

## **Some Reflections on Notions of Defence and the Use of Armed Force: A Perspective from New Zealand**

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If one were to ruminate about the term “Defence” either as a noun, as in “Ministry of Defence” for example, or as an adjective as in “Defence Force”, perhaps one would find that it is inconsistent with what it actually purports to be in a contemporary sense. There is of course a broad conception of what the term actually means and which is generally understood by members of the Armed Services, the Parliament and those who have some role to play in the security of the State. However, does it convey to a wider public a thorough understanding of why Armed Services are raised, trained and equipped more often than not to be deployed overseas and far from home? What then is “Defence”? Where is it? When is it? Why is it? And, how is it?

Developed countries in today’s world are more and more pre-occupied with issues of security especially at the border. It could be argued that forces comprising Immigration Service officers, Customs officers, officers from the Ministry of Agriculture, the Police Force and similar staff in other agencies have more to do with every day “defence” of the nation than the Armed Services. The practice of public policy and management is well exercised in New Zealand with a sophisticated policy elite and discriminating public demanding accountability and value for money. There are now some signs that the term “Defence” is losing some of its previous meaning and that the New Zealand Armed Services are being used proactively by the Government in pursuit of foreign policy and security interests that lie well beyond the shores of New Zealand. This is not to say that the Armed Services are less purposeful, efficient and effective than previously but rather that their emerging shape and potency is being tailored to contemporary challenges that are different than those of former circumstances. The purpose of this paper is firstly to briefly trace the origins of the term “Defence” and secondly to argue that there is a perceptible change in how the New Zealand Government now utilises the New Zealand Armed Forces to achieve a broad spectrum of foreign policy and security objectives.

## “Defence”: History of a Term

It seems that the first country to use the term “defence” as a noun was Australia. The Commonwealth of Australia Constitution Act 1900, Clause 51 refers:

1. The Parliament shall ... subject to this Constitution have power to make laws for the peace, order, and good government of the Commonwealth with respect to:
  - a. Trade and commerce with other countries, and among the States ... The **naval and military defence** of the Commonwealth and of the several states....<sup>1</sup>

The Commonwealth constitution gave exclusive defence powers to the Federal Government, including control of the Armed Forces vested in the Ministry of Defence in 1910. Furthermore the Defence Acts of 1903 and 1904 allowed conscription.<sup>2</sup>

Why were these powers considered necessary? The Australian Naval Forces of the time were formed for defence of ‘floating trade’ and ports. The British Empire’s Royal Navy, however, considered its role in the region to be solely offensive and for the destruction of enemy ships. Likewise at the time there was the beginning of growing tensions in Europe, the Japanese victory over the Russian Baltic Fleet in the battle of Tsushima Straits in May 1905 and a strong concern for the preservation of ‘White Australia’, all of which in 1907 led to increased public demands for defence preparedness.<sup>3</sup>

It is difficult to see a direct line concerning the use of the term “Defence” between the British Government and that of the Commonwealth of Australia and it was not until 1904 that a Committee of Imperial Defence was permanently established as a small advisory group to the Prime Minister in Downing Street. Its members were cabinet ministers, military leaders and key civil servants.<sup>4</sup> In 1909 the Committee held an Imperial Defence Conference to consider issues of strategic security because of a fear of losing naval superiority to the Germans.<sup>5</sup> In the 1914-18 War its functions were taken over by the War Cabinet.

Although he was not prominent in government affairs at the time, Winston Churchill lobbied for a Ministry of Defence in 1934, but it was not until 1964 that the Admiralty, the War Office, the Air Ministry, the old Ministry of

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<sup>1</sup> *Year Book Australia, 1977-8*, Canberra: Australian Bureau of Statistics, 1978, pp. 13-14.

<sup>2</sup> T.B. Millar, *Australia's Defence* (2<sup>nd</sup> Edition), Melbourne: Melbourne University Press, 1969, pp. 11-12.

