



**DANISH INSTITUTE FOR INTERNATIONAL STUDIES**  
STRANDGADE 56 • 1401 COPENHAGEN K • DENMARK  
TEL +45 32 69 87 87 • [diis@diis.dk](mailto:diis@diis.dk) • [www.diis.dk](http://www.diis.dk)

**PRIVATISATION OF CONFLICT,  
SECURITY AND WAR**

Bjørn Møller

*DIIS Working Paper no 2005/2*

© Copenhagen 2005

Danish Institute for International Studies, DIIS

Strandgade 56, DK-1401 Copenhagen, Denmark

Ph: +45 32 69 87 87

Fax: +45 32 69 87 00

E-mails: [diis@diis.dk](mailto:diis@diis.dk)

Web: [www.diis.dk](http://www.diis.dk)

Cover Design: Carsten Schiøler

Printed in Denmark by Vesterkopi as

ISBN: 87-7605-061-0

Price: DKK 25.00 (VAT included)

DIIS publications can be downloaded  
free of charge from [www.diis.dk](http://www.diis.dk)

Bjørn Møller, Senior research fellow, DIIS<sup>1</sup>

<sup>1</sup> The author holds an MA in History and a Ph.D. in International Relations, both from the University of Copenhagen. Since 1985, he has been (senior) research fellow, subsequently programme director at the Copenhagen Peace Research Institute (COPRI), which was in 2003 incorporated into the Danish Institute for International Studies (DIIS), where he is attached to the Department of Development Studies. He served as Secretary General of the International Peace Research Association (IPRA) from 1997 to 2000, and has been External Lecturer at the Institute of Political Studies, University of Copenhagen since 1994 and at the Centre of African Studies since 2002. In the academic year 2003/04, he served as Visiting Associate Professor at the research centre on Development and International Relations (DIR) at Aalborg University. In addition to being the author of numerous articles and editor of seven anthologies, he is the author of three books: *Resolving the Security Dilemma in Europe. The German Debate on Non-Offensive Defence* (1991); *Common Security and Nonoffensive Defence. A Neorealist Perspective* (1992); and *Dictionary of Alternative Defence* (1995). He is currently writing a two-volume book on *Civil Wars, Genocides and Interventions. African Conflicts and Conflict Management*.

# Contents

Abstract .....	2
1. The Privatisation Trend.....	3
1.1 The Name of the Game.....	3
1.2 Privatisation of External Relations .....	4
1.3 Privatisation of Diplomacy and Conflict Management.....	7
2. Privatisation of Domestic Security.....	8
3. Commercialisation of War: Rebels, States and Warlords .....	9
4. Privatisation of War.....	12
4.1 Taxonomy: Private Principals and Agents.....	12
4.2 Rebels, Guerrillas and Militias .....	13
4.3 “Corporate Mercs”: Private Military Companies.....	14
4.3.1 From Mercs to PMCs.....	15
4.3.2 Problems and Opportunities .....	17
4.3.3 To Ban or Regulate?.....	22
4.3.4 Recommendations for Regulation .....	23
5. Conclusion: Decline of the State? .....	28
6. Endnotes.....	30

## Abstract

The paper assesses the general trend towards privatisation, in the developed as well as the developing world, where even “high politics” is increasingly performed by, or outsourced to, non-state actors. This is both the case for foreign and security politics, including war, where the use by states (as principals) of agents such as guerrilla movements, militias and private military companies (PMCs) is becoming more frequent. The special case of PMCs is analysed at length, coming out in favour of a combined legalisation and regulation, which is found to open up opportunities for military missions such as humanitarian interventions, not least in Africa, which would otherwise not be undertaken.

# I. The Privatisation Trend

## I.1 THE NAME OF THE GAME

Privatisations seems to be “the name of the game” in the first decade of the 21<sup>st</sup> Century, just as it was in the last one of the 20<sup>th</sup> –and this goes both for the global North and South and for relations between the two.

- In the global North, most of the productive capital has all along been privately owned. More recently, a growing number of those order, infrastructure and welfare functions which were previously believed to be the natural prerogative (or obligation) of the state<sup>1</sup> have been outsourced to private contractors—usually in the name of improving efficiency. Moreover, as only profitable ventures lend themselves to outsourcing and privatisation, the state tends to be left with only such functions as cannot be made profitable, thus supporting the view of the state as, by its very nature, inefficient, thereby promoting further privatisation.
- In the global South, i.e. the developing countries of the Third World, where formerly the economic role of the state was paramount and where huge parastatal companies used to figure prominently in the economy, privatisation has made considerable headway, e.g. in countries such as Ethiopia and Mozambique.<sup>2</sup> It is being promoted (e.g. under the label “austerity”) by organisations (or initiatives) such as NEPAD,<sup>3</sup> and most countries (even some ostensibly Marxist ones) have pledged support to the ideology of privatisation, even if they have yet to implement it in practice.<sup>4</sup>
- In the realm of North-South relations we find is, first of all, the pressure exerted by donor countries, IFIs and international organisations such as the Bretton Woods organisations (e.g. via structural adjustment programmes) on Third World governments to liberalise and privatise their economic systems in conformity with the neo-liberal “Washington consensus”.<sup>5</sup> Secondly, seeking to further participatory democracy the North also promotes civil society organisations, thereby weakening the role of the state.<sup>6</sup> Thirdly, both development aid and emergency relief from North to South is increasingly being channelled via NGOs and/or private companies<sup>7</sup> (*vide infra*).

For good or bad, this general trend of privatisation seems to be an incontestable fact, and likely to continue. What makes much more sense than ideologically-based condemnations is therefore to approach the matter constructively, seeking ways to make the best of privatisation.

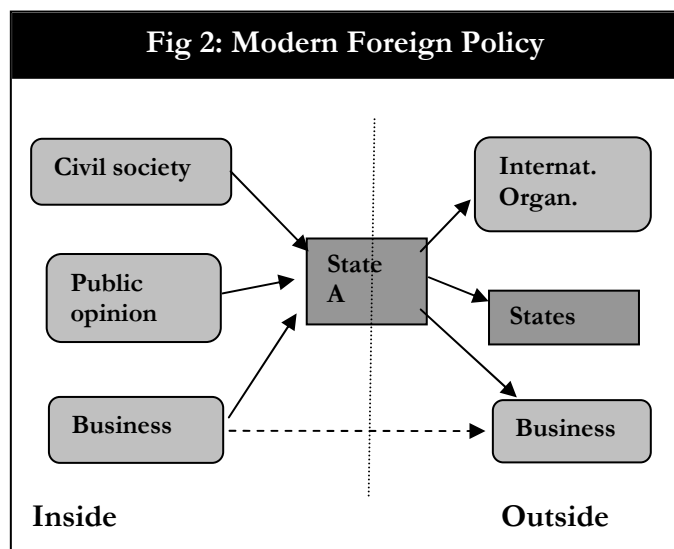
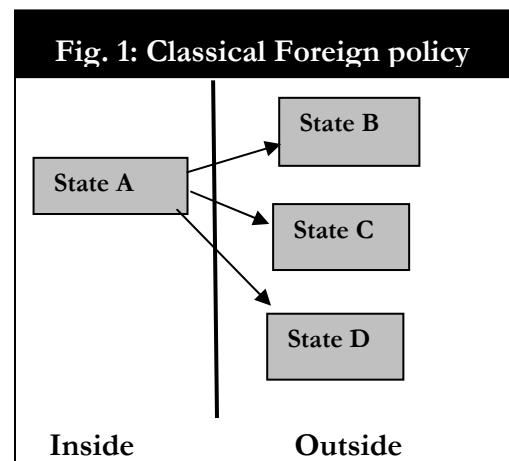
We shall thus trace the privatisation trend from external relations in general, and conflict management efforts in particular, to the domain of security. The latter is subdivided into domestic and external security, but the main focus is placed on the latter, more precisely on the progressive commodification and privatisation of war. Special emphasis is placed on the relatively new phenomenon of private military companies (PMCs), where the pros and cons of banning or regulating are analysed.

## 1.2 PRIVATISATION OF EXTERNAL RELATIONS

Privatisation even seems to extend into what was previously the exclusive domain of the state namely public goods<sup>8</sup> such as internal and external security, i.e. the provision of domestic law and order, the maintenance of external relations and the defence of the state (and, by implication, its citizens) against aggression from abroad.

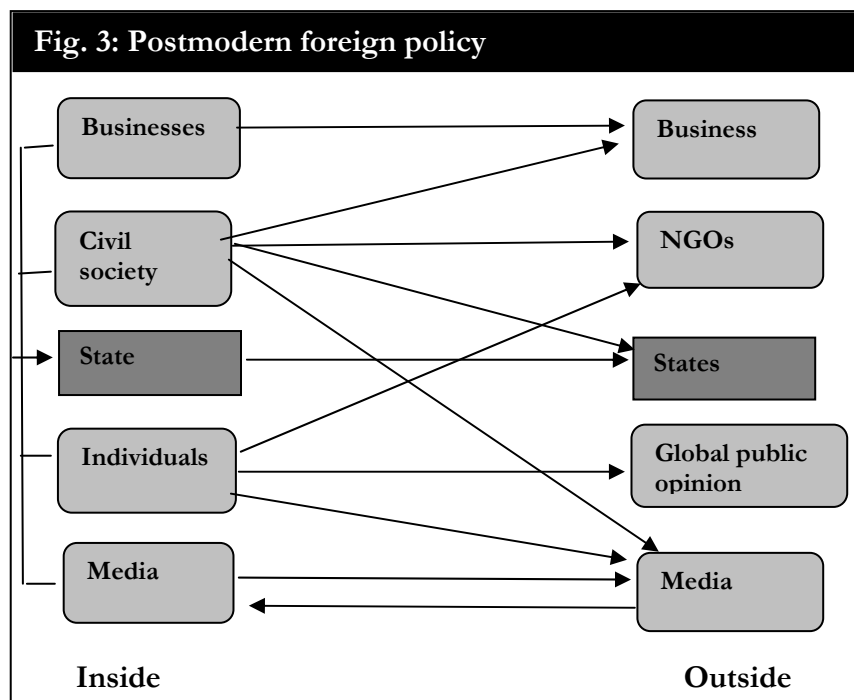
External relations in general seem to be increasingly privatised. Figures 1 and 2 illustrate, from the vantage point of the individual state, the difference between what might be called the “classical” and “modern” paradigms of foreign policy. Under the former, the state, personified by the sovereign ruler or his agents, simply entered into relations with its counterparts in other countries, forging alliances, signing treaties or issuing declarations of war.<sup>9</sup> There were neither any actual involvement of other (private) actors, nor any expectations thereof, and there was a very clear demarcation line between the “inside” (where the state was sovereign) and the “outside” where the state interacted with other sovereign states.<sup>10</sup>

The picture is somewhat more complex in modern foreign policy, where additional actors have made their appearance. “Inside”, the state has to interact with private actors such as businesses and civil society and it has to take the views of private individuals (i.e. public opinion) into



account, if only because the incumbent rulers depend on the consent of the citizens, e.g. in their capacity as voters.<sup>11</sup> “Outside”, actors such as private international business interests (e.g. transnational corporations) have assumed a major role as have international organisations such as the League of Nations and its successor, the United Nations and a wide range of functional and/or regional organisations.<sup>12</sup> The demarcation line between inside and outside has become perforated, as the state no longer enjoys a complete monopoly on external relations, even though it remains the most important link between the inside and the outside. Just think of the role played by private firms, missionary societies and the international anti-slavery movement in the colonisation of Africa in the late 19<sup>th</sup> Century.<sup>13</sup>

Figure 3 illustrates the much more complex picture of what we may, for lack of a better term, label “post-modern foreign policy”.<sup>14</sup> Under the impact **society** of what is usually referred to as “globalisation”,<sup>15</sup> the demarcation line between the inside and outside has become very blurred indeed, as the world is approaching the status of a single space, thus arguably even making the term



“foreign policy” something of a misnomer. A number of new actors have made their appearance, but the most significant change is that they no longer interact with the rest of the world *via* their respective states, but partly establish their own external relations, both with their counterparts in other countries and with other types of actors.<sup>16</sup> The resultant international system is tantamount to a partial privatisation of external relations and has aptly been described as a “cobweb”.<sup>17</sup>

Such a post-modern system features both symmetrical and asymmetrical relations. Among the former, where “like interacts with like”, are the following:

- States, of course, continue to interact with other, but each state is increasingly being influenced by other domestic actors such as the media, public opinion and private business, an influence which it also seeks to counteract, e.g. by influencing public opinion through a media policy.
- Civil society<sup>18</sup> exists both within each state and at an international level, inter alia in the form of international NGOs<sup>19</sup> (INGOs). Even the national NGOs in different countries, however, are able to interact directly with each other,<sup>20</sup> thus forming a network which might be conceived of as an emergent “international civil society”.<sup>21</sup>
- Business, likewise, exist both in individual countries, interacting (e.g. in the form of trade) with private firms in other countries, and as transnational corporations, capable of transferring resources and profits across borders within the corporation.<sup>22</sup>
- The media also increasingly collaborate across border, e.g. via the large multinational news corporations and TV stations such as CNN.<sup>23</sup>
- Finally, if only by virtue of the growth of the tourist industry, individuals interact with each other across borders to an increasing extent, which is further facilitated by such innovations in information technology as the internet and the cellular phone, allowing just about anybody to be in contact with anyone else in “real time” and at an affordable price.

