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ГРОВОВА В.П. ПАРТИИ В СИСТЕМЕ ГОСУДАРСТВЕННОГО УСТРОЙСТВА ФРГ

Анализируются особенности политического устройства Германии, влияние правового регулирования деятельности партий на соблюдение демократии в государстве. Определены закономерности сохранения политическими партиями приоритетных позиций в обществе.

GROBOVA V.P. PARTIES IN THE STATE SYSTEM OF GERMANY

Features of a political system of Germany, influence of legal regulation of activity of parties on observance of democracy in the state are analyzed. Regularities of preservation by political parties of priority positions in the society are determined.



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SPECIALIZED UNITS FOR PEACE OPERATIONS AND HOMELAND SECURITY A UNITED STATES PERSPECTIVE

The articles focuses on the development of paramilitary units specialized for a broad range of tasks, from peace enforcement to law and order support, within international peace operations.

The demands of the new generation of peace operations, particularly with respect to peace enforcement and peace building operations, has renewed discussions in the United States regarding the need for military units that are particularly well adapted to the specialized requirements of these operations.

With the experience of Afghanistan and Iraq fresh in mind, this debate has taken on a new urgency. Future military operations, particularly those in chaotic states with little governmental control, will require military units equally adept at modern, sophisticated military operations and the broad range of tasks associated with stability and support operations.

With its worldwide commitments and responsibilities, the United States has a particular need for units that are capable of a broad spectrum of operations, from transformational warfare to nation building support. At the same time, those global commitments mean that the resources of the US armed forces are limited. Global responsibilities call for units that are capable

through a range of contingencies, as opposed to specialized units that are more limited in the scope of their capabilities.

Despite the clear need for specialized peace support organizations, the armed forces of the United States have been reluctant to develop military units specialized in peace operations. A review of the historical context and current requirements will put the US approach in better perspective.

The Historical Context of US Peace Operations Forces

The United States has never really developed doctrine for specialized units such as paramilitary police forces. Lacking a national police force of its own, the US has never had a base on which to draw. Although some of the national security organizations of the US, such as the National Guard, have carried out law enforcement missions during periods of extreme unrest, the US has no equivalent to Italy's Carabinieri or France's Gendarmerie.

However, the US has a long history of executing police-like missions in a number of countries. These are generally

referred to as constabulary missions, which are best understood as law enforcement operations organized on a military basis [1, p.46]. The constabulary has a long history in the US, particularly in the aftermath of the Civil War, when Federal forces occupied much of the South, often in a very heavy-handed manner. This occupation, and the manner in which it was managed, later gave rise to laws placing limits on the use of military forces in domestic law enforcement operations, such as the *Posse Comitatus* act of 1878 [2]. This act forbids the use of the Army (and other services) to carry out law enforcement operations in the US.

In addition, Army forces were responsible for pacification efforts in the so-called Wild West in the latter half of the 19th century. These Indian Wars featured Army troops in operations that involved what we would today call nation building operations. In addition to subduing the Indians, they were responsible for developing much of the West and securing the lines of communication across America.

Prior to World War Two, the armed forces of the United States were involved in a number of operations in Latin America and the Caribbean that called for specialized capabilities. In particular, in the 1930s the United States Marine Corps performed a number of operations that can best be described as constabulary missions.

The occupation of Nicaragua from 1912 to 1933 stands out as an example of this kind of military policing, but the US military carried out similar operations in Cuba, Panama, the Dominican Republic and Haiti during the first four decades of the 20th century.

These operations often organized and trained locals into para-military police forces, such as the Guardia Nacional of Nicaragua, which included US officers and Nicaraguan personnel.

It is important to note that no major organizational changes were made to US forces in order to carry out these operations. No specialized units were developed or employed, though it could be argued that the Marine Corps of that era was well-suited for these operations, often being referred to as "State Department troops".

With the defeat of Germany and Japan in World War Two and the resulting occupations, the United States encountered new requirements for military policing. The total collapse of German authority created a void that required military units to provide order and security. About one year after the end of the war, the US Army formed the US Constabulary, a force that ultimately involved over 30,000 troops.