<sup>3</sup> E.M. Andrews, *A History of Australian Foreign Policy* (2<sup>nd</sup> Edition), Melbourne: Longman Cheshire, 1988, p. 10.

<sup>4</sup> *Churchill Papers*, <<http://www-archives.chu.cam.ac.uk>> [accessed 13 April 2004].

<sup>5</sup> Millar, *op.cit.*, p. 2.

Defence and the Ministry for Aviation Supply were brought together in the United Kingdom to control military matters and national security.<sup>6</sup> It is interesting to note the word “security” appears here rather than the word defence.

In New Zealand in 1950 the Defence Secretariat was part of the Prime Minister’s Department headed by Foss Shanahan. After his departure in 1958 a Defence Division was established within the Department of External Affairs. The first Minister of Defence was Dean Eyre in 1960—his Ministry of Defence made up of personnel from the Prime Minister’s Department and External Affairs coordinated the affairs of the three Armed Services. It was not until the Defence Act of 1970 that the Ministry of Defence formalised the establishment of a Defence Council comprising the Minister of Defence, the Chief of the Defence Staff, the Secretary of Defence and the three Chiefs of the Armed Services plus the Secretaries of Foreign Affairs and Treasury. Part of the reason for this way of organising Defence were the requirements of meeting instability in Southeast Asia. New Zealand Government policy was to lobby for continued British presence in South East Asia, even though it was appreciated that the whole region depended on the US presence for ongoing protection.

Another notion of defence, current at this time, was that of “forward defence”. The use of the term began with the construction of the Singapore Naval Base pre-war and the fortification of island approaches to New Zealand during World War Two. But it became an active strategic concept in the 1950s after deployments of New Zealand contingents to Korea and Malaya as strategic “protection” moved from dependence on the UK to forward deployments with and for the US in Asia.<sup>7</sup> It is very interesting to see the word “protection” used in this context rather than the term “defence”.

In the United States, the National Security Act of 1947 created the US National Military Establishment on 18 September 1947. The First Secretary of this organization was primarily a coordinator developing general policies for the three executive departments—the Department of the Navy, Department of the Army and newly created Department of the Air Force. In 1949 the Act was amended to change the name to the Department of Defense and it has remained so ever since.<sup>8</sup>

It is worthwhile having a look at American attitudes at that time concerning war. Traditional American opinion (born of Judeo-Christian belief that war or killing other people is wrong) was that the US should participate only in “just

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<sup>6</sup> *BBC Website*, <<http://www.bbc.co.uk/crime/fighters/mod.shtml>> [accessed 5 October 2006].

<sup>7</sup> Alistair McIntosh, W.D. McIntyre, F.L.W. Wood, M.A. McKinnon, I.C. McGibbon, and M. Stenson, *New Zealand in World Affairs, Volume 2, 1972-1972*, Wellington: New Zealand Institute of International Affairs, 1977, pp. 14-15.

<sup>8</sup> ‘Defense, Department of’, *Microsoft, Encarta Encyclopaedia 2001*, Microsoft Corporation.

wars”—either in self-defence or in collective defence against armed attack. President Truman said, “We do not believe in aggressive or preventive war. Such war is the weapon of dictators, not of free democratic states”.<sup>9</sup> However, one has to recognise that US foreign policy had to react to geopolitical threats. An influential analysis by Nicholas Spykman in 1942 suggested that in view of German and Japanese capacity to cut US access to resources, military might had to be directed overseas to protect resources as well and not just in defence of territory at home. If it got to that stage it would be too late.<sup>10</sup> One can read into this that for the United States, “defense” could, and did, encompass and envisage all sorts of global intervention using armed forces, especially in a world much different from the one we inhabit today. Ideas of unilateralism and pre-emption are not therefore just those of the current administration in the White House.