Among the asymmetrical relations one might mention the fact that states, international organisations, NGOs and private firms are increasingly forced to interact with each other, e.g. because business is concerned about the possible impact of NGO activities via the media on their sales (see below on the Kimberley process); because states as well as international organisations and even NGOs to a growing extent outsource parts of their activities; and because actors depend on some degree on public acceptance and goodwill from the general public, both nationally and internationally, hence have to collaborate with NGOs and the media.<sup>24</sup> One manifestation of this emerging “states-IGO-NGO-media-business complex” is the establishment, under the auspices of the UN, of a “Global Compact”.<sup>25</sup> All of the above may amount to a real “retreat of the state”,<sup>26</sup> as argued by Richard Falk:

All states, no matter how militarily potent and economically formidable, have become to a significant degree “quasi-states” while real states, if these persist at all, are a hopelessly endangered species of political animal whose reality is subject to various forms of doubt.<sup>27</sup>

However, it may also be the case that the total amount of required governance has simply grown, inter alia as a consequence of the increasing density of interaction and the growth of “complex interdependence”,<sup>28</sup> and the resultant need for the provision of global public goods.<sup>29</sup> Other



(categories of) actors may simply have relieved the states of some of this growing governance burden by taking over their shares. Even though it has primarily been used about the EU, the term “multilevel governance”<sup>30</sup> may thus be applicable to global governance as well.

### I.3 PRIVATISATION OF DIPLOMACY AND CONFLICT MANAGEMENT

Not only have non-state, i.e. private actors thus intruded into what was formerly the exclusive domain of the state, i.e. diplomacy in general,<sup>31</sup> but they have also ventured into what used to be considered the “hard” and “high-politics” segments thereof, i.e. issues of peace and security. This was already the case of the peace movements during the Cold War,<sup>32</sup> but they tended to collide with the states, rather than interacting with them in any meaningful sense of the term—thus perhaps inadvertently strengthening rather than weakening the state’s role in this domain. For the last decade or so, however, forms of actual collaboration have developed.

Part of the explanation, at least as far as the North is concerned, is that these issues have ceased being high-politics, simply because of the disappearance of serious threats to the security of these countries with the end of the Cold War. Most uses of military force by western countries thus have to do with “saving strangers” through so-called humanitarian intervention,<sup>33</sup> with peace-keeping, or with training activities—e.g. under the auspices of NATO’s PfP programme<sup>34</sup>—none of which have any real impact on national security. Other activities only involve armed forces in subordinate and auxiliary roles, where the main activity is “conflict management”, including prevention and mitigation. This is where we have seen the most substantial involvement of private actors, in several capacities.<sup>35</sup> NGOs have thus been engaged, usually with the (explicit or tacit) consent of the states involved, in the following types of activities.<sup>36</sup>

- Some such as Human Rights Watch, Amnesty International, International Alert, the International Crisis Group and Global Witness are involved in observing and reporting from crisis spots, either about security or human rights issues, mainly addressing their policy recommendations to states and international organisations.<sup>37</sup>
- Organisations such as Red Cross, Oxfam, the International Rescue Committee and *Médicins sans Frontières* (MSF) are involved in the provision and distribution of humanitarian aid in numerous crisis spots around the world, even though they also seek to raise awareness of crisis situations. For instance, MSF also intends to “acts a witness and will speak out, either in private or in public about the plight of populations in danger”. According to critics, however, the aid provided by these organisations may sometimes exacerbate problems, e.g. by prolonging conflicts, but the same would probably have been the case, if states had provided such aid directly.<sup>38</sup>

- Others such as International Alert, Search for Common Ground and the Community of Sant'Egidio have been directly involved in conflict resolution activities such as mediation and reconciliation, both at the national and local levels, sometimes interacting closely with national and local NGOs—but occasionally also unwittingly causing harm, e.g. by bestowing legitimacy on groups which really do not deserve it.<sup>39</sup>

In some cases, NGOs have teamed up with international organisations such as the UN and other actors, including states. This was, for instance, the case of the international campaign to ban anti-personnel landmines.<sup>40</sup> More recently, business has also become involved, not only as a target of criticism but also as a (possibly reluctant but nevertheless basically loyal) partner, as in the global campaign against “blood diamonds”, out of which sprang the so-called “Kimberley Process” for a certification of diamonds in order to sever the supply chains of the RUF in Sierra Leone and UNITA in Angola.<sup>41</sup> Even though states were involved, there is no doubt that the initiative was private.

## 2. Privatisation of Domestic Security

Internal security is increasingly being privatised as private security companies (PSCs) and other non-state agents supplant state agencies as providers of individual security. This phenomenon has been visible in both first and third world countries, albeit perhaps for slightly different reasons. In the first world both companies and private citizens make extensive use of private security guards as well as a wide range of technical means of self-protection provided by private companies, and the more so the richer they are.<sup>42</sup>

In the third world life is all too often just as “solitary, poor, nasty, brutish, and short ...”,<sup>43</sup> as described by Hobbes in his account of society in the state of nature, representing a perpetual *bellum omnium contra omnes*. This permanent “state of war”, according to Hobbes, stemmed from the basic equality of man in terms of abilities as well as of needs, which made every man the natural contender of his fellow human beings for the scarce available resources—hence: *homo homini lupus*. The only escape from the resultant dilemma between “anticipation” (i.e. attack) and extinction was the establishment of the state (the “Leviathan”),<sup>44</sup> endowed with a monopoly, or at least an overwhelming preponderance of power. However, if the Leviathan’s administrative capacities degenerate, including its ability to ensure personal safety of its citizens, it may well find itself on the path towards a “privatisation of security” as has happened to several states, not least in Africa.<sup>45</sup> If the police and other security services are unreliable, citizens and companies tend to resort to self-help, e.g. by soliciting the services of private security companies or by arming

themselves for protection (as we have seen in a country such as South Africa),<sup>46</sup> but thereby only hastening the decline of the State's "monopoly on the legitimate use of force".<sup>47</sup> This tends to gradually produce a vicious circle where violence spurs a proliferation of small arms, in its turn producing more violence, and sometimes forcing citizens to accept the protection provided by organised crime, i.e. joining a protection racket.<sup>48</sup>

However, personal insecurity does not only stem from state weakness or collapse, but occasionally also from an excess of state power. Even though the state was presumably "created" for the sake of its citizens' security, it can also constitute a threat to their security, as was the case of the apartheid state of South Africa<sup>49</sup> and of the Rwandan state during the 1994 genocide.<sup>50</sup>

### 3. Commercialisation of War: Rebels, States and Warlords

Not only are the twin distinctions between, on the one hand, state and private agencies and, on the other hand, internal and international breaking down, but the picture is further blurred by what might be called the "commercialisation of state activities", as when state agents perform what are "naturally" private functions intended to promote private goods. Just as private actors have thus taken over "natural" state functions, the state has also in some cases diverged from its role as the provider of public goods such as order and national defence and ventured into the realm of private actors, thus further blurring the distinctions. This is not merely the case when state posts are abused for private gains by the incumbent holders of these posts.<sup>51</sup> It also pertains to states or state agents such as the armed forces behaving just like private actors, pursuing private rather than public, and economic rather than security, interests.

Some armies function partly as corporate business actors, even beyond the military sphere, with the PLA of China as the most prominent example.<sup>52</sup> Other armies function as warlords, running what might best be labelled "protection rackets" as a means of extracting resources from the local population<sup>53</sup>—or from donors and relief organisations. Finally, some states appear to finance the upkeep of their armies by putting them at the service of other (state or non-state actors). This may, for instance, be the case of some third world countries' contributions to UN peacekeeping operations. Certain third world countries are thus surprisingly active in terms of UN missions and have contributed very large troop contingents to various UN peacekeeping missions, which are totally incommensurate with their overall military capabilities (see Table 1). Even though neither the cosmopolitan spirit of the listed third world countries nor the quality of

their troops are automatically dubious, there is a lingering suspicion that at least some of these troop contributions may also be economically motivated, i.e. that the governments of these states are almost selling the services of their armed forces to the international community.

**Table 1: Country Contributions to UN Operations, April 2004<sup>54</sup>**

1	Pakistan	7,680	11	South Africa	1,460	21	USA	562	31	Sweden	397	41	Finland	228
2	Bangladesh	6,362	12	Ukraine	1,342	22	Portugal	558	32	Togo	385	42	Canada	227
3	Nigeria	3,398	13	Senegal	1,037	23	Argentina	553	33	Australia	366	43	Bolivia	225
4	India	2,930	14	Zambia	933	24	UK	550	34	Niger	364	44	Fiji	211
5	Ghana	2,790	15	China	877	25	Tunisia	510	35	Russia	325	45	Indonesia	205
6	Nepal	2,290	16	Namibia	868	26	France	509	36	Germany	309	46	Gambia	199
7	Uruguay	1,883	17	Morocco	858	27	Slovakia	503	37	Mali	298	47	Turkey	196
8	Kenya	1,826	18	Poland	742	28	Ireland	485	38	Phillipine	289	48	Italy	171
9	Ethiopia	1,822	19	Guinea-Bissau	649	29	Austria	424	39	Malaysia	261	49	Hungary	145
10	Jordan	1,804	20	Benin	576	30	Japan	408	40	Romania	231	50	Egypt	104

In many cases wars are also fought for economic reasons, representing a blend of private and public interests, perhaps even with a preponderance of the former over the latter. This has historically been the case of many international wars, and some authors have argued that such “resource wars” are reappearing.<sup>55</sup> The phenomenon may, however, be even more pronounced in intra-state and to some extent “transnational wars” (i.e. internationalised internal conflicts), where private gains loom larger, as highlighted in several recent studies on “the political economy of civil wars”.<sup>56</sup>

