish territory. This second process of course culminated with the 2007 Sinn Féin legitimisation of statutory policing, which divided republican political entities between those granting legitimacy to the reconstituted PSNI and those not. RNU framed their opposition to Sinn Féin's stance in a policy paper entitled "Why we oppose the PSNI?" (published in June 2009), writing:

> "Sinn Feins endorsement of the RUC/PSNI is of course also an acceptance of the British occupation of Ireland, given that nationalists and republicans are being encouraged to work in a proactive way with a police force unwilling to even negotiate its accountability regarding 'security issues' nor the tactics it uses to maintain the security of the British state here, a police force it is important to add, which celebrates the framing and wrongful imprisonment of republicans as well as openly advocating a policy of targeting vulnerable young people for use as informants.[292]"

If one group of the division represented those who maintained that with the legitimisation of policing, the Northern Irish society has reached a period of 'normalisation', the other focused their efforts on either claiming or actively preventing this state, thus continuing a form of active and discoursive routinisation

290 All emphases in italics within excerpts and quotations in this section are mine.

291 Nizar Messari, "The State and Dilemmas of Security: The Middle East and the Balkans," *Security Dialogue* 33 (4) (2002), p. 420.

292 RNU, "Why we oppose the PSNI?". Published at: http://www.republicannetwork.ie/opposePSNI.aspx (Web Archive copy).

of a state of emergency[293], as exemplified by this statement from a 32CSM member (dated October 21st 2008): "As Republicans we are always under threat from somebody whether that be Loyalists, criminal gangs or indeed the biggest criminals of all, the forces of the British occupation in Ireland[294]". This routinisation forms the central tenet of the strategic outlook of entities classified as 'revolutionary republican', with the strategic application of securitisation a part of their repertoire. Crucially, this ongoing securitisation does not rely only on discoursive acts but includes extraordinary measures that correspond to a peace-spoiling strategy. These extraordinary measures are represented by 'the guns coming out', as my interview subjects often characterised political violence. Such actions are something that local-level mediators in republican strongholds are continuously working to prevent, in negotiation with republican paramilitaries and other actors[295].

The presented case study explores the two types of securitisation moves that are present in the contemporary Northern Irish context, as driven by the proposed securitising alliances. While the temporal constraint of the research focuses on the post-Troubles period in Northern Ireland, it must be noted that similar securitising moves were being used by the PIRA-Sinn Féin coalition during the high-intensity period of the conflict. Indeed, this temporal continuity of threats represents a significant element in the justificational postulate of those engaged in the contemporary armed struggle. The first type of securitising moves is that based on the threat of illegal substance abuse that is present in the communities. The second type is that based on the perceived threat posed by the British state.

*I. Securitisation of the threat of illegal substance abuse*

The communication of what are identified as illegal substance-based threats features prominently in the contemporary Northern Irish context. Particularly the group known as the 'Republican Action Against Drugs' (RAAD), which was believed to have a fluid membership base overlapping with the RIRA and which as of July 2012 constitutes part of the 'New IRA', has been studied for its prolific communicative activities in relation to their community-protecting policy. Such

293 Henrik Vigh, "Navigating Terrains of War: Youth and Soldiering in Guinea-Bissau," (New York, Berghahn Books, 2007), p. 143-172.

294 Belfast 32CSM, "Republicans accuse MI5 of being behind threats". Published at: http://belfast32.blogspot.com/2008/10/republicans-accuse-mi5-of-being-behind.html.

295 Interview with anonymous respondent, Derry, December 2014.

policies are implemented in order to promote the *threat* that the illegal substance trade posed to the communities in which they operated. In his study of the statements of contemporary ARGs in Northern Ireland, Morrison[296] introduces a statement from the RAAD which notes that the group's "only concern is to end the *threat* posed by the supply of both illegal and prescription drugs, a *threat* which has already claimed the lives of a number of young people, ruined other lives and torn many families apart". While this form of securitisation is not based on threats emanating from the entities of the state but rather criminal organisations the securitising moves often include the communication of the threatening nature of a perceived indecisiveness of statutory actors in addressing the threat, in turn assigning a 'secondary threat'. An example of this are the securitisation moves that were made in 2008 in relation to a narcotics "scourge" in Derry's Shantallow area, which linked these secondary threats to a perceived opposition to republican politics. The following is a statement from 32CSM member Seamus Bresley on the matter:

> "The people of Derry have given the PSNI a chance to prove they have changed, they have failed miserably to live up to their promises. If only they could target the current drug scourge that is destroying the youth of Shantallow with as much vigor and determination as they do republican commemorations and funerals then maybe there would be a little trust. The drug problem is a civic issue, however, the PSNI seem to only bother about political issues related to Republicanism.[297]"

Securitising moves of this type frequently include references of variying specificity to the functional actors of the securitising alliance, such as in the example of the already mentioned 2008 securitising move in Shantallow, where as part of the move 32CSM members passed "information about these thugs [..] to the Republican Movement[298]". Ongoing securitisations[299] of such nature include the communication of extraordinary action undertaken and that to be expected, such as that by the RIRA in October 2010 (statements dated October 2nd and 5th, 2010, respectively):

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296 John Morrison, "Fighting Talk: The Statements of "The IRA/New IRA,"" *Terrorism and Political Violence* 28 (3) (2016), p. 607.

297 *Sovereign Nation*, "Why I left Provisional Sinn Féin," (May) 2008, p. 8.

298 *Sovereign Nation*, "Shantallow Community Concern Over Drug Dealers," (May) 2008, p. 2.

299 Côté, 'Agents without agency,' p. 543.

> "To those who believe they can escape the reach of the Republican movement, we have also executed drug dealers on the continent who believed they were safe having fled the country. We have crippled, maimed and exiled numerous others.[300]"

> "All units have been put on standby and all volunteers are ready and willing to deal with drug dealers. The entire movement nationwide has been put on alert and are ready to act. That includes units in the north west.[301]"

The securitisation of such threats has seen positive attitudes from the communities where this was carried out. In the Creggan neighborhood of Derry, where RAAD and the RIRA have in the past been very active in their informal justice activities, a resident explained the stance in the community: "the people point to the drugs problem in Dublin, and they look at what it's like here, and they see that thanks to the republicans the situation isn't repeating itself.[302]" Indeed, as has been explored elsewhere, the securitisation of such threats is being invited by residents of these communities[303].