The US Constabulary differed from previous constabulary efforts in that it consisted entirely of US Army troops. No Germans were part of the Constabulary, although the Constabulary supervised German civilian police operations.

Although composed of Army troops, the Constabulary represented a true specialized unit. Its members were given thorough training in police operations, wore special uniforms and had special organizations. These units carried out many kinds of police functions, including combating organized crime, in addition to providing border security and supporting displaced populations.

In Japan, a similar effort was made, though there the units

were composed of Japanese police personnel with US supervisors. In both Germany and Japan, as with the US occupation forces in Austria and Korea, constabulary forces were called upon to carry out many nation building tasks in addition to their police functions. Moreover, as occupation forces, they also retained responsibility for national security in the absence of any forces of the defeated or occupied power. Thus, they continued to have a definite military flavor.

In the 1960's, as a response to the stalemate in Korea, the Army developed doctrine for counteracting Communist-led guerrilla movements, focusing on a hearts-and-minds strategy for countering insurgencies. This strategy of winning over local residents involved a substantial element of policing and nation building, and is generally thought to have worked well, even in Vietnam.

A highly interesting operation conducted by the Army was the invasion of the Dominican Republic in 1965. The objective of the operation was to restore order on the island. This operation involved a substantial law enforcement element. Army troops conducted numerous civil order operations in conjunction with Dominican police forces as order was restored.

In the Cold War period, the United States deployed military forces on numerous occasions, many of them in support of international peacekeeping operations. Prominent among these were deployments of peacekeeping units in the Sinai and of observers on the Golan Heights and in Lebanon. Other peacekeeping missions included efforts in North Africa, Cambodia and East Timor.

Some of these deployments are worth further examination with respect to specialized units. In Somalia, US Army and Marine Corps units were deployed initially to help secure the provision of humanitarian aid; this was subsequently expanded to a full nation-building mission. In addition, specialized units were employed to track and arrest the leaders of the major criminal clans in Somalia, ending in the catastrophe of October 1993.

In response to these growing demands, the Army developed new doctrine for these operations. The Cold War doctrine of low-intensity conflict, which included counterinsurgency doctrine, was replaced in the early 1990s with a doctrine called Operations Other than War. This new doctrine, which incorporates peacekeeping and peace enforcement, involves substantial stability and support operations. Tasks such as restoring and maintaining law, order and stability are key elements of these operations, thus requiring Army troops to be able to carry out police-type operations.

The peace operations of the 1990s reflect the need for constabulary-type organizations. Units were frequently asked to provide local security, to mediate disputes and to arrest/detain suspected lawbreakers. In particular, the peace enforcement operations in Bosnia and Kosovo demonstrated to the Army that it needed to refocus the training of its units on carrying out constabulary operations.

Current US Doctrine and Operations

As a result of these requirements, the US Army has made significant changes to training soldiers who are deployed in these operations. Subjects such as negotiations, basic law enforcement and cultural awareness are now standard training for

soldiers headed for the Balkans. In particular, the rules of engagement for both SFOR and KFOR reflect the need to prepare soldiers for elementary police duties.

Current US doctrine for these operations is now entitled "Stability and Support Operations" [3]. The emphasis on stability operations indicates the importance that the US now places on post-conflict operations. A major aspect of this new doctrine is the clear need to prepare for constabulary-type operations.

Stability and support operations recognize four distinct peace operations: peace making, peacekeeping, peace enforcement and peace building.

Peace making operations are essentially diplomatic activities, to which military forces can lend support, such as preventive deployments and supervising demobilization. These operations generally do not require sophisticated military organizations.

Peacekeeping operations are traditional operations, usually under UN authority, conducted with the consent of the belligerent parties. Peacekeepers may generally only use force in self defense. US forces have significant peacekeeping experience, as in the Sinai.