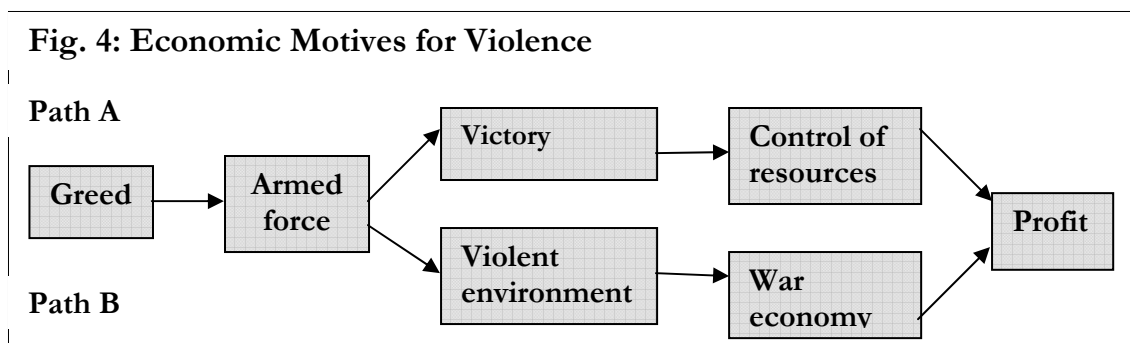
Even though violent conflicts within countries are usually ostensibly fought for other ends, closer analysis has often uncovered a quest for enrichment (“greed”) at the heart of them. This has, for instance, been the case of the civil wars in Angola, Liberia and Sierra Leone, which seem to have been fought mainly for the control of resources such as timber and diamonds.<sup>57</sup> Whereas only the rebels in these cases have fought for these resources as private goods, the claims by the respective states to be fighting for them as public goods should be taken *cum grano salis*, simply because the rampant corruption in these states entailing a *de facto* privatisation of, e.g., the oil wealth of Angola.<sup>58</sup> In other cases, e.g. in the Congo, military commanders have achieved a degree of autonomy and exploited this for private gain to such an extent that the label “warlords” appears appropriate.<sup>59</sup>

Even as far as the leaders and strongmen making the big decisions about war or peace are concerned, a useful distinction can be made between two different sets of economic motives for war. The simplest manifestation of the greed imputed to them is, of course, their quest for the

control of pieces of territory containing oil fields, diamond mines or other extractable resources. In such cases the use of armed force is merely an indirect means to the end of achieving (partial or complete) victory, the spoils of which is control of resources. In other cases, however, the very act of violence becomes almost an end in itself as it provides a favourable climate for all sorts of clandestine economic activities such as smuggling, drug trafficking, etc.—just as it makes the “protection” which armed forces can provide worth paying for, even though the very same armed forces may be the ones causing the violence in the first place. As argued by David Keen,

Conflict can create war economies (...). Under these circumstances, ending civil wars becomes difficult. Winning may not be desirable: the point of war may be precisely the legitimacy which it confers on actions that in peacetime would be punishable as crimes.<sup>60</sup>

The two causal paths from greed to profits via the use of armed force are illustrated in Figure 4. Needless to say, they are not mutually exclusive, as it is entirely possible that leaders strive for victory as in path A whilst at the same time trying to reap profits from the war economy via path B.



Whereas the label “greed” seems suitable for state officials and warlords, the situation for the rank-and-file may be different.<sup>61</sup> For them the struggle is often a matter of sheer survival as they have learned to “live by the gun” for lack of other opportunities, thus engaging in small-scale looting. Many of Africa’s combatants, both those who are on the payrolls of governments and those who have been recruited by the various rebel movements, have few prospects of finding a livelihood in civilian life, as they have no other vocational skills than those of soldiering and usually have been uprooted from their (village or other) communities.

Hence their propensity to “live off the land” by plundering the civilian population, and their unfortunate tendency to seek other armed professions, such as those as security guards, mercenaries or criminals, upon their demobilisation following the signing of a peace—or to

simply go on fighting, say by joining a splinter movement refusing to demobilise, thus perpetuating the war. Hence also the need, now increasingly acknowledged by the international community, of providing assistance for DDR, i.e. disarmament, demobilisation and reintegration.<sup>62</sup>

## 4. Privatisation of War

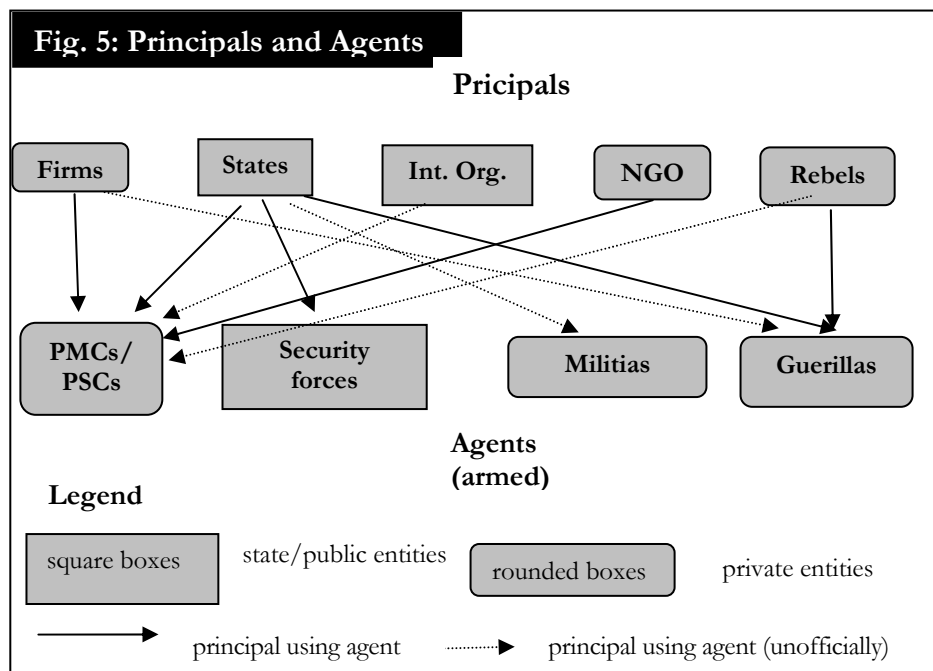
We now come to what is usually labelled privatisation, i.e. the fighting of wars by non-state, i.e. private, actors or agents, where we shall focus especially on PMCs. It does, however, seem appropriate to begin by placing this phenomenon in its proper context.

### 4.1 TAXONOMY: PRIVATE PRINCIPALS AND AGENTS

First of all, it must be acknowledged that intra-state wars almost by definition feature a certain privatisation as, at most, one of the opposing sides can be a state, whereas rebel movements are in-variably private actors. A useful distinction may here be made between principals and agents, both of which may be private or public.

As shown in Table 2 it cannot be taken for granted that the state will always appear in the role as principal, outsourcing parts of its functions to private entrepreneurs. Sometimes the relationship

<b>Principal</b> \ <b>Agent</b>	<b>Public</b>	<b>Private</b>
<b>Public</b>	States using public security forces for law and order	Firms paying public security forces for protection
<b>Private</b>	States using militias or PMCs	Rebel movements using guerillas Firms and rebels using PMCs



is inverted, private companies paying for state services, in addition to which there is of course the private/private corner of the matrix featuring non-state actors enlisting the services of private agents—as also illustrated in Fig. 5.

## 4.2 REBELS, GUERRILLAS AND MILITIAS

In the case of rebel movements and guerrillas, the distinction between principal and agent is usually very blurred. Even though some have been unitary (i.e. the rebel movement *is* the guerrilla force) most have had both a political and a military arm, as with the SPLA/SPLM in South Sudan, the RPF/RPA in Rwanda, the EPLF/EPLA in Eritrea, and the ANC/MK (*Umkonto we Sizwe*) in South Africa.<sup>63</sup> In many cases, however, the military wing have dominated over the political one, at least for the duration of the armed struggle.

There have even been instances of rebel movements acting as principals, soliciting the services of other private actors such as old-fashioned mercenaries and even modern PMCs—as when secessionist polities such as Katanga in the early 1960s and Biafra in the late 1960s both made extensive use of mercenaries,<sup>64</sup> and when UNITA in Angola seems to have done the same—according to some accounts even of the South African PMC Executive Outcomes, which may thus for a short while have been fighting “on both sides of the fence”, as its services were also used by the government.<sup>65</sup>

Even though rebel movements are private, it may nevertheless make sense to distinguish between them according to the degree of their resemblance to states. At one end of the spectrum we have two phenomena which, for all their differences, might both be labelled “would-be states”. First, we have the “armed opposition”, which merely seeks to reform the state or depose the incumbent rulers in order to take over the state, as was the case of the EPRDF in Ethiopia until the fall of the *Derg*.<sup>66</sup> Secondly, we have the secessionist rebel movement enjoying such control over a piece of territory that it behaves almost as a *de facto* state, as did the EPLF in Eritrea until the attainment of *de facto* and *de jure* independence in 1991 and 1993, respectively.<sup>67</sup> At the opposite end of the spectrum we have rebels which mainly seek to weaken the state without really wanting to take over state power, i.e. those benefiting from the aforementioned “war economy”—as has been the case with the various armed factions in Liberia, the RUF in Sierra Leone, the Lord’s Resistance Army in Uganda, and the warlord armies in Somalia, and to some extent UNITA in Angola and the several armed groups in the DRC.<sup>68</sup>

We also find guerrillas in the role as agents for states. In most cases, their state principals are other states seeking to undermine the state where the guerrilla movement is operating, thus

exploiting the rebels or insurgents as “proxies”, as was, for instance, the case of the apartheid regime’s support for UNITA in Angola and Renamo in Mozambique<sup>69</sup> and of Uganda’s support for the SPLA in Sudan and the corresponding (retaliatory) Sudanese support for the LRA in northern Uganda<sup>70</sup>—not to mention the US support for the *Mujahedeen* in Afghanistan and the Contras in Nicaragua.<sup>71</sup>

However, there are also a few instances of governments providing clandestine support for rebels ostensibly fighting against the states themselves, as has been the case of Khartoum’s occasional support for the so-called “SPLA-United” of Riek Machar against the “SPLA-mainstream” under the leadership of John Garang as a means to weaken the latter, even though the former was, by virtue of its demand for secession, ostensibly more radical than the latter which fought merely for autonomy and democracy.<sup>72</sup> More common is the utilisation by governments of militias with ethnic, religious or ideological affinities to the states themselves for tasks which would otherwise have been those of government forces—but having the advantages of (usually) being cheaper than regular troops. As such forces are not formally under government command their use also offers convenient opportunities for activities with “plausible deniability”, say if the forces were to be guilty (as they very often are) of severe human rights violations, ethnic cleansing or even genocide. This was the case of the infamous *Interahamwe* and *Impuzamugambi* militias in Rwanda and of the *Kamajors* in Sierra Leone.<sup>73</sup> The government of Sudan has also on several occasions made use of such Arab militias, e.g. in the Bahr-el-Gazahl province, where Baggarra tribal militias have raided Dinka villages on behalf of the government, but also taking advantage of the situation for private slave raids—and most recently in Darfur, where *Janjaweed* militias have conducted a massive “ethnic cleansing”, causing huge refugee flows into Chad.<sup>74</sup>

#### 4.3 “CORPORATE MERCS”: PRIVATE MILITARY COMPANIES<sup>75</sup>

Mercenaries have been around for centuries and even millennia.<sup>76</sup> One of their sternest critics was Niccolo Machiavelli (1469-1527), an ardent proponent of a people’s militias, who described the mercenary armies of his time in the following terms:

Mercenaries are disunited, thirsty for power, undisciplined and disloyal; they are brave among their friends and cowards before the enemy; they have no fear of God, they do not keep faith with their fellow men; they avoid defeat just so long as they avoid battle; in peacetime they are despoiled by them, and in wartime by the enemy  
(*The Prince*, 1999: 39-40)



[S]urely no one can be called a good man who, in order to support himself, takes up a profession that obliges him at all times to be rapacious, fraudulent, and cruel, as of course must be all of those—no matter what their rank—who make a trade of war.<sup>77</sup>

Most of the African troops recruited by the European states in their “scramble for Africa” by the end of the 19<sup>th</sup> Century were really mercenaries.<sup>78</sup> The colonial powers (both as such and as representatives of the League of Nations in their “mandate territories”), likewise, made occasional use of mercenaries to fight against African liberation movements,<sup>79</sup> just as the CIA allegedly did in their struggle against the liberation movements in Mozambique and (even more so) Angola in the sixties and seventies.<sup>80</sup>