*II. Securitisation of the perceived threat of statutory action*

This category of securitising moves is employed by actors who attempt to legitimise acts of political violence directed at the state. The threats upon which the securitisation moves are based can be of two types, as exemplified by the narratives presented in this section. The first type is the perceived repression or increase in repression that republican activists are exposed to, with the securitisation based on threats of perceivably illegitimate violence or imprisonment that republican activists face. Consider the following excerpt from a statement of the RIRA (dated April 13th 2009)[304]:

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300 Republican News, "'Real IRA' claims killings". Published at: http://republican-news.org/current/news/2010/10/real_ira_claims_killings.html.

301 *Derry 32CSM*, "IRA Targets Drug Dealers". Published at: http://www.derry32csm.com/2010/10/ira-targets-drug-dealers.html (Web Archive copy).

302 Interview with anonymous respondent, Derry, February 2015.

303 Heather Hamill, "The Hoods: Crime and Punishment in Belfast," (Princeton: Princeton University Press, 2011); John Topping and Jonny Byrne, "Paramilitary punishments in Belfast: policing beneath the peace," *Behavioral Sciences of Terrorism and Political Aggression* 4 (1) (2012), p. 41-49.

304 CAIN, "'Real' Irish Republican Army (rIRA) Easter Statement, 13 April 2009". Published at:

> "The RUC/PSNI are a British police force, just like the old RIC. Like the RIC, some in their ranks portray themselves as Irish and there to protect and serve their communities. In reality, they are the first line of defence for the British government. *They are being used to spy, arrest, interrogate, brutalise and uphold foreign laws against fellow Irishmen.*"
>
> "The leadership of Óglaigh na hÉireann *urges republicans to be vigilant in the time ahead.* We have no doubt that *the British Army and colonial police will seek to once again spill republican blood* for recent attacks on their ranks. The republican movement is prepared for this."

Note the similar expression of perceived threats in the following excerpt from the first public statement of the 'New IRA' (dated July 26th 2012):

> "Non-conformist republicans are being *subjected to harassment, arrest and violence* by the forces of the British crown; *others have been interned* on the direction of an English overlord. It is Britain, not the IRA which has chosen provocation and conflict.[305]"

The second type of threats is framed as those to the striving for national sovereignty by the population the alliances claim to represent. The production of such a narrative by the alliances began before the culmination of the peace process in 1998, where the 32CSM in its submission to the United Nations framed the continuity of the struggle as being tied to the prevention of national sovereignty. The following is an excerpt from that statement (dated Spring 1998):

> "Should Britain succeed in its aims to modernise its occupation, continue the *denial of our right to national sovereignty* and prolong partition, *this will result in further injustice and conflict.*"

A further refinement in the securitising moves comes through the framing of the threat of violence as impeding the achievement of national sovereignty, as

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http://cain.ulst.ac.uk/othelem/organ/ira/rira130409.htm.

305 CAIN, "Irish Republican Army (IRA) Statement About A New Grouping, Derry, (26 July 2012)". Published at: http://cain.ulst.ac.uk/othelem/organ/ira/ira_2012-07-26.htm.

exemplified by the following statement from Francis Mackey, the chairman of 32CSM (dated September 30th 2003):

> "Irish national sovereignty cannot be diluted to suit a particular argument. It has been established and can only be changed by the Irish people acting free from outside interference and free from British guns pointing us with the *threat of war* if we don t agree with their terms and conditions.[306]"

A central tenet of these securitising moves is the establishment of the temporal primacy of the external threat that is securitised upon, i.e. ´the British state denying something´ comes first, which enables the framing of emergency action as a response to that threat. As such, the emergency action that is sought for legitimation is 'self-defense' or 'resistance' to these attempts, particularly as they are framed as having violent components that threaten the populace that is framed as the referent object – the *nation* entitled to *national sovereignty*. The agency of the emergency action is often noted in these securitising moves. This can be either abstract and take the form of addressing broad agency in the form of the constituency addressed, or can establish links to specific and identifiable actors, such as the functional actor of the coalition. The following two statements demonstrate the difference. First, the abstract agency, as noted in the statement by Francis Mackey (dated December 2014):

> "I believe republicans have a moral responsibility to *defend and protect national sovereignty*, the only reason why since 1916 republicans through every generation have *paid the supreme sacrifice with their lives.*
> [..]
> It is not enough to criticise with derogatory remarks when in fact *National Sovereignty is under the greatest threat ever* from the British Government.[307]"

Second, from an RNU Response Document on the legitimacy of political violence[308] (dated Summer 2009):

306 Francis Mackey, "Irish National Sovereignty Cannot Be Diluted". Published at: http://www.oocities.org/foif_usa/data/archive/300903a.html.

307 Francis Mackey, "The Republican Challenge". Published at: http://louthmeath32csm.blogspot.com/2014/12/the-republican-challenge-francie-mackeyhtml.

308 Republican Network for Unity, "*Armed Struggle – an RNU position for debate*". Published at: http://www.republicannetwork.ie/readArticle.aspx?ID=23 (Web Archive copy).

> "With regard to the recent operations carried out against the Crown forces, *RNU has no objection in principle to an organised and disciplined resistance* against British rule in Ireland. We also note that the soldiers killed at Massereene Barracks were en route to another country where the imperialist agenda is being enforced by the British Government."

The incident described in the latter statement is the shooting of two British off-duty soldiers outside their barracks in Antrim. The incident represented the first casualties among British armed forces since the Provisional IRA ceasefire, with the RIRA[309] calling-in responsibility for the shooting to the Sunday Tribune newspaper, heralding a widely-publicised yet restrained reactivation of republican political violence in Northern Ireland.

*Conclusion*

The securitization framework is highly suited for the study of an (in)security situation which is academically contentious, with frequent publications of highly-politicized research on the topic of the adopted label of 'dissident republicans'. This work recognizes that the behavior of the studied political actors could be framed differently, but proposes the application of the securitization framework due to the specifics of the context and the threat- and (in)security-driven narrative that the studied actors apply. In focusing on the subjective interpretation of security and insecurity, this work echoes the call that a contextualized understanding of the behaviour of violent political actors is needed.