After the Cold War came to an end circa 1989, many people demanded a “Peace Dividend” and nowhere was this made more explicit than in the development of an organisation that called itself “Just Defence” and the concept of Non-Offensive Defence (NOD). The distinguishing characteristic of NOD is that its focus is on short-range defensive weapons systems based in the homeland rather than offshore or overseas.<sup>11</sup> Its economic merits were that it was a much cheaper option than the maintenance of traditional armed services. The shrill demand for “peace keeping” forces rather than “defence forces” to manage security in some of the world’s hot spots indicates that there is a now shift in public opinion away from the ideas of Just Defence and NOD. Nonetheless “Peacekeeping” in its popular form is yet another example of confusion over the use of the Armed Forces and the outputs they produce. Oddly enough peace operation forces probably require extra equipment that may differ slightly compared with combat operations, and would therefore be in addition to those required for fully combat capable forces.<sup>12</sup>

### **Moving beyond “Defence”**

The use of force in pursuit of political objectives has been with us since human time began, and given the constancy of human nature this fact is unlikely to change in the foreseeable future. Isaiah Berlin records that in the context of human development:

social and political collisions will take place; the mere conflict of positive values alone makes this unavoidable. Yet they can ... be minimised by

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<sup>9</sup> Amos A. Jordan, William J. Taylor Jr., and Lawrence J. Korb, *American National Security; Policy and Process*, 4<sup>th</sup> Edition, Baltimore: Johns Hopkins University Press, 1993.

<sup>10</sup> Michael E. Brown, Owen R. Cote Jr., Sean M. Lyn-Jones, and Steven E. Miller, *America’s Strategic Choices*, Cambridge MA: MIT Press, 1977.

<sup>11</sup> <[http://www.palmcenter.se/article\\_uk](http://www.palmcenter.se/article_uk)> [accessed 14 April 2004].

<sup>12</sup> Peter Cozens, ‘Funding for Defence,’ *Policy Quarterly*, Vol. 1, No. 3, Wellington: Institute of Policy Studies, School of Government, Victoria University of Wellington, 2005, pp. 23-31.

promoting and preserving an uneasy equilibrium, which is constantly threatened and in constant need of repair – that alone is the precondition for decent societies and morally acceptable behaviour....<sup>13</sup>

What he was referring to is that there will always be a need to use force, coercive force or indeed the threat of force in human affairs. He does not use the euphemism of “defence”. His frank assertion displays a refreshingly honest approach about human frailties—it is a fact of life that politicians and senior administrators of government, not only in New Zealand, but also elsewhere, have in the past tried to disguise this lugubrious business by the use of a euphemism. Far from being timid and reticent about the use of the Armed Services furthering New Zealand’s interests, the Clark led Government has in fact appreciated the various positive implications of using properly raised and equipped Armed Services acting in support of the country’s broad interest locally and beyond. The New Zealand Armed Services might sound more dramatic than New Zealand Defence Force but it is contended that the former term more accurately describes and implies what they are for.

It is an inescapable fact that successive New Zealand Governments have had to deal with the matter of using armed force or the threat of armed force or coercive demonstrations of armed force to achieve political outcomes. It would also be fair to say that the New Zealand public is generally tired of mellifluous sweet talk by politicians trying to camouflage some of the grim realities of international society. In this age of turbulence they want straight uncomplicated answers to matters of both personal and national security. Public opinion polls suggests that some 67-70% of the New Zealand public are generally in favour of well equipped, well trained and well led Armed Services. The subject of the Defence Force has not generally been a contentious election issue although it is fair to say that the public does balk at the outlays required for expensive military and naval acquisitions and there are ongoing murmurings of what the optimum equipment fits and platforms should be.