African government have also made use of mercenaries, both from Africa and elsewhere. During the Congo crisis in the early sixties, the Katanga secessionists thus used mercenaries, as did president Mobutu on several subsequent occasions, including the final struggle against the rebel movements of Laurent Kabila and others.<sup>81</sup> The secessionist Nigerian province Biafra did the same in 1967 (allegedly on French initiative),<sup>82</sup> and the apartheid regime of South Africa used them both for the suppression of the local black population, for the struggle against the SWAPO guerrilla of Namibia and for its intervention in Angola in support of UNITA.<sup>83</sup> In the 1990s, the use of mercs has even seemed to increase.<sup>84</sup>

#### 4.3.1 From Mercs to PMCs

As many of the mercenaries who have historically been involved in African conflicts have definitely lived “up” to their bad reputation it may seem surprising that the international interest seems to be growing, both academically and politically, for a constructive use of modern-type (“corporate”) mercenaries, i.e. PMCs, not least as far as Africa is concerned, and even for such venerable missions as UN peacekeeping operations.<sup>85</sup> What modern PMCs have in common with traditional mercenaries is the fact that they are private actors or agents involved in war, and the fact that they do their fighting for money (as do, incidentally, all professional soldiers such as those of the United States and a growing number of European countries).<sup>86</sup>

What distinguishes PMCs from their predecessors is primarily their corporate nature as well as their more diversified activities. First of all, most have the same form as other private businesses with shareholders, holding companies and subsidiaries, executives, etc. Secondly, most of them do not merely engage in combat, but also in a wide range of other military activities such as training and logistics—and many form part of corporations with subsidiaries in non-military sectors. A good example of this structure was the aforementioned (now closed) South Africa-based PMC Executive Outcomes (EO).<sup>87</sup> It was founded in 1989, initially as part of a larger

corporation, SRC (Strategic Resources Corporation, which was later dismantled), and it remained in existence until the end of 1998 when it was closed down after the passing of a more stringent law in South Africa (*vide infra*). Its South Africa-based assets included both firms owned a hundred percent and shares in other companies across a wide spectrum of branches, including video production (Gemini Video Productions), tourism (Livingstone Tourists and The Explorer) and air transport (Ibis Air). In the UK, EO was intimately connected to another PMC, Sandline International, as well as (both directly and via Sandline) to companies in the oil and diamond businesses. Among the customers of EO were both governments and multinational oil companies, whereas EO claims to have refused contracts with rebel movements in Algeria and Sudan.

In Angola EO first became involved in 1992 through a contract with the multinational oil companies Gulf Chevron and Sonangol, who solicited the services of EO to protect their assets—even though other versions of the story have it that EO was hired to re-conquer the installations which had already fallen into the hands of UNITA. The EO further trained Angolan government troops and pilots and, since around 1994, took a direct part in the struggle against UNITA. The size of the deployment is unclear, as the EO has denied that its presence ever exceeded 500 employees. Nevertheless, it is sometimes assessed as having made a significant contribution to forcing UNITA to the negotiation table which produced the Lusaka Protocol in November 1994. The deployment was brought to an end with the government's termination of the contract with EO in January 1996, allegedly responding to US pressure.<sup>88</sup>

In Sierra Leone the Strasser government in March 1995 hired EO to fight the rebel movement RUF (Revolutionary United Front). The initial assignment of the EO troops was to reconquer titanium and bauxite mines which had fallen into the hands of the RUF, and the revenues from which amounted to more than half the export earnings of Sierra Leone. EO was initially merely supposed to provide training and technical support for the government forces, but after the RUF's seizure of important diamond mines its troops also became directly involved in combat. According to EO, the total contingent of EO troops never exceeded 250 personnel. The results are generally assessed as a modest success, as the situation after ten months was sufficiently peaceful to allow for the holding of presidential elections in March 1996. The activities of the EO are also generally seen in a positive light, as EO personnel collaborated satisfactorily with both the government and international emergency relief organisations. A contributory cause to their acceptance among the local population may have been that most of the deployed troops were black. The peace did not last, and in 1996 attempts were uncovered to deploy other (in this case white) mercenaries, apparently on the payroll of the RUF, to seize control of a diamond mine

being guarded by EO, presumably against payment in the form of diamond concessions which were subsequently sold to BE.<sup>89</sup>

Another major PMC is Sandline International, which is owned by a holding company, Adson Holdings, in turn owned by a group of former military officers headed by Michael Grunberg, and quite closely linked to, e.g., Heritage Oil & Gas and Diamondworks. It places (at least officially) great emphasis on having merely legitimate governments and international organisations among its customers. Its main activities to date have been in Papua New Guinea, but it has also been involved in Sierra Leone.<sup>90</sup> Other major PMCs include AirScan, DynCorp, Genric, Global Risk Strategies (GLOBAL), International Charter Incorporated of Oregon (ICI), International Security & Defence Systems (ISDS), ISEC Corporate Security, Olive Security, Pacific Architects & Engineers (PAE), Rapid Expert and Assistance Cooperation Teams (REACT), Meyer & Associates Special Operations Group, Northbridge Services Group and Vinnell.<sup>91</sup>

A special case is Military Professional Resources (MPRI) which is headquartered in the United States and closely linked to the US administration. It was founded in 1987 by retired military officers and its staff includes, most prominently, former chief of staff of the US Army, Gen. Carl E. Vuono. MPRI has more than 350 employees and has stand-by arrangements with more than 2,000 former officers. Its main activities have been in the former Yugoslavia where it has, inter alia, been involved in the training of the Croat and Bosnian (i.e. Croat-Muslim) armies on behalf of the US government.<sup>92</sup> Under the auspices of ACRI (African Crisis Response Initiative), MPRI has also been involved in the training of African armies.<sup>93</sup>

### **4.3.2 Problems and Opportunities**

There thus seem to be both a demand for and a supply of the services which PMCs offer, but there is still considerably controversy over how to evaluate this phenomenon.

The use of PMCs is certainly not unproblematic. On the “macro level” the main problem with PMCs is probably that they operate in conformity with the principles of the market economy, just as all other private companies. Hence, they will only go into action when solvent customers hire them to do so and presupposing that agreement can be reached on the appropriate price, either in cash or occasionally in the form of concessions for natural resources. As a consequence, PMCs will never undertake tasks which nobody is prepared to pay for having undertaken.

However, there may be a wide range of reasons why customers may be willing to pay. In the case of private companies, the motive will undoubtedly be economic gain which may also be the case of states—especially as far as resource-rich “target countries” are concerned. In the case of

resource-poor countries such as Rwanda, Somalia or Mozambique there are hardly any strictly economic reasons why external actors should be willing to pay for a contract with a PMC. Even in such cases, however, there may be other reasons to do so, including humanitarian motives. The entire “global community” was truly embarrassed by the Rwandan genocide in 1994, so it is at least conceivable that they might want to contribute to preventing a repetition (in Rwanda or elsewhere), and the more so the less this would require them to place their own troops “in harm’s way”.

On the “micro level” there are also problems connected with the use of PMCs. Most of these seem to be related to the legal “grey zone” in which PMCs operate. As long as their very use violates international conventions it is obviously difficult to regulate such use. Hence the mercenaries operate in a “legal no-man’s land” with neither rights nor obligations. This may go some way towards explaining the occurrence of rapes, atrocities and the like—even though such things have also been known to happen in connection with the deployment of regular, state-controlled, forces. It must also be acknowledged that the job as a mercenary, to an even larger extent than that of a regular professional soldier, undoubtedly appeals to particular mentalities, which are not ideally suited to all kinds of deployments. A job which promises rather high remuneration and excitement in return for quite high risks, low job security and considerably problems for any family life will probably appeal to persons such as those against whom Macciavelli warned in the quote above.

On the other hand, the use of PMCs may also offer significant opportunities. First of all, there may be tasks which simply will not be performed unless they are privatised, e.g. military missions which are so unattractive and/or dangerous that politicians will be reluctant to use their own citizens for them, especially if they are without any significance for national security.<sup>94</sup> There has obviously been no enthusiasm in the West for sending troops to neither the DRC, Angola or Liberia. It is one thing to have national armies, manned exclusively with citizens performing their duty to defend the nation in exchange for political rights in the same nation,<sup>95</sup> but quite something else to dispatch such forces to missions which have little or nothing at all to do with defending the nation, as is the case with any deployment of European or American forces to Africa.<sup>96</sup> Just as a country like France has for a long time mainly used foreigners for such tasks (in the framework of the Foreign Legion)<sup>97</sup> other states might reach the conclusion that their military deployments have so little to do with national security that they might just as well make their contribution by means of non-citizens. According to the same logic it is far from obvious why such troops should necessarily be those of a state if it is possible to outsource the tasks to private entrepreneurs.

The countries of the North might thus meet their obligations as UN members without sacrificing anything but money which would be used to “dial an army”. One could also imagine the UN itself making use of PMCs, either *ad hoc* or on a more permanent basis. This might be one means to provide the organisation with the permanent (or at least “on call”) military capacity that it was originally envisaged to have at its disposal.<sup>98</sup>

Secondly, the use of PMCs may be more cost-effective than the upkeep of national armies, mainly for peacekeeping and similar non-essential military missions, simply because several countries (and other customers) can draw on the same pool of personnel and only do so when they really require the services provided. Indeed, this might even make the use of PMCs an option worth considering for the countries of the North themselves, who are facing no immediate threats to their national security and who are officially acknowledging that such threats can only appear with a ten years’ respite. If they were to rely on “dial an army” schemes, they could thus safely dispose of their huge standing armies—in conformity with the admonitions of Hamilton and Kant.<sup>99</sup>

As far as Africa is concerned the use of PMCs might help address the problems of undermilitarisation. In general, African armies are quite small and weak, certainly in comparison with their European counterparts, and especially in view of the large territories and long borders they are supposed to defend against neighbours who are often far from confidence-inspiring (see Table 3).