Peace enforcement operations are operations that involve force or the threat of force to compel belligerents to adhere to international mandates. These include operations such as the enforcement of sanctions, the protection of humanitarian assistance, the establishment of order and stability and the forcible separation of belligerents. In peace enforcement, force may be used to carry out the mandate, not just for self defense; hence, there is a major difference in US doctrine between peacekeeping and peace enforcement. In the US view, operations in the Balkans, as well as the ISAF operation in Afghanistan and current coalition operations in Iraq, are considered to be peace enforcement operations.

Peace building operations are essentially civilian tasks, undertaken after the end of hostilities, to rebuild infrastructure and civil societies. Military forces usually support these activities by providing security and protection for civil agencies. It is in this phase that there is the highest requirement for constabulary units.

The need for these operations has been clearly demonstrated by operations in Afghanistan, Haiti and Iraq. In all three of these countries, soldiers have been asked to perform major local security functions, to include the supervision of local police forces. In the case of Afghanistan and Iraq, this has also included the organization and training of police forces.

These operations closely resemble those performed by the Constabulary forces in post-war Germany. Yet, no new organizations have been formed to perform these tasks. Instead, major reliance has been placed on the existing military police forces and on the reorganization of other combat forces.

Military Police Forces

Military police in the US armed forces fulfill a unique role. As a result of the new doctrine for military police forces that resulted from experiences in the Balkans and elsewhere, these forces have five major functions. They are: area security, maneuver and mobility support, internment and resettlement, law enforcement, and information gathering.

These missions are in addition to the traditional military police mission to fight as infantry troops when necessary. Yet the new emphasis on area security and law enforcement make it clear that constabulary-type tasks are envisioned for the troops. In stability operations, they can perform public order and law enforcement functions, ranging from civil disorder management to detaining lawbreakers.

However, military police remain soldiers first and policemen second. While they view themselves as soldiers, their training enables them to function effectively as police officers in stability operations. Key to the training of military police troops is that they are specifically trained to deal with civilians. In addition, military police are trained to use only the minimum amount of force necessary to control the situation, as opposed to massive use of force. Moreover, they are trained to deal with victims, which is particularly important in stability operations, where they may often have to deal with victims of war crimes or sexual assault [1, p.81].

As a result, military police are very much in demand in US operations today. They can be found in all theaters of operations, carrying out not only the missions noted above, but also other missions, such as training indigenous police forces.

However, this demand for military police forces also means that they are in short supply. Only about one-fourth of the Army's military police units are on active service; the rest are found in the Army's reserve components. Many of these reserve military police units have now been activated to serve in the Balkans, Afghanistan and Iraq.

One additional kind of organization that has both law enforcement and military capabilities in the United States Coast Guard. The Coast Guard is unique in that it is a military organization with a major law enforcement role. In this sense, it resembles Gendarmerie or Carabinieri organizations more than any other part of the US armed forces. The Coast Guard not only carries out maritime law enforcement operations in the US, but overseas as well. It is separate from the new Department of Homeland Security, but can become part of the US Navy in times of war [4].

Specialized Peace Operations Units

Unlike many of its allies, the United States has no specialized units designed specifically for peace operations or for post-conflict stability operations. This has been a much-debated issue within the US armed forces. Many in the US have long felt that the well-trained US professional soldier is already an excellent basis for a peacekeeper or peace enforcement soldier. Some have estimated that a US Army soldier already has about 80 % of the training needed to be an effective peace operations soldier, and only requires additional training in the areas of negotiations, crowd control, security and law enforcement to be effective. Operations in the Balkans have borne out this perspective.

On the other hand, some critics believe US military forces are not ideally suited for peacekeeping operations, which are generally manpower intensive, low tech and of long duration—not the strengths of the US military.

However, US forces perform very well in the more demanding peace enforcement operations. Such operations often emphasize a high level of technological sophistication, at

which the US Army excels. Therefore, the US Army expects to place greater emphasis on peace enforcement operations and less on traditional peacekeeping. The Army believes, however, that its infantry formations can manage most of the requirements for these operations.