There is an argument that the posture adopted by the West during Cold War by necessity was of a defensive nature, and the period following the collapse of the USSR brought demands for a so-called “peace dividend”. What was not fully appreciated perhaps was how the Armed Forces would have to change to meet the demands of a newly emerging world order. There has been more turbulence in recent years in the world than a quarter century ago. The end of communist rule in Eastern Europe and the Soviet Empire unleashed forces of suppressed nationalism in the Balkans and other unwelcome forms of simmering political discontent in many other parts of the world. In the Asia-Pacific there are ongoing conflicts and disputes in Sri Lanka, between India and Pakistan, the unresolved imbroglio on the Korean

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<sup>13</sup> Isaiah Berlin, *The Crooked Timber of Humanity*, London: John Murray, 1990, p. 19.

Peninsula, tensions across the Taiwan Straits, in Myanmar and at sea evidence of piracy, disputes regarding sovereign access to maritime resources, particularly hydrocarbons in the South China Sea, and troubles in East Timor, the Solomon Islands and a not so pacific Oceania. Add to this the scourge of extreme religious political violence and the ongoing mess in the Middle East, and the need for appropriately configured and equipped Armed Forces becomes that much clearer. Given the changes in so-called "Defence Posture" caused in large part by the end of the Cold War and the objective of reducing conflict in these regions well beyond New Zealand's shores in the new era of turbulence, the Armed Forces are being utilised more in furtherance of strategic security than in the more traditional notion of defence.

### **Developments in New Zealand Defence Policy**

Perhaps the incoming centre-left administration led by Helen Clark in 1999 did not anticipate the more restless world it would have to confront. It nonetheless accepted the broad thrust of Derek Quigley's *Defence Beyond 2000* report which advocated some fundamental changes to structure, equipment and responsibilities of the New Zealand Defence Force. In June 2000 the new administration issued its Defence Policy Framework based on that assessment. It established five key objectives for New Zealand's defence policy. These are:

- a) to defend New Zealand and to protect its people, land, territorial waters, EEZ, natural resources and critical infrastructure;
- b) to meet our alliance commitments to Australia by maintaining a close defence partnership in pursuit of common security interests;
- c) to assist in the maintenance of security in the South Pacific and to provide assistance to our Pacific neighbours;
- d) to play an appropriate role in the maintenance of security in the Asia-Pacific region, including meeting our obligations as a member of the Five Power Defence Arrangement; and
- e) to contribute to global security and peacekeeping through participation in the full range of UN and other appropriate multilateral peace support and humanitarian relief operations.<sup>14</sup>

Nearly a year later the Government announced its intentions to re-shape the New Zealand Defence Force. It appreciated that because of previously reduced investments in Defence, resources were spread too thinly across a range of capabilities thus compromising overall military effectiveness.

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<sup>14</sup> *Defence Policy Framework*, Wellington, June 2000. See <http://www.executive.govt.nz/minister/burton/defence/minister/index.html>.

Nonetheless, the Government indicated that the key components of the New Zealand Defence Force would be:

- a) a joint approach to structure and operational orientation;
- b) a modernised Army;
- c) a practical Navy fleet matched to New Zealand's wider security needs,
- d) a refocused and updated Air Force; and
- e) a funding commitment to provide financial certainty.<sup>15</sup>

This particular policy initiative of a "joint" approach was intended to remove much of the previously destructive tribalism and to enhance cooperation between the three services. The recognition of "a funding commitment to provide financial certainty" was a significant appreciation of the previous handicap affecting the complexities of defence organisation and planning. These two firm policy directions of "jointness and financial certainty" therefore provided opportunities for a more coherent New Zealand "profession of arms" and as a consequence there have been many improvements both operationally and administratively during the past few years.<sup>16</sup>

Political direction is one thing, however, to institute far reaching change in the New Zealand Profession of Arms shaken by the ANZUS rift, ongoing political indifference and a significant reduction in funding required the application of enlightened leadership. Quietly and surely the Secretary of Defence and the Chief of the Defence Force and their respective staff over the past few years have turned the tide. The much needed accumulation of capital in human, economic and intellectual forms and the acquisition of new platforms and modern equipment for the Armed Services of New Zealand has been gathering pace. These reforms have been engineered by such instruments as:

- a) The Long Term Defence Plan (LTDP) in 2002—a planning tool to assist decision-making in respect of defence policy;
- b) The Government commissioned the Review of Accountabilities and Structural Arrangements (RASA) in September 2002 to improve the economic and administrative performance of the whole of the New Zealand Defence organisation—that is military, naval and civilian staff. This was an important measure to improve cooperation not

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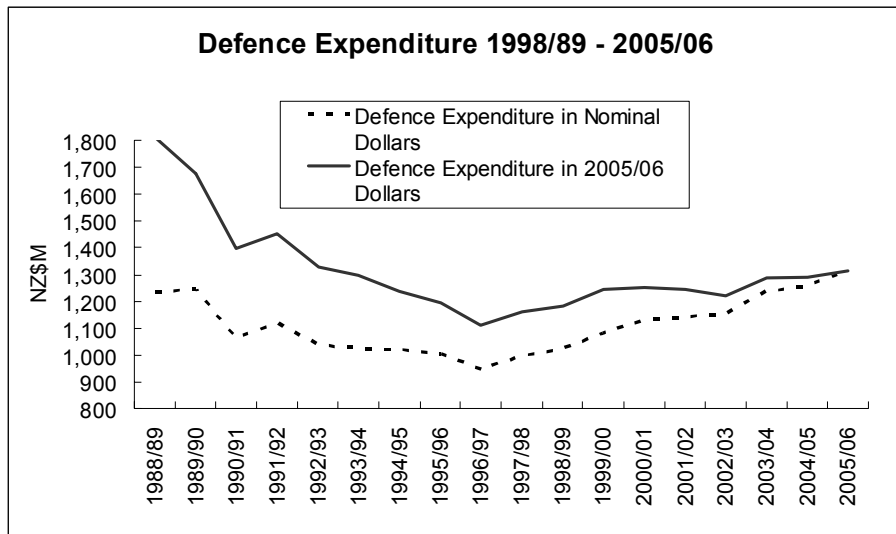
<sup>15</sup> Ibid.

<sup>16</sup> [Editors' Note: These and other points are further discussed in Derek Quigely's article on pp. 41-61 in this edition.]

only between the three armed services but also between civilian and military personnel within and between both the New Zealand Defence Force and the Ministry of Defence.

- c) The Defence Capability and Resourcing Review (DCARR) in 2004. This initiative conducted an exhaustive survey to establish the contemporary operating environment of the New Zealand Defence Force and its likely future requirements.
- d) The Capability Management Framework in 2004 to replace the cumbersome Defence Planning System as part of ongoing performance improvements. The new methodology was designed to improve transparency of the governance and management of long-term investments in Defence.
- e) The Defence Sustainability Initiative (DSI) in 2005 to inject the not inconsiderable sum of NZ\$10.4 billion over a period of ten years.

The graph below indicates the trends in Defence expenditures during the past 18 years, now illustrating an upward trend.



### Re-equipping the New Zealand Armed Services

Shortly after assuming office in 1999, the Clark led administration, appreciating that resources were spread too thinly across a range of capabilities, decided to axe the A4 Skyhawk air combat force. This change of force structure was not necessarily a consequence of any specific public strategic review or White Paper assessment and provoked a hostile reaction

from a number of informed retired military officers, which still rankles in some quarters.<sup>17</sup> However, on the other hand a number of acquisitions include a scheme to acquire one multi-role vessel, two offshore and four inshore patrol vessels, to be operated by the Royal New Zealand Navy. These ships of Project Protector will conduct tasks for and with New Zealand Customs, the Department of Conservation, the Ministry of Agriculture and Forestry, the Ministry of Foreign Affairs and Trade, the Ministry of Fisheries, Maritime New Zealand (formerly the Maritime Safety Authority of New Zealand) and the New Zealand Police Force. This initiative indicates a whole of government approach to security management in the seas around New Zealand and beyond. The inshore patrol vessels will operate around the New Zealand coast throughout the year. The offshore patrol ships, capable of operating naval helicopters, will conduct maritime operations throughout New Zealand's Ocean Estate and the Southern Ocean and assist Pacific Island states to patrol their Economic Exclusion Zones. The multi-role vessel will provide a sealift facility for 250 troops, operate two naval helicopters and have an ability to transfer cargo and personnel ashore when port facilities are not available. It can also be used for disaster relief, especially in the South Pacific islands after cyclones and other natural catastrophes. The Government endorsed a project budget of NZ\$500 million.