The work presents an clarification of the process tracing tool that is the securitisation theory, focusing on the need for the differentiation between declarative and functional actors as potentially separate entities of hitherto holistically understood securitising actors. Such a clarification presents analysts who study the strategic application of securitisation moves with the required methodological element to trace patterns of legitimation between allied actors that function as elements of a broad political movement. Such patterns are representative in cases where one or more actors of a movement must operate in

309 While the alliance partner of the RNU nowadays is the group using the name Oglaigh na hÉireann, that group emerged from a splinter with the Real IRA around the time of the re-activation of the armed campaign by republican paramilitaries. As such, while the above statement from the RNU might implicitly legitimize the activities of the RIRA, the precise dynamics of the alliance was altered by the split.

clandestinity, with securitisation offering avenues of legitimation that do not violate statutory proscriptions of these entities. Indeed, with stances towards the threats of the state representing a significant element of the political ideology of contemporary anti-GFA republican groups, securitisation appears as a major hitherto unexplored form of political action. The reading of securitisation theory within this work is particularly suited for the study of pragmatic or strategic actors wishing to frame the communication and subsequent political action in a particular way that suits their strategic outlook. Such a reading is arguably under-represented in current literature, despite the presence of contexts suitable for empirical exploration therewith.

# CONCLUSIONS

## SUMMATION

Three research questions were presented at the onset of the thesis, with each corresponding to a puzzle presented in each of the three research papers constitutive of this work. These questions, corresponding to the particular analytical puzzles of the emergence, maintenance, and legitimation of the contemporary republican armed struggle in Northern Ireland were:

> Focusing on the informal justice institutions that form a central pillar of the campaign of political violence of the ARGs, how have these survived the transition from conflict to peace?
>
> How have the anti-GFA ARGs adapted to a reduced resource potential, while still holding a strategic outlook that is based on political violence?
>
> and
>
> How do ARGs and their political wings apply a threat construction to frame the state as a hostile entity and legitimise resistance to it?

The first paper, dealing with the emergence of the contemporary armed campaign, showed how the particularities of the development of the wartime informal governance insitutions to which a particular form of political violence is tied survived the transition from conflict to peace. Developing in a path-dependent manner and becoming embedded in a context characterised by a protracted state of emergency, the institutions were maintained by stabilisational mechanisms that prevented them from institutional decay. This ensured their relevance in a post-conflict context that was characterised by varied competing authorities vying for legitimacy in the sphere of security politics, enabling the entities that undertook the enforcement of these institutional frameworks to gain a certain legitimacy on the basis of the functionality provided.

The second paper focuses on a different section of the characteristics of the armed struggle, its maintenance. While the agency of the two forms of political violence is largely shared between a select number of entities, the sphere of the armed struggle can be characterised by its properties of resource and legitimacy constraints, with these echoing both the post-conflict context in which the activities take place as well as the organisational genesis that provided a limited

resource base for the entities to rely on. As such, the work shows that the actors involved in the armed struggle possess a level of self-awarness in terms of their constraints. The proposition is that this self-awareness influences their strategic outlook to the point of a re-focus on a scaled-down armed campaign that is not directed at the achievement of abstract macropolitical goals, but more immediate strategic or secondary goals. These are rooted in a strategic outlook that is often characterised by the continuation of the prevention of normalisation in Northern Ireland, with this achieved despite the constraints by adopting a broad repertoire of tactics, including the studied hoax devices. This form of innovation which echoes the understood constraints enables the groups to achieve their immediate strategic goals without significant resource depletion or loss of support or legitimacy due to high casualty rates.

The third paper focuses on the legitimation of the armed struggle through the strategic application of threat construction in the form of securitising moves. The work focuses on the mechanism by which particular types of threat construction are employed strategically in a post-conflict context. The underlying strategic intention thereof is the discoursive maintenance of a non-normalised state, echoing the intentions of the two types of political violence employed. By exploring the two types of securitising moves that alliances comprised of ARGs and their political wings employ, the work shows how an exclusive legitimacy is achieved as framed within a broader political struggle. This exclusivity emerges from the framing of the dominant competing actor – the state – as the source of the treats experienced, thus justifying the application of extraordinary measures (acts of political violence) to curb those threats. Thus, the justification of the armed struggle is framed beyond the usual consideration of the 'historical mandate'.

## THEORETICAL CONTRIBUTIONS

The intentions of this work were to take a step beyond largely descriptive and actor-focused studies of the contemporary Northern Irish republican armed struggle and to add a layer of complexity to the analysis of this phenomenon. With this goal achieved as described in the previous sections, the theoretical contributions need to be considered. While the theoretical developments were raised on the constraints of the selected case, the proposed refinements and hypotheses are believed to have broad applicability.

The first of these relates to the literature on informal or rebel governance and the institutional arrangements associated therewith. As Mampilly writes, "the age of nonstate governance studies is upon us.[310]" Despite the wide-spread expansion of this thematic focus, a vital critique of most works within the field is the adoption of largely ahistorical understandings of the phenomena under study. The civil wars, uprisings, and rebellions that make up the representative cases are studied for the duration of such states with this producing a static understanding, and thus, the potential intractability or exchanges of low- and high-intensity periods of the conflicts rarely enters analysis[311]. Two developments within this work drive this relevant expansion of the field of research. First, by employing a temporal understanding that is derived from the focus on the institutional *development*, this work explores the transitions between different stages in the trajectories of informal governance regimes. The particular emphasis is on the transition from a period of exclusivity or dominance, such as during a conflict, where the developing institutional frameworks are without competition, and a period with competition, such as during a transition to peace, where alternative actors emerge and are legitimised[312]. The development of such institutional arrangements holds multiple implications that need to be analysed precisely as a result of the context of their emergence. What is the level of exclusivity of the policies or issues address in the informal sphere? Are these institutional arrangements the potential source of functional legitimacy for non-state actors? Are the arrangements coercive or is there a level of input by the constituencies? The adoption of such an expansion of the analytical approaches would offer avenues of study of institutional arrangements in various contexts and with varied functionality.

310 Zachariah Mampilly, "Governance Without a State: Policies and Politics in Areas of Limited Statehood (REVIEW)," *Perspectives on Politics* 10(4) (2012), p. 1133-34.