As noted, there are no specialized peacekeeping units in the US Army or Marine Corps, although several of the Army's light infantry divisions, including the 10th Mountain Division (which fought in Italy in World War II) and the 25th Infantry Division, have received additional training and equipment for conducting peace operations.

However, the huge requirements of peace enforcement in Iraq have prompted a reappraisal of US' readiness to participate in these operations. Modern stabilization operations require a robust capability for local security and law enforcement operations, as well as the ability to carry out counter-insurgency operations. At the same time, these operations also require a capability to carry out post-conflict peace building reconstruction.

In addition, new requirements for homeland security and homeland defense have also required the armed forces to rethink their military organizations. Military organizations are increasingly being asked to help protect critical infrastructure and transportation facilities, as well as to help secure borders. These operations call for a certain level of specialization.

The operations in Iraq and Afghanistan have spurred the most thinking in this area. Specifically, a number of proposals for specialized stability and reconstruction units have been made. These would be division-sized (about 11,000-13,000 men) units capable of a wide range of security and reconstruction tasks. Each brigade unit would have engineer, military police, civil affairs, medical and psychological operations units, as well as supporting units. The division would also have an infantry and aviation component for combat support if appropriate [5].

In addition, the stabilization and reconstruction division would have training and security assistance units designed to help form and train local military and police units. Explosive disposal units and de-mining would also be part of the division. In addition, where required, the division would have units specially trained to deal with weapons of mass destruction and also units trained to secure sensitive sites, such as those containing evidence of war crimes.

An important aspect of such a unit would be its inter-agency or interministerial representatives. Representatives from the ministries of foreign affairs, interior, and intelligence would be integrated into the division as a permanent part of the or-

ganization. This would help break down the barriers to inter-ministerial cooperation that is essential to success in these operations.

Conclusion

While the United States does not have specialized units for peace or stability operations, it does have extensive experience in these areas, dating well back to over a century. The US experience has shown that, while specialized organizations can be a significant advantage for these operations, they also represent an opportunity cost, which is considerable even for an economy and military budget the size of the US. Given the worldwide responsibilities of the US, these units would find much work to do, but could only come at the cost of other kinds of military units.

To date, the US military has not developed any specialized units, but there is evidence that this is changing. The extreme demands of post conflict operation in Afghanistan and Iraq, coupled with Haiti, have demonstrated the value of units capable of both military operations on policing. While the US, lacking a national police force, is unlikely to develop a land-based counterpart to its Coast Guard, there is a real possibility that it will develop specialized military units for stability and reconstruction operations.

The experiences being gained in the current theaters of operation, coupled with the experiences of those nations allied to the US, such as Italy, are demonstrating the need for units that have an expanded range of capabilities, to include constabulary operations. It is quite possible that the US armed forces will develop such units in the near future to deal with the ever-increasing complexity of modern stability operations.

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КЛАРК ДЖОН. Л. СПЕЦІАЛЬНІ ПІДРОЗДІЛИ ДЛЯ ОПЕРАЦІЙ НА КОРИСТЬ МИРУ ТА ЗАБЕЗПЕЧЕННЯ НАЦІОНАЛЬНОЇ БЕЗПЕКИ: ПОГЛЯД З США

Розглядаються питання формування найвійськових підрозділів для виконання широкого колу завдань, від примушення до миру до дотримання правопорядку в межах міжнародних операцій на користь миру.

КЛАРК ДЖОН. Л. СПЕЦИАЛЬНЫЕ ПОДРАЗДЕЛЕНИЯ ДЛЯ ОПЕРАЦИЙ В ПОЛЬЗУ МИРА И ОБЕСПЕЧЕНИЯ НАЦИОНАЛЬНОЙ БЕЗОПАСНОСТИ: ВЗГЛЯД ИЗ США

Рассматриваются вопросы формирования полувоенных подразделений для выполнения широкого круга задач, от принуждения к миру до поддержания правопорядка в рамках международных операции в пользу мира.