The six P-3K Orion aircraft of the Royal New Zealand Air Force are to be provided with substantial communication and navigational upgrades. This includes the replacement of the data management, sensor, communications and navigation systems, and the provision of associated ground systems—with a cost of some NZ\$150-220 million for mission systems upgrade and NZ\$60-100 million for the communications and navigation systems upgrade.

The five C130H Hercules aircraft operated by the Royal New Zealand Air Force are to have a further life extension programme. Although these aircraft are some forty years of age they are somewhat analogous to “granddad’s ladder” and are probably as well configured to New Zealand’s operational environment and contemporary requirements as any modern off-the-shelf replacement. The change entails the replacement of specific mechanical, avionic and structural components, and the design and installation of flight deck communications and navigation improvements to meet evolving air traffic management regulations. The cost is estimated at NZ\$100-170 million, plus a further NZ\$100-150 million for the communications and navigation system upgrade.

The New Zealand Army has been equipped with 105 Light Armoured Vehicles (LAVs) from Canada and recently acquired the first tranche of 188 Pinzgauer Light Operational Vehicles (LOVs) out of a programmed total of 321 to replace the ageing Landrovers. The cost is estimated at NZ\$60-110

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<sup>17</sup> [Editors’ Note: Please see Zhivan Alach’s article on pp. 63-76 in this edition for some further thoughts on possible changes to the New Zealand Defence Force structure.]

million. This includes the vehicles, training, publications, specialist test and tools equipment, spare parts and project management costs.

These major re-equipment plans indicate a serious commitment to ensuring that the New Zealand Defence Force has the hardware to be able to perform the tasks demanded by Government policy.

## Deployments and Operations

During the past six years elements of the New Zealand Armed Services made significant operational deployments in furtherance of the New Zealand Government's policy objectives to East Timor, Iraq, Afghanistan, the Arabian Sea, the Solomon Islands and a number of smaller but important activities in several other theatres supporting United Nations mandated operations. In addition to these operations the New Zealand Armed Services continue to exercise their regional security obligations in respect of the Five Power Defence Arrangement and the Closer Defence Relationship with Australia.<sup>18</sup> Sovereignty patrols by air and sea across the New Zealand Ocean Estate and indeed on behalf of partners in the South Pacific demand the demonstration of hard-edged muscle.

In strategic terms these deployments and operations are hardly of a national defensive nature but rather reveal a commitment by the New Zealand Government to use armed or coercive force to achieve certain policy outcomes, albeit within the strict application of international law. Although numerically small, the New Zealand Armed Services nonetheless assist international efforts in defusing tensions, building confidence, maintaining stability and in general terms trying to uphold the provisions of good international order. These are classical applications of the use of Armed Services rather than of forces defending their own territory against malevolent and overt aggression. If it is indeed the case that the so-called New Zealand Defence Force is being used in furtherance of national and international strategic security interests, it is axiomatic that this instrument of policy should be referred to by its proper name—the Armed Services of New Zealand, not the New Zealand Defence Force. For sure a different title for the Ministry of Defence is rather problematic at the moment, but it is probably not beyond the wit of some bright upcoming policy analyst to devise a more fitting and descriptive title.

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<sup>18</sup> [Editor's Note: Robert Ayson discusses the Australia-New Zealand defence relationship in his article on pp. 25-40 in this edition.]