311 The notable exception being the work of Timothy Wickham-Crowley, particularly "*Del Gobierno de Abajo al Gobierno de Arriba. . .* and Back: Transitions to and from Rebel Governance in Latin America, 1956-1990." In: Ana Arjona, Nelson Kasfir, and Zachariah Mampilly (eds.), "Rebel Governance in Civil War," (Cambridge: Cambridge University Press, 2015). However, the work does not theorise on the survival of such institutional arrangements, but rather focuses on the decay or decline thereof.

312 Some work on this trajectory can be found in the literature on conflict termination, however, this work is largely focused on the effects of informal institutional arrangements on the post-conflict *formal* arrangments characterised by unitary regimes. For an overview see: Anna Grzymala-Busse, "The Best Laid Plans: The Impact of Informal Rules on Formal Insititutions in Transitional Regimes," *Studies in Comparative International Development* 45 (2010), p. 311-33.

Second, by focusing on the particularities of the isolated development of such institutional arrangements in times of conflict this work explores the path dependent development thereof, and argues that when considering the transitions from conflict (as problematised by the first theoretical contribution under this heading), the mechanisms that underpin the survival of such institutional arrangments need to be considered. The defining tenet of such developments is the resilience to challenges that would present themselves through various exogenous factors. By removing the focus on the agency from the focus when studying informal institutional arrangements, and instead arguing for an understanding of institutional arrangements as surviving due to their embeddedness in the contexts they are designed to serve, this work offers a significant explanatory avenue for the analysis of the survival of informal institutional arrangements – and the related challenges to statutory ones – in periods after conflict. The implication of this is that the functional and political legitimacy of the state as a returning entity after a period of conflict is vital, and when evaluated against non-state entities emerging from the constituencies under the auspices of intra-conflict informal institutions, statutory positioning is often at a distinct disadvantage. A focus on the path-dependent development of conflict-emergent institutions is an under-represented approach, with the theoretical contributions closest to those presented here have been in the work by Joseph Ruane and Jennifer Todd, who explore the path-dependence in settlement processes[313]. They argue that the stability of intractable conflicts that emerges from such developments means that the 'breach' of path-dependent patterns must be an event or series thereof with significant force[314]. While this work echoes that insight, it also expands the thinking beyond the focus on settlement processes and looks at the other alternative outcome – that where settlements are incomplete or indecisive.

The second area of theoretical contribution is to the study of the strategic uses of terrorism. By focusing on the changing patterns of political violence in a post-conflict setting, this work has problematised the constraints that armed entities operating in such contexts face. By exploring the adoption of terrorism or

313 Joseph Ruane and Jennifer Todd, "Path Dependence in Settlement Processes: Explaining Settlement in Northern Ireland," *Political Studies* 55(2) (2007), p. 442-58; Jennifer Todd, "Northern Ireland: Timing and Sequencing of Post-Conflict Reconstruction and Peacebuilding." In: Arnim Langer and Graham K. Brown (eds.) "Building Sustainable Peace: Timing and Sequencing of Post-Conflict Reconstruction and Peacebuilding" (Oxford: Oxford Unviersity Press, 2016).

314 Ibid., p. 453-55.

terrorism-akin tactics, the work shows how limited resources are spent effectively as a result of the particular characteristics of the tactics employed and their stability. This is framed by two developments: first, the absence of a capacity and desire to wage a large-scale campaign; and second, the achievement of set strategic goals through the adoption of a particular tactic. In problematising fruitful facilitating conditions as they are present in post-conflict settings, the work argues for an uncertainty-driven mechanism of operation of terrorist acts. The work shows that when employed as peace-spoiling means, acts that mirror terrorist tactics have a high capacity for success, as they occurr in contexts where the inability to correctly identify a threat has the same effect on the achievement of a strategic goal as the enactment of an act of actual destructiveness. This uncertainty is produced by an identified similarity of the tools employed to actual destructive tools as used in acts of enacted political violence, as they developed during the period of the conflict. As such, an important theoretical contribution is the exploration of the learning processes that non-state armed groups employ when faced with various constraints in order to maximise the efficiency of the tactics for the achievement of their strategic goals. This learning is what enables the entities to undertake self-aware innovation while predicting the potential outcomes of their approach.

The third opus of theoretical contributions is to the securitisation paradigm, with this driven primarily by the theorisation of strategic securitisation in an undertheorised context, that of a post-conflict political and security landscape. The theoretical contributions done under this heading are three-fold and relate to the theorisation of the following elements. First, the exploration of non-unitary securitising agents, which are represented by alliances or coalitions predicated on collective action. Frequently conflated in most securitisation theory, political actors who engage in threat construction are freqently non-unitary, meaning that we can identify several actors working with unison at various levels of cooperation or coordination. These actors can also be identified by the particular roles that they play out, with this being either declarative, intent on the communication of the threat construction (securitising move) to the given audience, or functional, focused on the enactment of emergency action for the resolution of the securitised issue. Such a theorisation is a vital contribution to the ongoing post-Westphalian move of securitisation theory as it offers the tools of study of actors that frequently escape scholarly attention due to an absence of valid functional roles (as opposed to unitary statutory actors), with the clearest example of this being broadly defined social movements or interest groups.

Second, the theorisation of the strategic employment of securitising moves for the achievement of a given strategic outlook is expanded upon, building on the considerations offered by Thierry Balzacq. Echoing the reading of securitisation theory that focuses on coercive agency behind securitisation moves, this work further contributes the understanding of strategic securitisation as an element in a broad repertoire that actors put together in their attempts to achieve goals, with the particular role of securitisation being the legitimation of the emergency action that is framed as a part thereof. This represents a reversed understanding of the process of securitisation, as it posits that a given action is determined as an element of the repertoire of strategic actors with this subsequently determining the form of securitising moves to achieve a given legitimacy for their enactment. The threat construction is therefore framed specifically to accommodate the parameters of the specific action. Such a reading naturally does not hold universal applicability, but it does open a path towards further exploration of strategic behaviour of various types of actors, from the non-state groups studied in this work to supranational actors. Linking to literature on strategic narratives[315], such a work has the potential to explore the threat-based nature of political discourse of political leaders with coercive tendencies.