**Table 3: African Force Densities**<sup>100</sup>

Country	Armed Forces (000)				Territory 1000 Km <sup>2</sup>	Land border Km.	Km <sup>2</sup> /Troops		Km / Total Troops
	Reg.	Res.	Param.	Total			Regular	Total	
Angola	108	..	10	118	1,247	5,198	11.6	10.61	0.044
Benin	5	..	3	7	113	1,989	23.5	15.43	0.272
Botswana	9	..	1	10	600	4,013	66.7	60.04	0.401
Burkika Fasu	7	..	5	11	274	3,192	40.3	24.27	0.282
Burundi	40	..	6	46	28	974	0.70	0.61	0.021
Cameroon	13	..	9	22	475	4,591	36.29	21.51	0.208
Cape Verde	1	..	0	1	4	0	3.67	3.36	0.000
Central Af. R.	3	..	2	5	623	5,203	200.96	115.37	0.964
Chad	30	..	5	35	1,284	5,968	42.66	37.11	0.172
Congo (Rep. of)	10	..	5	15	342	5,504	34.20	22.80	0.367
Congo (DRC)	56	..	37	93	2,345	10,744	41.96	25.25	0.116
Côte d'Ivoire	8	12	7	27	322	3,110	38.39	11.77	0.114
Djibouti	8	..	4	13	22	508	2.62	1.75	0.040
Eq. Guinea	1	..	0	2	28	539	21.58	17.53	0.337
Eritrea	200	120	..	320	121	1,630	0.61	0.38	0.005
Ethiopia	353	..	..	353	1,127	5,311	3.20	3.20	0.015
Gabon	5	..	2	7	268	2,551	56.95	39.95	0.381
Gambia	1	..	..	1	11	740	14.13	14.13	0.925
Ghana	7	..	1	8	239	2,093	34.08	29.82	0.262
Guinea	10	..	10	19	246	3,399	25.35	12.74	0.176
Guinea-Bissau	7	..	2	9	36	724	4.95	3.88	0.078
Kenya	22	..	5	27	583	3,446	26.25	21.42	0.127
Lesotho	2	..	..	2	30	909	15.18	15.18	0.455
Liberia	15	..	..	15	111	1,585	7.42	7.42	0.106
Madagascar	21	..	8	29	587	0	27.95	20.60	0.000
Malawi	5	..	1	6	118	2,881	23.70	19.75	0.480
Mali	7	..	8	15	1,240	7,243	167.57	81.58	0.477
Mauritania	16	..	5	21	1,031	5,074	65.65	49.79	0.245
Mauritius	..	..	2	2	2	0	n.a.	1.03	0.000
Mozambique	6	..	..	6	802	4,571	131.41	131.41	0.749
Namibia	9	..	0	9	825	3,824	91.71	90.71	0.420
Niger	5	..	5	11	1,267	5,697	239.06	118.41	0.532
Nigeria	77	..	30	107	924	4,047	12.08	8.67	0.038
Rwanda	70	..	6	76	26	893	0.38	0.35	0.012
Senegal	9	..	6	15	196	2,640	20.87	12.74	0.171
Seychelles	0	..	0	1	0.5	0	2.28	0.91	0.000
Sierra Leone	3	..	1	4	72	958	23.91	18.88	0.252
Somalia	50	..	..	50	638	2,366	12.75	12.75	0.047
South Africa	63	87	8	159	1,220	4,750	19.24	7.67	0.030
Sudan	105	..	15	120	2,506	7,687	23.98	20.97	0.064
Swaziland	..	..	..	0	17	535	n.a.	n.a.	n.a.
Tanzania	34	80	1	115	945	3,402	27.80	8.19	0.029
Togo	7	..	1	8	57	1,647	8.11	7.28	0.211
Uganda	50	..	1	51	236	2,698	4.72	4.66	0.053
Zambia	22	..	1	23	753	5,664	34.84	32.72	0.246
Zimbabwe	40	..	22	62	390	3,066	9.76	6.32	0.050
<b>Total</b>	<b>1,5120</b>	<b>299</b>	<b>233</b>	<b>2,053</b>	<b>24,333</b>	<b>143,564</b>	<b>16.0</b>	<b>0.5</b>	<b>0.070</b>
<b>For comparison</b>									
USA	1,366	1,212	89	2,666	9,629	12,248	7.1	3.6	0.005
Germany	221	364	..	585	357	3,618	1.6	0.6	0.006
France	294	419	95	808	547	2,889	1.9	0.7	0.004
Denmark	22	65	..	87	43	68	2.0	0.5	0.001

Legend: Reg.: Regular armed forces; Res.: Reserves; Param.: Paramilitary forces

The above comparison of military manpower even underestimates the deficiencies in terms of military strength and the wide gap between Africa and the North, as it takes into account neither the quality of the troops nor of their equipment. First of all, military personnel in African armed forces are generally poorly educated and trained in comparison with their northern colleagues; and the armies are often ethnically very mixed, even in such countries where ethnic divisions run deep, making their loyalty to the state somewhat dubious.<sup>101</sup>

Secondly, these deficiencies in terms of manpower are all the more crippling as African states cannot afford the luxury of replacing men with machines, i.e. of making their defence more capital- or weapons-intensive. This is all the more impossible, because they have no indigenous arms production but rely almost exclusively on arms imports. As deficiencies such as these cannot be corrected, if at all, without thereby causing major economic problems and thus setting back economic development,<sup>102</sup> the use of PMCs may be preferable. It may also help reducing the risk of military coups of which Africa has had more than its fair share (see Table 4) by abolishing the standing armies upon which would-be praetorians tend to rely.<sup>103</sup>

**Table 4: Military Coups and other Unconstitutional Political Changes in Africa (-2000)<sup>104</sup>**

Country	Years	Country	Years
<b>Algeria</b>	1965, 1992	<b>Libya</b>	1969
<b>Angola</b>	None	<b>Madagascar</b>	1972
<b>Benin</b>	<i>1963, 1965(a-b), 1967, 1969, 1972</i>	<b>Malawi</b>	None
<b>Botswana</b>	None	<b>Mali</b>	1968, 1991
<b>Burkina Faso</b>	1966, <i>1974</i> , 1980, <i>1982</i> , 1983, 1987	<b>Mauritania</b>	1978, <i>1980</i> , 1984
<b>Burundi</b>	1966a-b, <i>1976</i> , 1987, 1996	<b>Mauritius</b>	None
<b>Cameroon</b>	None	<b>Morocco</b>	None
<b>Cape Verde</b>	None	<b>Mozambique</b>	None
<b>Central Afr. R.</b>	1966, 1979, 1981	<b>Namibia</b>	None
<b>Chad</b>	<i>1975, 1976, 1979, 1982, 1990</i>	<b>Niger</b>	1974, 1996, 1999
<b>Comoros</b>	<i>1975, 1978, 1989, 1995, 1999</i>	<b>Nigeria</b>	1966a-b, <i>1975, 1983, 1985, 1993</i>
<b>DRC/Zaire</b>	1965, 1997	<b>Rwanda</b>	1973, 1994
<b>Rep. of Congo</b>	<i>1963, 1968, 1977, 1979, 1997</i>	<b>Sao Tome/Pt.</b>	<i>1995</i>
<b>Cote d'Ivoire</b>	1999	<b>Sahrawi</b>	n.a.
<b>Djibouti</b>	None	<b>Senegal</b>	None
<b>Egypt</b>	1952, <i>1954</i>	<b>Seychelles</b>	1977
<b>Eq. Guinea</b>	1979	<b>Sierra Leone</b>	1967, <i>1968, 1992, 1996, 1997</i>
<b>Eritrea</b>	None	<b>Somalia</b>	1969, 1991
<b>Ethiopia</b>	1974, 1977, 1991	<b>South Africa</b>	None
<b>Gabon</b>	1964	<b>Sudan</b>	1958, <i>1964, 1969, 1985, 1989</i>
<b>The Gambia</b>	1994	<b>Swaziland</b>	None
<b>Ghana</b>	1966, 1972, <i>1978, 1979, 1981</i>	<b>Tanzania</b>	None
<b>Guinea</b>	1984	<b>Togo</b>	1963, 1967
<b>Guinea-Bissau</b>	1980, 1989, <i>1999</i>	<b>Tunisia</b>	None
<b>Kenya</b>	None	<b>Uganda</b>	1971, <i>1979, 1980, 1985, 1986</i>
<b>Lesotho</b>	1986, 1991, <i>1994</i>	<b>Zambia</b>	None
<b>Liberia</b>	1980, 1990	<b>Zimbabwe</b>	None

**Legend:** **Boldface:** Military deposes civilian government; *Italics:* Contested categorisation as “military coup”; Regular: Other unconstitutional changes, including “intra-military coups”

One might, of course, question whether private entrepreneurs would be able to field the kinds of forces required. First of all, however, according to just about any economic theory, demand generally generates supply via the market, so we should expect that a decision by major western powers to solicit the services of PMCs would lead to a commensurate change in their “product profile”, i.e. an expansion of the number of troops they would be able to “deliver”. Secondly, for most of the likely scenarios, rather modest force contingents could make a big difference if deployed swiftly. For instance, it has been estimated that a force of a mere 5,000 troops (others have mentioned 2,500) could have prevented the 1994 Rwandan genocide with an estimated death toll of at least around a million, mainly civilians.<sup>105</sup> In retrospect one might have wished that Western governments had contracted a PMC for the task of fighting the *genocidaires* of the FAR (*Forces Armées Rwandaises*), the *Interahamwe* and other genocidal militias. Considering the limited numbers and primitive equipment of most of these forces, a PMC could probably easily have recruited the requisite forces to defeat them, and the price of such a limited deployment would surely have been worth paying.

### 4.3.3 To Ban or Regulate?

What stands in the way of options such as those referred to above is primarily the stigma which remains attached to mercenaries. This raises the question whether it might be possible to regulate the use of mercenaries and PMCs to such an extent that they could be accepted as legitimate military instruments.

It is debatable whether the use of PMC ought to be regulated as such regulation will obviously entail a legalisation of PMC as such as well as perhaps an ethical legitimisation of activities and companies which may not deserve it. What speaks against such considerations, however, is the fact that the experience to date does not give grounds to believe that a mere condemnation and proscription makes the phenomenon disappear. From the point of view of consequentialist ethics (as opposed to a deontological one which holds that actions have a positive or negative value, regardless of their effects)<sup>106</sup> it therefore seems appropriate to explore the options of regulation.

International conventions and customary law already provide a certain legal basis for the treatment of mercenaries, largely tantamount to a condemnation without visible effects:

- The UN General Assembly in 1969 passed a resolution (no. 2548) condemning the use of mercenaries, especially directed against their use by colonial powers against liberation movements.
- The UN Security Council in 1977 passed a resolution condemning the use of mercenaries to overthrow the government of any member state.



- The UN General Assembly in 1989 adopted the “International Convention on the Recruitment, Use, Financing and Training of Mercenaries” (GA Res. 44/34, 1989), which was only ratified by a few member states and thus has not entered into force.
- In 1976 the Geneva Convention of 1949 was renegotiated, which resulted in the signing of two additional protocols. Additional Protocol I (art. 47) made clear that mercenaries were *not* allowed the status as combatants or prisoners of war (POW) and further defined who should count as mercenaries—a definition which must be reckoned as authoritative: “A mercenary is any person who: (a) is specially recruited locally or abroad in order to fight in an armed conflict; (b) does, in fact, take a direct part in the hostilities; (c) is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party; (d) is neither a national of a Party to the conflict nor a resident of territory controlled by a Party to the conflict; (e) is not a member of the armed forces of a Party to the conflict; and (f) has not been sent by a State which is not a Party to the conflict on official duty as a member of its armed forces.”<sup>107</sup>
- In 1977 the OAU (as a follow-up to resolutions from 1967 and 1971 and a brief convention from 1972) adopted a “Convention for the Elimination of Mercenarism in Africa” which entered into force in 1985. It obliged signatories to abstain from the use of mercenaries as well as to prohibit their citizens to enrol as such and to make offences “punishable by severest penalties under its laws, including capital punishment” (art. 7).<sup>108</sup>

In addition to such international “legislation”, individual states can of course legislate, either as a means to implement the above regulations or for other reasons. South Africa thus in 1998 passed legislation (the “Regulation of Foreign Military Assistance Act”) which forbade its citizens to let themselves be recruited as, or participate in the recruitment of others as mercenaries, with penalties up to ten years imprisonment or fines of up to one million Rand.<sup>109</sup> While the aforementioned Executive Outcomes initially chose to register in accordance with the law, after a couple of months it decided to close its offices in Pretoria.<sup>110</sup> As an illustration of the problems with national legislation, however, it seems as if its activities have not been terminated, but rather transferred to its previous collaborator, Sandline Inc. in London. The British parliament has also recently explored the options for regulation through national legislation, but apparently without taking any decisions on the matter.<sup>111</sup>

#### 4.3.4 Recommendations for Regulation

As mentioned above the regulation in force has been far from effective in terms of preventing the use of mercenaries or PMC—even though it is, of course, impossible to ascertain with any

certainty how widespread their use would have been in the absence of the above regulation. This raises the question whether regulation could be improved, which can be subdivided into three sets of questions: What kind regulation is desirable, i.e. which obligations and proscriptions should it encompass? Who should adopt and implement this regulation? and Which instruments could be used?