Third, theoretical contributions are made to the understanding of the specific nature of post-conflict political and security landscapes as environments in which securitising moves take place. Problematising the particular characteristics of securitising moves that are determined by the post-conflict nature, this work proposes an understanding of threat construction that is adopted as a peace-spoiling approach which echoes the state of emergency of the period of conflict that is understood as having passed. By presenting the potential of a given threat or indeed large-scale conflict to return, securitising moves in such contexts essentialise the fears of the targeted audience to achieve the desired legitimacy of emergency action. By linking the strategic application of threat construction (securitisation) to the theories that show how risk-averse behaviour dominates post-conflict situations, the continuation of the thinking presented under this heading could be applied to further explore the mechanisms by which threat construction is strategically applied for the betterment of a political actor's position to influence changes in a post-conflict landscape.

315 Alister Miskimmon, Ben O'Loughlin and Laura Roselle (eds.), "Strategic Narratives: Communication Power and the New World Order," (London: Routledge, 2013).

## DISCUSSION

A defining tenet of this work has been the exploration of the interwoven nature of the different forms of political violence employed by ARGs. The most significant manifestation thereof is the mutually constituting nature of the facilitating conditions for the existence of these forms of political violence. As ARGs were faced with a post-conflict context which was not completely limiting in terms of their opportunities for a violent influence of politics, these actors adopted to this and 'made the most of it'. A significant constraining element for the re-instatement of a broader anti-state campaign was an unfavorable outlook towards such a campaign by the mileu. What was looked upon more favorably was the continuation of informal governance and the political violence associated therewith. The adoption of such institutional arrangements by a broad range of actors – initially including the Provisional IRA – enabled these ARGs to achieve a limited form of a mandate.

However, this need for the continuation of informal governance was understood as a legitimation of the position of the broader anti-GFA movement and ARGs in particular that within the changing context Northern Ireland is still ungovernable for the statutory entities. This work argues that such an understanding must have driven the ARGs to expand their campaign to anti-state violence, particularly when driven by the removal of certain constraints and emergence of new opportunity structures. Understanding the motivation behind this expansion is not possible with the data and respondent access opportunities that exist for reasearchers at present, but we are able to argue that this was done in light of evaluated benefits emerging from this behaviour. The particular motivations of the disparate ARGs range from the enactment of a historical mandate for armed struggle based on current opportunity structures (self-sacrifice) to in-group economic benefits as a result of the maintained state of emergency (self-gain). Crucially, regardless of the individual motivations, the un-coordinated efforts contributed to the achievement of the desired goals for all ARGs as these were and continue to be tied to the simple maintenance of a limited-scope state of emergency.

When considering the entities in question as the driving force of the armed struggle, this work does not argue that they are active *solely* because of the functional legitimacy gradually gained through informal justice enforcement. Echoing Bean, such groups would exist no matter what, as there is a rigid

ideological postulate that drives such mobilisation[316]. However, the work does propose that a significant explanation for their continued support (albeit limited) stems from a legitimacy gained through that mechanism. Indeed, simply by being aware of the identity of contemporary republican paramilitary members (a requirement for the enjoyment of benefits from the informal institutional framework) and not disclosing those in light of events contributing to the continuation of the armed struggle, a certain section of the population can be understood as a trustworthy supportive milieu.

While this work has ackowledged the existence of a 'historical mandate' as a justificational underpinning of the ongoing – indeed, not only current – armed struggle, it has shown that other mechanisms of justifying it exist. To conclude this discussion, I wish to argue that the two mechanisms are in fact linked. For that, we turn to justificatory ethical theory. Justificatory ethics constitute a significant element in the ideological opus that is appropriated and reified as part of an intra-generational continuation of a given political struggle. If forms the 'why?' behind the acts of (armed) struggle and resistance, ultimately permeating into individual-level motivations both of militants and supporters, as well as broader, strategic, group-level considerations. Following Leslie J. Macfarlane's (1968) influential essay '*Justifying political disobedience*' [317] enables the formation of an understanding of the continuity of the acts of justification. Namely, a clear justificatory ethics can only be said to emerge as a continuously developing process, "with the consideration of each stage made dependent on the establishment of justification in the preceeding one[318]". As such, "a proposed act of political defiance is justified if it has successfully passed through the justification of the cause it serves, the rejection of political obligation, the form of disobedience practiced, and the expected consequences.[319]"

To rephrase that, to consider a normative ideological opus as a justificatory ethics, there must be a temporal development that essentialized what that ideology entails. For an understanding of justificatory ethics in political struggles, we turn to Garrett O'Boyle, who contributes an understanding of the justificatory ethics behind political violence, with a study of four groups, including the Provisional

316 Bean, 'New dissidents', p. 212.
317 Leslie J. Macfarlane, "Justifying Political Disobedience," *Ethics* 79 (1) (1968), p. 24-55.
318 Ibid., p. 53.
319 Ibid.

IRA, and a framework rooted in the two broad ethical lines[320]. The first is deontological ethics, which notes that the actions done are to be guided by a strict adherence to a given prescribed rule. As such, a deontological justification of political violence would say that some acts are morally prohibited and as such a prevention thereof is validated. In terms of political 'moral absolutes', "national self-defence and the right to national-self determination[321]" are examples of reified concepts that are defended. The second ethical approach is consequentialist ethics, which follows the doctrine that "the right act in any given situation is the one that will produce the best overall outcome in terms of the identified end.[322]" Such an approach would argue that any kind of political violence is permissible as long as the outcome brings the group closer to the realization of political goals. The Provisional IRA, as a 'national liberational' group, exemplifies a combination of both deontological and consequentialist ethics, relying both on justifications of the end goal (unification, cessation of the occupation, *etc.*) as well as an acting on the beliefs that the political ideals of sovereignty and self-determination are valid causes.

Such justificatory ethical foundations indeed permeate throughout the republican movement in its various historical iterations, as we have shown, including the contemporary one. This developed republican justificatory ethics however is not static. Indeed, I would argue that the enactment of a strategic securitization moves discussed in the third paper of this work interact with the justificatory ethical framework, both (a) by building on the temporally embedded normative framework, as well as (b) expanding the justificatory framework. The first element is quite evident. There exists a continuity in terms of the political goals that are sought as part of a republican normative opus, with these related primarily to the cessation of a perceived unlawful and imposed political order. As part of this, the 'struggle continues'. The second element, the expansion of the framework, is a more interactive process. If we recall the content of the securitization moves, they were directed at criminal and state elements, establishing a narrative that encompasses 'self-reliance', 'opposition to imposed rule', 'resilience' and 'continuity of the struggle'. Such a narrative can be linked to the justificatory ethical framework easily. Indeed, in the same manner as contemporary justificatory acts of political violence establish a continuity and relationship with

320 Garrett O'Boyle, "Theories of Justification and Political Violence: Examples from Four Groups," *Terrorism and Political Violence* 14 (2) (2010), p. 23-46.

321 Ibid., p. 28.

322 Ibid.

past iterations of the struggle, the current narratives are embedded into the justificatory ethical framework. I argue that the securitization dynamics represents the central mechanism of how this is achieved, as the security and threat-based discourse enables a recontextualization in terms of historical continuity. The expansion of the justificatory ethical framework primarily develops in the consequentialist dimension, where it emerges in relation to a perceived extension of the reasoning of why a given action *separate from the activities of the state* is justified. With strategic securitising moves continuously framing statutory behaviour in a particular manner, either in terms of functional failure (in relation with the criminal threat) or a political delegitimation, this offers an interactive component in the development of a dynamic justificatory ethical framework ultimately leading to the argument that 'the state is not enough'. Such justifications are likely to expand in prominence in the highly dynamic political landscape of contemporary Northern Ireland.

# APPENDIX

*Elaboration of the interviewing process and its outcomes*

This section of the thesis will present the process and outcomes of the interviewing during the fielwork that contributed to the production of this work. It is important to restate the particular developments in the context that influenced the interviewing process with this primarily referring to an observable mistrust of research subjects towards the work of social scientists operating in Northern Ireland. In my activities this meant implementing a set of adjustments to the interviewing process which were driven by a heightened awareness of how my respondents saw me and my work. Crucially, these adjustments only applied to members of the broadly-conceptualised republican community, in particular the activists. The adjustments that I undertook in these interviews were the following. First, the absence of the use of recording devices. Having conducted preliminary fieldwork before the three main fieldwork/interviewing rounds were initiated, it was observed that the adoption of recording devices was alienating of the interviewees of a particular section, namely the republican activists. One of those interviewed in this preliminary period noted an awareness in the communities of the Public Prosecution Service for Northern Ireland using audio recordings of republican activists in the formation of criminal proceedings, commenting "so we don't like being put on tape, even if we haven't done anything." In an absence of recording devices notation-taking was employed for the data recording.

Second, in light of the characteristics of the security situation in the studied context and the perceived increased repression of anti-GFA republican activists, strenuous anonymisation was employed commencing at the point of agreement with the given respondent that an interview will be conducted. Real names of the respondents were not recorded and instead interviewees were identified numerically. While all respondents were given information sheets clarifying my responsibilities, particularly in terms of guaranteeing their anonimity, these were purely informative and the confirmation of the participation in the interviewing was instead received orally. During the notation taking, references to identifiable events or locations that had the possibility of identifying the respondents were intentionally ommitted. Similar approaches were taken for interviews with any individuals who either perceived unwanted consequences from being identified or were exposed to the kind of work where identification would be undesirable. This latter category corresponds particularly to community-level mediators who function as intermediaries between the paramilitaries and the various governmental entities. Here, the absence of identification was driven by their

desire to secure the details of their work and the nature thereof, or, as one of them noted "we need to keep the details of this hidden as having the details of the work released might endanger what we do here. We operate on confidentiality, that's where the trust we gained comes from."

As was noted in the introduction to this work, the final number of interviews conducted was 46. Their distribution was the following: 24 were with anti-GFA activists (17), anti-GFA elected representatives (3), and anti-GFA militants (4), 10 with residents of the community, 13 with community-level mediators working to de-escalate tensions with the paramilitaries, and 1 each with local governmental officers, local academics, members of the security services, and victims of paramilitary punishment. The profiles of the respondents are represented below.

*Profiles of the interviewees*

1. Politically-involved individuals with anti-GFA affiliations or stances

| *ID* | *Descriptive age bracket* | *Gender* | *Activities until 1998* | *Affiliation* | *Characteristics of activities and stances* |
|---|---|---|---|---|---|
| | | | ACTIVISTS | | |
| 1-A-1 | Adult | F | None | Member of prisoner support organisation. | Family members and acquaintances imprisoned before and after the peace process. Mobilisation into supportive organisations and critique of GFA emerging from perceived unchanged nature of repression. |
| 1-A-2 | Adult | F | None | Member of 32CSM. | Political beliefs reflecting all the stances of opposition to the GFA and to mainstream republican parties. Feeling left outside of the process was an incentive to mobilise. |
| 1-A-3 | Of-age youth | M | None | Member of a republican youth group. | Participation in parades and public events as part of a 'color party' . High |

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| | | | | | level of identification with past instances of national liberation struggle. Desire for progressively more political involvement |
| 1-A-4 | Adult | M | Sinn Féin activist until 1997. | Member of prisoner support organisation. | Former Sinn Féin activist working on the prisoner issue. Left the mainstream republican movement for feelings that the struggle had not been exhausted to warrant a political shift. |
| 1-A-5 | Adult | M | None | Member of 32CSM. | Established family connection with 32CSM and family members previously in the Real IRA. Personal experiences of police repression as a youth after 1998 strengthened opposition to the GFA and increased desire for activism. Joined 32CSM in 2008. Active in online activism. |
| 1-A-5A | SECOND ROUND | | | | |
| 1-A-6 | Adult | F | Cumann na mBan member. | Member of a prisoner support organisation. | Opposed to all political shifts in the struggle, particularly abstentionism. Left the republican movement in 1990, rejoined a prisoner support organisation in 2007. |
| 1-A-7 | Adult | M | None | None | Active in online activism. Member of a broad online platform opposed to the GFA. Father was a member of a paramilitary group and was killed in the 1980s. |
| 1-A-8 | Of-age youth | M | None | Member of RSF. | Family-driven mobilisation into activism. Highly |