This first question can be further disaggregated. First comes the question which customers should be acceptable, which is more complex than one might expect:

- An obvious and seductively simple, criterion would be “only internationally recognized governments”, but this may be too permissive. Regimes such as that of Milosevic in the former Yugoslavia, Mobutu in Zaïre and Saddam Hussein in Iraq thus enjoyed formal international recognition (which is not the same as respect or sympathy), which remains the case of, e.g., and Colonel Gaddafi’s Libya.
- Alternatively, the list of customers could be limited to a subgroup of recognised states, e.g. defined by their observance of international conventions, including those on human rights. This would, however, raise a number of questions such as whether merely severe and systematic violations should exclude countries, or whether to include also minor violations—and about who should determine whether one or the other is the case.
- It is also possible to argue that such liberation movements should be included as acceptable customers as are fighting against governments which are in violation of the above criteria. This might have applied to, e.g., the ANC in its struggle against the apartheid regime (even though the ANC never expressed any interest in the use of mercenaries), to the rebels of Laurent Kabila seeking the overthrow of the Mobutu regime in Zaïre or perhaps to the SPLM/A in Sudan.
- One could also envision private companies as legitimate customers (as has already happened, e.g. in Angola) if only they could prove that they need protection for legal economic activities or assets.
- Finally, the UN and its affiliates should, of course, belong to the list of legitimate customers, as might regional and sub-regional organisations such as the African Union or the Southern African Development Community (SADC) —or NATO for that matter.

The most practical approach might be to establish a “positive list“ of acceptable customers. The decision to include an entity on the list, or strike it, might be taken by, for instance, the UN Security Council or whichever body it would entrust with the task (e.g. UN Secretariat, the DPKO, the World Bank, or the World Trade Organisation). However, it would be important to

ensure open negotiations based on publicly available documentation, so that NGOs could also have a say on the matter.

Second comes the question which activities should be acknowledged as acceptable. Here as well there are a number of options.

- The most restrictive criterion would be “merely training of (and possibly other support for) local forces”, but this would rule out options which had perhaps better be kept open. For instance, the use of PMC would have been precluded in Rwanda where the local armed forces (FAR and *Interahamwe*) were the main problem.
- To grant PMC full freedom to perform all direct combat tasks (with an implicit “licence to kill”) would, on the other hand, be too permissive, at least as long as mercenaries are neither subjects to humanitarian law (e.g. the Geneva Conventions), nor subject to the rulings of the ICC (International Criminal Court), in charge of genocide, crimes against humanity and war crimes.<sup>112</sup>

Until PMC are granted a status as warring parties similar to that of states some special legislation will thus be called for. However, this might deliberately emulate the legislation pertaining to states, i.e. strive to make the same rules applicable to the employees of PMC as to regular troops, e.g. the right to (something very similar to) the status as a POW in exchange for the same obligations and risks of prosecution in case of violation of the rules. Considering that the aforementioned ICC (as opposed to the International Court of Justice which only has jurisdiction over states) has jurisdiction over individuals, albeit only such as are in the service of states, it would merely require minor amendments of the existing sets of rules. One might even contemplate making the rules pertaining to PMC personnel somewhat more rigid than those for regular armed forces, e.g. in terms of compulsory courses in the Geneva conventions or annual HIV/AIDS tests.

Third comes the question which companies should be acceptable providers of the services. The simplest solution to this problem would probably be a certification scheme, implying that a PMC would require a certification for it to be allowed to cater for the “international community”, consisting of the UN and the signatories to the arrangement (*vide supra*). A *conditio sine qua non* of certification could be an abidance by all the other regulations.

A wide range of actors could play a role in the regulation of PMC.

- Because PMCs are, by their very nature, a international (or at least transnational) phenomenon, the most obvious political entity would be the proverbial “international community”, represented by the UN and its various affiliates—not least the aforementioned ICC. An obvious division of labour would be for the UN General Assembly to “legislate” (through the passing of resolutions), the Security Council and the Secretary General to implement and enforce, and the ICC to adjudicate and interpret.
- Regional actors might also play a role, as the OAU has already done with the conventions mentioned above.
- States would be important “transmission cords” between the international and supranational authorities and their citizens (who might be recruited as mercenaries) and the PMC who are registered on their territory, thereby falling under their jurisdiction.
- “World opinion” would also play a role, represented both by the media (who will, hopefully, be vigilant and critical) and the plethora of NGOs operating in exactly those conflict areas where we could expect PMC to be employed and who would thus be in a good position to report on any breach of the rules.

Some of these entities would appear in the dual role of potential customer and controller which is never unproblematic. It will undoubtedly prove difficult to ensure the smooth collaboration between the various actors, but given the requisite political will it should not be dismissed as impossible.

Depending on which kind of regulation which political authority would want to implement, different instruments would recommend themselves. They can be subdivided into legal and economic instruments, in both cases subdivided into regulations pertaining to the companies and to their employees, i.e. the mercenaries.

As far as the companies are concerned, the first requirement would be that they should actually be subject to legislation, i.e. preventing them from registering in countries with a more liberal legislation, whilst actually operating out of places such as London (as is the case of Sandline, registered in the Bahamas). This demand could be included under the criteria for the certification mentioned above. Other relevant criteria for certification might be the demand for a continuous state control of contracts, accounts, personnel lists and the like, and an obligation to allow on-site inspections of company activities abroad. Even though such inspections would, strictly speaking, fall beyond the jurisdiction of the state in question, the right to conduct them could simply be made an indispensable precondition for certification. A violation of the rules might lead to legal prosecution in the country of legal residence according to its laws as well as to a loss of certification.

As PMCs are driven by profit motives (as all other private enterprises) the most effective instruments of control would probably be the economic ones. Governments hold a tremendous leverage in this respect as they would undoubtedly be the most important customers. While it might be tempting for a PMC to sign contracts with the likes of RUF or UNITA (or the *al-Qaeda* network for that matter) the prospects of losing future contracts with “respectable” states would undoubtedly have a considerable deterrent effect. Moreover, there are many advantages associated with being able to operate legally and from a metropolis such as London, compared with operating in a legal “grey zone” from offices in the Bahamas or in Freetown. A visit to the websites of, for instance, Sandline or the MPRI also clearly shows companies placing a great emphasis on legality, legitimacy and respectability. Even though they may not yet have earned this respectability, their very ambitions in this respect provides the controlling authorities with considerable leverage—and in their endeavour to control PMCs they would surely be able to draw on information from the press, the NGO community and others who will undoubtedly be eager to report any *faux pas*.

Indeed, a number of PMCs which are members of the International Peace Operations Association (IPOA) have recently adopted a “Code of Conduct”, including the following principles:

Members believe that private firms should be required to be more accountable, transparent and candid about their motivations than similar military organizations operated by states (...) In all their operations, signatories will strictly adhere to all relevant international laws and protocols on human rights. They will take every practicable measure to minimize the loss of life and destruction of property. Signatories involved in armed operations will follow the United Nations International Covenant on Civil and Political Rights and the Geneva Conventions in the propagation of that conflict, and will seek a swift, equitable and beneficial conclusion. (...) Signatories support the use of trained, independent, apolitical observers and neutral oversight of all their operations. (...) Signatories pledge to support official investigations into allegations of contractual and human rights violations. Signatories pledge to work only for legitimate, recognized governments, international organizations, and non-governmental organisations. (...) Signatories strongly endorse the establishment of inclusive advisory and coordination councils as soon as practically possible, consisting of key players such as international organizations, NGOs, local leaders, client representatives and government officials, and will treat their recommendations and suggestions with the utmost respect and diligence. (...) Signatories that may become involved in combat situations will have

appropriate “Rules of Engagement” established with their clients before deployment (...) All rules should emphasize appropriate restraint and caution to minimize casualties and damage. (...) Signatories pledge to utilize fully trained and repaired international personnel in all their operations. (...) <sup>113</sup>

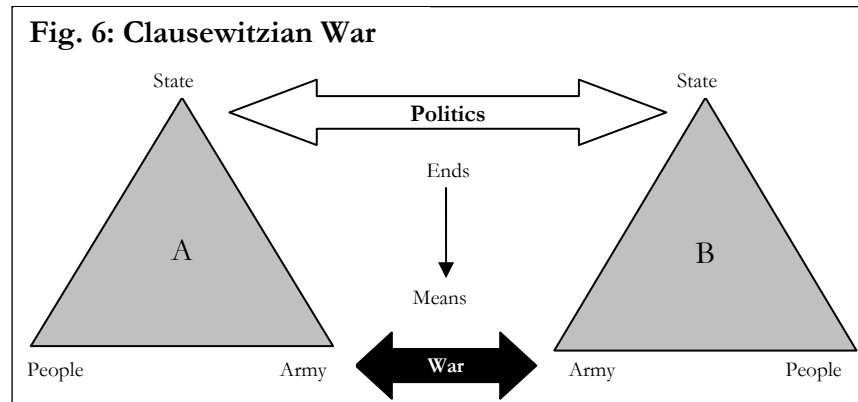
As far as the personnel, i.e. the mercenaries, are concerned there is, first of all, the opportunity to prevent PMC from hiring “undesirable elements”, e.g. by making it a prerequisite for certification that companies employ only personnel with an unblemished legal record. Compulsory records (like old-fashioned “servant’s conduct books”) would allow for a control both of the companies and their employees. They should record all violations of the professional code (or at least all serious breaches thereof), to which one could also reckon the Geneva conventions. A register could thus be kept of which soldiers would be entitled to perform the trade within registered and certified PMC. Another powerful instrument would be state control of seniority and pension rules. As it is today, e.g. in South Africa, members of the regular forces lose their right to return if they enrol with a PMC. In combination with the above records, states could grant their troops the right to return to the ranks without loss of seniority and pension rights, provided that their records are satisfactory.

It would undoubtedly be naïve to expect the measures listed above to be able to remove all the “nastiness” presently characterizing both mercenaries and PMC. However, this seems to be a weak argument against such regulation. The real choice seems to be between a complete “liberalisation of the market” (which would be utterly unacceptable) and a continuing condemnation, which may give some moral satisfaction, but seems to have no verifiable effect. By means of a regulation as the one sketched above, most of the activities of the PMC could probably be made more acceptable and controllable. There would undoubtedly still be firms which would escape control, but hardly more than is presently the case. Undoubtedly there will also be “undesirable elements” who manage to slip through, but probably fewer than today—who are therefore able to commit fewer crimes against humanity or war crimes than they have done so far.

## 5. Conclusion: Decline of the State?

Should PMC and mercenaries gradually come to be viewed, even by the states of the West as legitimate means to their military and security political ends, this would have significant implications for the very relationship between states, peoples and armies.

Since the Peace of Westphalia (1648), and certainly since the Napoleonic wars, the West has come to view this as a harmonious relationship between the three corners of a “trinity”, as Martin Van Creveld described it.<sup>114</sup> Wars are supposed to be waged as “a continuation of politics by other means”, as formulated by



Clausewitz,<sup>115</sup> and to be waged by states, acting on behalf of their respective peoples, against other States. Moreover, they are supposed to be fought against armies by means of armies, which are presumed to be equally representative of the People as the State.

However, while this may remain a fairly accurate description of the situation in the strong and well-established states of the West, this is surely an exception, both historically and geographically. At most, it describes the West after 1648, whereas war was a much messier (but less destructive) business before this juncture. In the rest of the world, “Trinitarian war” has always been a rare exception.<sup>116</sup> States have rarely represented their peoples in any meaningful sense, and they have frequently used their armies for the exact opposite of what is implied by the Trinitarian paradigm, i.e. for oppression or even genocide (as in Rwanda) rather than for national security. More often than not, armies have merely consisted of segments of the population (thus being far from representative of the “People” as such) and very often they have been highly politicised. In many cases states have preferred what were effectively mercenaries (albeit not always referred to as such) to indigenous troops.<sup>117</sup> Quite often, it has not been the State which controlled the army, but the other way around, either directly (as in the case of military rule) or indirectly, with the army defining the borderlines of what is permissible for civilian leaders.