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| | | | | | supportive of the armed struggle but no indication of participation therein. |
| 1-A-9 | Adult | F | None | Member of RSF. | Political development at the time of the peace process, family member killed during that process. Participated in early instances of anti-GFA rioting and picketing. |
| 1-A-10 | Adult | M | Sinn Féin member until late 1980s. | Member of a prisoner support organisation. | Experiences with repression and incarceration formed anti-British sentiment that were maintained throughout the struggle. Highly opposed to the moves for political participation of republican groups, including abstentionism towards the Dáil. |
| 1-A-11 | Adult | M | None | Former member of a republican youth group. | Member of a 'color party' until the late 2000s. Faced repression not only from statutory entities but also from the Provisional IRA for his group's affiliation with the Real IRA. |
| 1-A-11A | Adult | M | None | Member of 32CSM. | Strong family-based mobilisation into the 32CSM. Continuous police repression strengthening his beliefs. Multiple family members identified as current 'political prisoners'. |
| 1-A-12 | Of-age youth | M | None | Member of a republican youth group. | Family with strong republican beliefs relocated to the Creggan in the early 2000s. Desire for political participation drove him towards a republican youth group |

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| | | | | | with notable anti-GFA stances. Other members of family would be labeled as 'mainstream republicans.' |
| 1-A-13 | Adult | M | None | Contributor to anti-GFA newspaper. | Growing up in a family that was frequently repressed by the statutory forces was important for mobilisation. Parents were outspoken republicans during the 1980s and various members of the family are still involved in anti-GFA politics. |
| 1-A-14 | Adult | M | Member of RSF since its inception. | Member of RSF. | Abandonment of abstensionism made him distant himself from mainstream republicanism. RSF appealed to him for their 'embodiment of an Irish national ideal.' |
| 1-A-14A | SECOND ROUND | | | | |

MEMBERS OF ELECTED BODIES

| | | | | | |
|---|---|---|---|---|---|
| 1-B-1 | Adult | M | None | None. Independent member of the city council. | Anti-GFA stances emerging from critique of communal development. 'Communities being forgotten'. |
| 1-B-2 | Adult | M | Disputed membership of a paramilitary organisation. Imprisoned for political violence. | Membership in the 32CSM. Independent member of the city council. | Mutliple levels of political organising; prisoner support, local political involvement, traditional agitation – elected representative status under threat of revocation over activities. |
| 1-B-2A | SECOND ROUND | | | | |

MILITANTS

| | | | | | |
|---|---|---|---|---|---|
| 1-C-1 | Of-age youth | M | None | None (family members in paramilitary organisations). | Involved in rioting and low-level skirmishes with the police since he was underage. |
| 1-C-2 | Of-age youth | M | None | Political wing of a paramilitary organisation active in Derry. | Online activism (organisation and content creation). Participation in pickets and demonstrations. Participation in undefined acts of political violence. |
| 1-C-3 | Adult | M | Active paramilitary during the conflict. | Former member of a post-1998 paramilitary organisation. Imprisoned for activities. | Claims not to be currently involved in paramilitary activity. Imprisoned for possession of weapons. |
| 1-C-4 | Adult | M | None | No comment given. Imprisoned for activities. | Claims not to be currently involved in paramilitary activity. Imprisioned for unidentified reason. |

## 2. Non-activist residents of the Creggan

| *ID* | *Descriptive age bracket* | *Gender* | *Resident before 1998 or later relocation* | | *Stances towards informal governance* | | | *Comment on stances* |
|---|---|---|---|---|---|---|---|---|
| | | | *Pre-1998* | *Post-1998* | *Against* | *In favor* | *Used* | |
| 2-A-1 | Elderly | M | X | | | X | | Identifies as non-political, but expresses stances that are republican-akin. Favorable view of paramilitary governance stems from the defence of the community |

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| | | | | | | | | before 1998. |
| 2-A-2 | Adult | M | X | | | | X | Mainstream republican voter (Sinn Féin), but sees statutory policing as ineffectual. Drug dealing seen as threatening to his chlidren so he and a few neighbors notified the 'local republicans'. |
| 2-A-3 | Adult | M | X | | | X | | Elaborates on the comparison with other cities across Ireland where crime rates are higher and notes that in Derry they are not because of the paramilitaries. |
| 2-A-4 | Adult | M | X | | | X | | Supportive of the continued presence of informal justice by the paramilitaries as it is seen as more effective, and 'even warnings by them are enough most of the time'. |
| 2-A-5 | Adult | M | | X | X | | | Relocated to the Creggan in the mid-2000s. Opposed to informal justice after devolution of policing due to the PSNI now 'representing republicans as well'. |
| 2-A-6 | Adult | F | X | | | | X | Family with involvement in the republican movement since the 1970s. Family |

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| | | | | | | | | contacted local paramilitaries several times in the late 2000s for problems with anti-social behaviour. |
| 2-A-7 | Adult | M | X | | | | X | Strong anti-British stances. Sees the informal justice framework as 'like a small government just for us; we can resolve most things through them'. |
| 2-A-8 | Elderly | M | X | | | | X | Was experiencing vandalism and abuse by some local youths several years ago and contacted the local paramilitaries, after which the behaviour stopped. Sees it as complementing the slow growth of political power of Catholics in Northern Ireland, not as an element of opposition to mainstream republicanism. |
| 2-A-9 | Adult | F | | X | X | | | Relocated to the area from a different city in the late 2000s and finds the reliance on informal justice as 'opposed to political progress [in Northern Ireland]'. Sees the violence against the police perpetrated by the paramilitaries as the reason why they are |

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| | | | | | | | | still present in the first place. |
| 2-A-10 | Adult | | M | X | | | X | Family members involved in community protection throughout the conflict and sees the current iteration of that as a continuation of 'republican self-governance' in Northern Ireland. |

3. Community-level mediators

| *ID* | *Gender* | *Current or past political involvement* | *Self-described republican* | *Resident of the Creggan* | *Independent or local-government organisation* |
|---|---|---|---|---|---|
| 3-A-1 | M | Sinn Féin councilor in the 1980s | Yes | Yes | Independent |
| 3-A-1A | SECOND ROUND | | | | |
| 3-A-1B | THIRD ROUND | | | | |
| 3-A-2 | M | Yes (republican activist; no details given) | Yes | Yes | Independent |
| 3-A-2A | SECOND ROUND | | | | |
| 3-A-3 | M | Current independent city councilor | No | No | Independent |
| 3-A-3A | SECOND ROUND | | | | |
| 3-A-3B | THIRD ROUND | | | | |
| 3-A-4 | F | None | No | Yes | Local-gov. |
| 3-A-5 | M | None | Yes | Yes | Local-gov. |
| 3-A-6 | M | Current city councilor and past republican activist | Yes | No | Independent |
| 3-A-7 | M | None | Yes | No | Local-gov. |

| | | | | | |
|---|---|---|---|---|---|
| 3-A-8 | F | None | No | Yes | Independent |