It would certainly be premature to proclaim a universal retreat or “decline of the state” as argued by Martin Van Creveld,<sup>118</sup> and it is surely conceivable that the use of mercenaries and PMC will, in due course, reveal itself as merely a passing stage, i.e. that it will be used as an instrument in state-building, as it was in Europe at a comparable stage of development.<sup>119</sup> On the other hand, it is also conceivable that the whole world is moving “beyond Westphalia” into an era where military force ceases to be the prerogative of the State, and where PMC (duly regulated and controlled by the State) may come to play a legitimate role.

## 6. Endnotes

<sup>1</sup> Besides national defence and justice, Adam Smith thus mentioned as duties of the state “erecting and maintaining those public institutions and those public works, which, though they may be in the highest degree advantageous to a great society, are, however, of such a nature that the profit could never repay the expense to any individual or small number of individuals, and which it therefore cannot be expected that any individual or small number of individuals should erect or maintain.”. See Book 5, Chapter I, Part 3 (“Of the Expense of Public Works and Public Institutions”) in *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776), at [www.adamsmith.org/smith/won-b5-c1-pt-3.htm](http://www.adamsmith.org/smith/won-b5-c1-pt-3.htm).

<sup>2</sup> On Mozambique see Pitcher, M. Anne: *Transforming Mozambique. The Politics of Privatization, 1975-2000* (Cambridge: Cambridge University Press, 2002), *passim*. On Ethiopia see the chapter “Ethiopia—Good Policies, Decent Outcomes”, in Economic Commission for Africa: *Economic Report on Africa 2002: Tracking Performance and Progress* (Addis Ababa: ECA, 2002), pp. 83-107. See also Craig, John: “Evaluating Privatisation in Zambia: A Tale of Two Processes”, *Review of African Political Economy*, vol. 85, no. 27 (September 2000), pp. 357-366; Van De Walle, Nicolas: *African Economies and the Politics of Permanent Crisis, 1979-1999* (Cambridge: Cambridge University Press, 2001), pp. 81-83.

<sup>3</sup> On NEPAD see its website at [www.nepad.org/en.html](http://www.nepad.org/en.html). Para 23 of its *Declaration on Democracy, Political, Economic and Corporate Governance* of 2001 thus reads “... we will foster partnerships between government and the private sector to promote developmental dynamics in which the private sector will be the veritable engine of economic growth, while governments concentrate on the infrastructure development and the creation of an enabling environment.” See also Anon.: “NEPAD: Yet Another Plan, Another Initiative and New Partnership?”, in Bade Onimode & al: *African Development and Governance Strategies in the 21<sup>st</sup> Century. Looking Back to Move Forward. Essays in Honour of Adebayo Adedeji at Seventy* (London: Zed Books, 2004), pp. 233-255; Muchie, Mammo: NEPAD: Can It Succeed without Transforming the Global Economic System?”, in idem (ed.): *The Making of the Africa-Nation. Pan-Africanism and the African Renaissance* (London: Adonis & Abbey Publishers, 2003), pp. 353-375; Herbst, Jeffrey & Greg Mills: “The Future of Africa: A New Order in Sight”, *Adelphi Papers*, vol. 361 (2003), pp. 49-64;

<sup>4</sup> See, for instance, Hodges, Tony: *Angola: Anatomy of an Oil State*. 2<sup>nd</sup> ed. (Oxford: James Currey, 2004), pp. 57-58.

<sup>5</sup> Williamson, John: “What Should the World Bank Think about the Washington Consensus?”, *The World Bank Research Observer*, vol. 18, no. 2 (2000), pp. 251-264; Stiglitz, Joseph: *Globalisation and Its Discontents* (London: Penguin Books, 2002), pp. 54-67; Thodbecke, Erik: “The Evolution of the Development Doctrine and the Role of Foreign Aid, 1950-2000”, in Finn Tarp (ed.): *Foreign Aid and Development. Lessons Learnt and Directions for the Future* (London: Routledge, 2000), pp. 17-47, especially pp. 38-44; Kragh, Mads Váczy, Jørgen Bork Mortensen, Henrik Schaumburg-Müller & Hans Peter Slente: “Foreign Aid and Private Sector Development”, *ibid.*, pp. 312-331; Cotton, Linda & Vijaya Ramachandran: “Governance and the Private Sector in Africa”, in Nicolas Van De Walle, Nicole Ball & Vijaya Ramachandran (eds.): *Beyond Structural Adjustment. The Institutional Context of African Development* (Houndmills, Basingstoke: Palgrave Macmillan, 2003), pp. 213-239; Mkandawire, Thandika & Scharles C. Soludo: *Our Continent, Our Future. African Perspectives on Structural Adjustment* (Ottawa, International Development Research Centre, 1999), pp. 59-60, 106-107; Otopo, Ejeviome Eloho: “Contemporary External Influences on Corporate Governance: Coping with the Challenges in Africa”, in Onimode & al.: *op. cit.* (note 3), pp. 101-121; Cypher, James M. & James L. Dietz: *The Process of Economic Development*, 2<sup>nd</sup> ed. (London: Routledge, 2004), pp. 516-521; Ray, Debraj: *Development Economics* (Princeton, NJ: Princeton University Press, 1998), pp. 701-705; Peet, Richard & Elaine Hartwick: *Theories of Development* (New York: Guilford Press, 1999), pp. 48-57.

<sup>6</sup> See Hearn, Julie: “The ‘Uses and Abuses’ of Civil Society in Africa”, *Review of African Political Economy*, vol. 87, no. 28 (March 2001), pp. 43-53; Zack-Williams, A.B.: “No Democracy, No Development: Reflections on Democracy and Development in Africa”, *ibid.*, vol. 88, no. 28 (June 2001), pp. 213-223. See also Chabal, Patrick & Jean-Pascal Daloz: *Africa Works. Disorder as a Political Instrument* (Oxford: James Currey, 1999), pp. 17-30; Schraeder, Peter J.: *African Politics and Society. A Mosaic in Transformation* (New York: Bedford/St. Martin’s, 2000), pp. 218-239; Thomson, Alex: *An Introduction to African Politics* (London: Routledge, 2000), pp. 231-232; Bratton, Michael & Nicholas van de Walle: *Democratic Experiments in Africa. Regime Transitions in Comparative Perspective* (Cambridge: Cambridge University Press, 1997), pp. 147-151, 253-255; Monga, Célestin: *The Anthropology of Anger. Civil Society and Democracy in Africa* (Boulder, CO: Lynne Rienner, 1996); Harbeson, John W.: “Externally Assisted Democratization: Theoretical Issues and African Realities”, in idem & Donald Rothchild (eds.): *Africa in World Politics. The African State System in Flux*. 3<sup>rd</sup> Edition



- (Boulder, CO: Westview, 2000), pp. 235-259; idem: "Civil Society and Political Renaissance in Africa", in idem, Donald Rothchild & Maomi Chazan (eds.): *Civil Society and the State in Africa* (Boulder, CO: Lynne Rienner, 1994), pp. 1-29; Young, Crawford: "In Search of Civil Society", *ibid.*, pp. 33-50; Bratton, Michael: "Civil Society and Political Transitions in Africa", *ibid.*, pp. 51-81; Azarya, Victor: "Civil Society and Disengagement in Africa", *ibid.*, pp. 83-100.
- <sup>7</sup> Tripp, Aili Mari: "Forging Developmental Synergies between States and Associations", in Van de Walle & al. (eds.): *op. cit.* (note 5), pp. 131-158; Lancaster, Carol: *Aid to Africa: So Much to Do, So Little Done* (Chicago, IL: University of Chicago Press, 1999), pp. 142-143, 129, 165, 177-179, 154-157, 89-90, 104-105; Degnbol-Martinussen, John & Poul Engberg-Pedersen: *Bistand. Udvikling eller afvikling. En analyse af internationalt bistandsamarbejde* (Copenhagen: Mellemfolkeligt Samvirke, 1999), pp. 196-231..
- <sup>8</sup> On public goods see Desai, Maghnad: "Public Goods: A Historical Perspective", in Inge Kaul, Pedro Conceicao, Katell le Goulven & Ronald U. Mendoza (eds.): *Providing Public Goods. Managing Globalization* (Oxford: Oxford University Press, 2003), pp. 63-77.
- <sup>9</sup> A good description such a system (Europe in the post-Napoleonic Europe) is Kissinger, Henry A.: *A World Restored. Metternich, Castlereagh and the Problems of Peace 1812-22* (Cambridge, MA: The Riverside Press, 1957). See also idem: *Diplomacy* (New York: Touchstone, 1994); Watson, Adam: *Diplomacy* (London: Methuen, 1982); Bull, Hedley: *The Anarchical Society. A Study of Order in World Politics*. Second Edition (Houndsmills: Macmillan, 1995), pp. 156-177.
- <sup>10</sup> On the implications of this distinction and an attempted deconstruction of the dichotomy see Walker, R.B.J.: *Inside/Outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1993).
- <sup>11</sup> For an application of this to the European Union see Moravcsik, Andrew: "Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach," in S. Bulmer and A. Scott (eds.) *Economic and Political Integration in Europe: Internal Dynamics and Global Context* (Oxford: Blackwell Publishers, 1994), pp. 29-80. See also Rose, Gideon: "Neoclassical Realism and Theories of Foreign Policy," *World Politics*, vol. 51, no. 1 (October 1998), pp. 144-172.
- <sup>12</sup> Kratochwil, Friedrich & John Gerard Ruggie: "International Organization: The State of the Art", in Paul F. Diehl (ed.): *The Politics of Global Governance. International Organizations in an Interdependent World* (Boulder, CO: Lynne Rienner, 1997), pp. 29-40; Jacobson, Harold K., William M. Reisinger & Todd Mathers: "National Entanglements in International Governmental Organizations", *ibid.*, pp. 57-71; Gallarotti, Giulio M.: "The Limits of International Organization: Systematic Failure in the Management of International Relations", *ibid.*, pp. 375-414; Barnett, Michael & Martha Finnemore: "The Politics, Power and Pathologies of International Organizations," *International Organization*, vol. 53, no. 4 (Autumn 1999), pp. 699-732; Gruber, Lloyd : *Ruling the World: Power Politics and the Rise of Supranational Institutions* (Princeton, NJ: Princeton University Press, 2000).
- <sup>13</sup> Abernethy, David B.: *The Dynamics of Global Governance. European Overseas Empires 1415-1980* (New Haven, NJ: Yale University Press, 2000); Pakenham, Thomas: *The Scramble for Africa* (London: Abacus, 1991).
- <sup>14</sup> On postmodernism see Featherston, Mike: "In Pursuit of the Postmodern: An Introduction", *Theory, Culture & Society*, vol. 5, nos. 2-3 (June 1988), pp. 195-215; Heller, Agnes & Ferenc Fehér: *The Postmodern Political Condition* (Oxford: Polity Press, 1988). An example of the application of postmodernism to international relations is Saurette, Paul: "I Mistrust all Systematizers and Avoid Them?: Nietzsche, Arendt and the Crisis of the Will to Order in International Relations Theory", *Millennium*, vol. 25, no. 1 (Spring 1996), pp. 1-28. See also George, Jim: *Discourses of Global Politics: A Critical (Re)Introduction to International Relations* (Boulder, CO: Lynne Rienner, 1994); Vasquez, John A.: "The Post-positivist Debate: Reconstructing Scientific Enquiry and International Relations Theory after Enlightenment's Fall", in Ken Booth & Steve Smith (eds.): *International Relations Theory Today* (Cambridge: Polity Press, 1995), pp. 217-240.
- <sup>15</sup> A wealth of works have appeared on this fashionable topic in recent years. One might mention, e.g., the following: Bartelson, Jens: "Three Concepts of Globalization," *International Sociology*, vol 15, no. 2 (June 2000), pp. 180-196; Hirst, Paul & Grahame Thompson: "The Future of Globalization", *Cooperation and Conflict*, vol. 37, no. 3 (2002), pp. 247-265; Keohane, Robert O. & Joseph S. Nye Jr.: "Globalization: What's New? What's Not? (And So What?)", *Foreign Policy*, vol. 118 (Spring 2000), pp. 104-119; Scholte, Jaan Art: *Globalisation: A Critical Introduction* (Houndsmills: Macmillan, 1999); Falk, Richard: *Predatory Globalization. A Critique* (Oxford: Polity Press, 1999); Robertson, Roland: *Globalization. Social Theory and Global Culture* (London: Sage, 1992); McGrew, Tony G. & Paul G. Lewis & al.: *Global Politics. Globalization and the Nation State* (Cambridge: Polity Press, 1992); Held, David & Anthony McGrew (eds.): *The Global Transformation Reader: An Introduction to the Globalisation Debate* (Cambridge: Polity Press 2000); Khor, Martin: *Rethinking Globalisation: Critical Issues and Policy Choices* (London: Zed Books, 2001); Hirst, Paul & Grahame Thompson: *Globalisation in Question. The International Economy and the Possibilities of Governance* (Cambridge: Polity Press, 1997); Waters, Malcolm: *Globalisation* (London: Routledge, 1995); Robertson, Roland: *Globalisation. Social Theory and Global Culture* (London: Sage, 1992); Keith, Nelson W.: *Reframing International Development. Globalism, Postmodernity, and Difference* (London: Sage, 1997); Mittelman, James H. (ed.): *Globalization. Critical Reflections* (Boulder, CO: Lynne

Rienner, 1996); Anderson, James, Chris Brook & Allan Cochrane (eds.): *A Global World? Reordering Political Space* (Oxford: Oxford University Press, 1995); Kofman, Eleonore & Gillian Youngs (eds.): *Globalization. Theory and Practice* (London: Pinter, 1996).