## 4. Other respondents

| *ID* | *Gender* | *Description* | *Comments* |
|---|---|---|---|
| 4-A-1 | M | Local governmental official, responsible for community policing and the Community Wardens program. | Interviewed about threats to Community Wardens issued by paramilitaries the year before the interview – he comments on the misunderstanding, the matter was resolved an there was no significant threat. The Wardens were never seriously threatened by the paramilitaries and they are not seen as threatening to the paramilitaries. The preventive measures through local-governmental initiatives (de-escalation of anti-social behaviour) means reduced involvement by the paramilitaries and a less-threatening environment for the residents. |
| 4-A-2 | M | Local academic researching paramilitary violence in Northern Ireland during the conflict. | Expert-interview conducted on the matter of governance during Free Derry. Difficulty tracking the development as little was codified. |
| 4-A-3 | M | Member of entity belonging to the security services. | From a republican family and still maintains his work a secret to most outside the immediate family as they would not be supportive. Understands the work as a threatening endeavor and sees the importance of community policing to bridge the cleavage. |
| 4-A-4 | M | Victim of paramilitary punishment. | Former low-level drug dealer and drug user punished in the late 2000s, who has since ceased all criminal activity and aids various local charities in helping drug addicts. The punishment beating was after a series of warnings that he did not take seriously. |

## STANDARDISED INTERVIEW SCHEDULES

### *1. General (members of the community)*

1. Are young people interested in any kind of political participation? Would you say there are obstacles that stand in their way of doing so?

2. What's the response of mainstream political elites in regards to political participation outside of representative politics? Is it common for political elites to comment the preparation or execution of protest acts (be in demonstrations or something else)?

3. Are threats or warnings issued when such protest acts are carried out? Either explicit, or consequential, for instance – ´you will be responsible for the violence´? Can you mention any examples?

4. How would you evaluate a general attitude towards political participation outside of representative politics? Does the population or any of its constitutive elements respond positively to its existence or nonexistence?

5. What would you say the most pressing safety issues would be in your community (of any kind, from environmental, economic, human rights, and up to criminal ones)?

6. How would you say this situation has emerged? What actors are responsible for its emergence? Are there any actors that manage it or are attempting to solve it?

6a. In parts of Northern Ireland members of local communities have been organizing them in response to security threats, which leads to them taking measures into their own hands. What is your take on this? Do you believe that this is their desire to do so, or is this a response in light of an absence of effective policy? Are you in favour of such measures in your community, if they (were to) exist?

6b. Do you think they are effective in what they do?

6c. Do you see a political goal in this, or is it primarily a need?

7. Do you feel that a societal settlement has been reached in Northern Ireland after the conflict? If not, do you believe this to be possible? [Has the conflict ended?]

8. Would you say there was some sort of progress (in any respect) done in the community or wider society after the declared end of the conflict that would be worth noting?

9. Do you feel that historical facts play a role in influencing politics or societal contexts today? Is there some specific political heritage or frequently stated injustice present in your community that you feel might influence politics? Does it influence you?

9a. What would you say republicanism is nowadays? Do you think its ideas are valid? Are we closer or farther from the achievement of republican goals than we were 10, 20, 30 years ago?

10. What's your opinion on the presence and role of the PSNI and state-run security aparata in your community?

10a. Attacks against members of these organizations take place occasionally – why do you think this happens?

11. What do you think the central issue of the community or wider society is, that would deserve more political attention?

12a. Are there any actors that try to resolve it?

12b. Can you imagine a time when this would be resolved? What would it take to get there?

13. How would you evaluate the role of political parties and their effectiveness in achieving goals that are important to you, the community, or society in general?

13a. How would you evaluate the importance of independent politicians in the community?

13b. Are you an active voter?

X. Would you care to speak about an event, individual, organization or issue that I have not asked you of?

### *2. Activist-oriented (activists and militants)*

1. Can you tell me something about your political leanings?

2. Do you vote?

3. What are some contemporary issues that you'd regard as important or in need of resolving?

4. Can you tell me something about your accession to the group? When? Were you introduced by someone?

5. Could you describe your tasks or functions within the group?

6. Did these change during the duration of your membership?

7a. Could you tell me something about the gaining of new membership now that you're within the group - are there differences in the process from when you joined?

7b. Are there 'trials' for new members?

7c. Is it more common that they're from certain areas or social backgrounds?

7d. Are the majority of the members younger? O rather, to which age bracket would you say that the majority of the new members correspond – in their 20s, 30s, 40s, 50s?

7e. Are all members generally equally involved in the activities of the group? Does everyone carry approximately the same responsibilities?

8. Would the members be more likely to come from families with prominent republican activists?

8a. Are there family connections within the group – primarily intergenerational ones, such as parents-children?

9. Could you describe the decision-making process within the group? Does the membership hold periodic meetings?

10. Are there any affiliations between your and other groups in terms of cooperation at the political and social levels? Are there public institutions that you have an affiliation with that you could speak about?

11. How would you evaluate the republican political elites of the past vs. today? Are there any historically important figures that you would evaluate as positive, and ones that you'd evaluate as negative?

12. What would be the position of the group on the provisions of the Good Friday Agreement?

13. If you consider the heritage of struggle in Northern Ireland, how would you place the current iteration of the struggle, and the role of your group in it?

## *3. Mediators*

1. What would be the connection between the immediate justice and the wider political struggle that the groups are involved in?

2. What is your evaluation of the police response to immediate justice? Do you think the behaviour of the paramilitaries produces an increased police presence in the communities or changes in their behaviour?
3. What would be a typical first step in a mediation process?

4. Are there any general guidelines in use for the negotiation – primarily in terms of how you can step in, and make offers to deescalate the situation?

5. Would there be any elements of your or the centre's background that you could say are helpful in you being able to play the role of the mediator?

Let's talk about a specific case – the threats against community workers that were issued in November.

6a. Can you give me some details about that? How was it issued, and what would be the reason for doing so?

6b. Can you describe the mediation process, and how the agreement was reached?

6c. Was this the first time that such an act which is quite outside of the usual mode of operations of the groups took place?

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