<sup>16</sup> See, for instance, Rosenau, James N.: *Along the Domestic-Foreign Frontier. Exploring Governance in a Turbulent World* (Cambridge: Cambridge University Press, 1997).

<sup>17</sup> Burton, John W.: *World Society* (Cambridge: Cambridge University Press, 1972).

<sup>18</sup> Cohen, Jean L. & Andrew Arato: *Civil Society and Political Theory* (Cambridge, MA: MIT Press, 1992); Haynes, Jeff: *Democracy and Civil Society in the Third World. Politics and New Political Movements* (Cambridge: Polity Press, 1997); Hirst, Paul: *From Statism to Pluralism. Democracy, Civil Society and Global Politics* (London: UCL Press, 1997); Schechter, Michael G. (ed.): *The Revival of Civil Society. Global and Comparative Perspectives* (London: Macmillan, 1999).

<sup>19</sup> NGOs have been defined by the UN as “any non-profit, voluntary citizens’ group which is organized on a local, national or international level” ([www.un.org/dpi/ngosection/brochure.htm](http://www.un.org/dpi/ngosection/brochure.htm)).

<sup>20</sup> On transnational social movements see Keck, Margeret E. & Kathryn Sikkink: *Activists beyond Borders. Advocacy Networks in International Politics* (Ithaca, NJ: Cornell University Press, 1998); Smith, Jackie, Charles Chatfield & Ron Pagnucco (eds.): *Transnational Social Movements and Global Politics* (Syracuse, NY: Syracuse University Press, 1997), especially idem, idem & idem: “Social Movements and World Politics: A Theoretical Framework”, pp. 59-80; Ekins, Paul: *A New World Order. Grassroots Movements for Global Change* (London: Routledge, 1992)

<sup>21</sup> See, for instance, Suganami, Hidemi: *The Domestic Analogy and World Order Proposals* (Cambridge: Cambridge University Press, 1989); Linklater, Andrew: *The Transformation of Political Community: Ethical Foundations of the Post-Westphalian Era* (Oxford: Polity Press, 1998); Brown, Chris: “International Political Theory and the Idea of World Community”, in Booth & Smith (eds.): *op. cit.* (note 14), pp. 90-109; Archibugi, Daniele & David Held (eds.): *Cosmopolitan Democracy: an Agenda for a New World Order* (Cambridge: Polity Press, 1995); Falk, Richard: *Explorations at the Edge of Time. The Prospects for World Order* (Philadelphia: Temple University Press, 1992); Camilleri, J.A. & Jim Falk: *The End of Sovereignty? The Politics of a Shrinking and Fragmenting World* (London: Edward Elgar, 1992)

<sup>22</sup> Cypher & Dietz: *op. cit.* (note 5), pp. 403-439; Jenkins, Rhus: “Theoretical Perspectives on the Transnational Corporation”, in C. Roe Goddard, John T. Passé-Smith & John G. Conklin (eds.): *International Political Economy. State-Market Relations in the Changing Global Order* (Boulder, CO: Lynne Rienner, 1996), pp. 439-459; Stopford, Johnm & Susan Strange: “The Way Forward”, *ibid.*, pp. 460-475; Fieldhouse, David: “A New Imperial System? The Role of the Multinational Corporations Reconsidered”, in Jeffrey A. Frieden & David A. Lake (eds.): *International Political Economy. Perspectives on Global Power and Wealth*. 3<sup>rd</sup> ed. (London: Routledge, 1995), pp. 165-178; Caves, Richard E.: “The Multinational Enterprise as an Economic Organization”, *ibid.*, pp. 139-153; Tarzi, Shah M.: “Third World Governments and Multinational Corporations: Dynamics of Host’s Bargaining Power”, *ibid.*, pp. 154-164; Drucker, Peter F.: “Multinationals and Developing Countries: Myths and Realities”, in David Balaam & Michael Veseth: *Readings in International Political Economy* (Englewood Cliffs, NJ: Prentice Hall, 1996), pp. 312-322; Gilpin, Robert: *The Political Economy of International Relations* (Princeton, NJ: Princeton University Press, 1987), pp. 231-262; idem: *Global Political Economy. Understanding the International Economic Order* (Princeton, NJ: Princeton University Press, 2001), pp. 278-304.

<sup>23</sup> Barber, Benjamin R: *Jihad vs. McWorld. Terrorism’s Challenge to Democracy*, 2<sup>nd</sup> edition (New York: Ballantine Books, 2001), pp. 88-117.

<sup>24</sup> On the role of the media in war see, e.g., Kohut, Andrew & Robert C. Toth: “The People, the Press, and the Use of Force”, in The Aspen Strategy Group: *The United States and the Use of Force in the Post-Cold War Era* (Queenstown, ML: Aspen Institute, 1995), pp. 133-169. On the background see Hammond, William M.: *Reporting Vietnam. Media and Military at War* (Lawrence: University Press of Kansas, 1998); Carruthers, Susan L.: *The Media at War. Communications and Conflict in the 20th Century* (New York: St. Martin’s Press, 2000); Mermin, Jonathan: *Debating War and Peace. Media Coverage of U.S. Intervention in the Post-Vietnam Era* (Princeton, NJ: Princeton University Press, 1999); Rotberg, Robert I. & Thomas G. Weiss (eds.): *From Massacres to Genocide. The Media, Public Policy, and Humanitarian Crises* (Washington, DC: The Brookings Institution, 1996); Willey, Barry E.: “The Military-Media Connection: For Better or for Worse”, *Military Review*, vol. 78, no. 6 (Dec. 1998/Jan-Febr. 1999), pp. 14-20; Hammond, Philip & Edward S. Herman (eds.): *Degraded Capability. The Media and the Kosovo Crisis* (London: Pluto Press, 2000); Mertus, Julie A.: *Kosovo. How Myths and Truths Started a War* (Berkeley, CA: University of California Press, 1999); Der Derian, James: *Virtuous War. Mapping the Military-Industrial-Media-Entertainment Network* (Boulder, CO: Westview, 2001); Taylor, Philip M.: *War and the Media. Propaganda and Persuasion in the Gulf War*. 2<sup>nd</sup> edition (Manchester: Manchester University Press, 1998); Parasitil, Andrew T.: “Defeating the Vietnam Syndrome: The Military, the Media, and the Gulf War”, in Tareq Y. Ismael & Jacqueline S. Ismael (eds.): *The Gulf War and the New World Order: International Relations in the Middle East* (Gainesville, FL: University Press of Florida, 1994), pp. 242-262 Manheim, Jarol B.: “The War of Images:

Strategic Communication in the Gulf Conflict”, in Stanley A. Renshon (ed.): *The Political Psychology of the Gulf War: Leaders, Publics, and the Process of Conflict* (Pittsburgh: University of Pittsburgh Press, 1993), pp. 155-171.

<sup>25</sup> [www.unglobalcompact.org/Portal/](http://www.unglobalcompact.org/Portal/).

<sup>26</sup> Strange, Susan: *The Retreat of the State. The Diffusion of Power in the World Economy* (Cambridge: Cambridge University Press, 1996).

<sup>27</sup> Falk: *op. cit.* (note 15), p. 43.

<sup>28</sup> Keohane, Robert O. & Joseph S. Nye: *Power and Interdependence. World Politics in Transition* (Boston, MA: Little Brown, 1977); idem & idem: “Power and Interdependence in the Information Age”, *Foreign Affairs*, vol. 77, no. 5 (Sept-Oct. 1998), pp. 81-94.

<sup>29</sup> Kaul, Inge, Isabelle Grunberg & Marc A. Stein: “Defining Global Public Goods”, in idem, idem & idem (eds.): *Global Public Goods. International Cooperation in the 21<sup>st</sup> Century* (Oxford: Oxford University Press, 1999), pp. 2-19; Desai: *loc. cit.* (note 8).

<sup>30</sup> Marks, Gary, Liesbet Hooghe & Kermit Blank: “European Integration from the 1980s: State-Centric v. Multilevel Governance,” *Journal of Common Market Studies*, vol. 34, no. 3 (September 1996), pp. 341-378.

<sup>31</sup> Hocking, Brian: “Privatizing Diplomacy?”, *International Studies Perspectives*, no. 5 (2004), pp. 147-152.

<sup>32</sup> See, for instance, Carter, April: *Peace Movements. International Protest and World Politics Since 1945* (London: Longman, 1992); Cortright, David: *Peace Works. The Role of the Peace Movements in Ending the Cold War* (Boulder, CO: Westview Press, 1993); Rochon, Thomas: *Mobilizing for Peace. The Antinuclear Movements in Western Europe*. (London: Adamantine Press, 1989); idem & David S. Meyer (eds.): *Coalitions and Political Movements. The Lessons of the Nuclear Freeze* (Boulder, CO: Lynne Rienner, 1997); Wittner, Lawrence S.: *The Struggle Against the Bomb. Vol. 1: “One World or None. A History of the World Nuclear Disarmament Movement Through 1953”* (Stanford: Stanford University Press, 1994); Vol. 2: *Resisting the Bomb: A History of the World Nuclear Disarmament Movement, 1954-1970* (Cambridge: Cambridge University Press, 1997).

<sup>33</sup> Wheeler, Nicholas J.: *Saving Strangers. Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2000). See also Moore, Jonathan (ed.): *Hard Choices. Moral Dilemmas in Humanitarian Intervention* (Lanham: Rowman & Littlefield, 1998); Phillips, Robert L. & Duane L. Cady: *Humanitarian Intervention. Just War Versus Pacifism* (Lanham, Maryland: Rowman & Littlefield, 1996); Roberts, Adam: “Humanitarian War: Military Intervention and Human Rights”, *International Affairs*, vol. 69, no. 3 (July 1993), pp. 429-450.

<sup>34</sup> Borawski, John: “Partnership for Peace and Beyond”, *International Affairs*, vol. 71, no. 2 (April 1995), pp. 233-246; Williams, Nick: “Partnership for Peace: Permanent Fixture or Declining Asset?”, *Survival*, vol. 38, no. 1 (Spring 1996), pp. 98-110; Santis, Hugh De: “Romancing NATO: Partnership for Peace and East European Stability”, *Journal of Strategic Studies*, vol. 17, no. 4 (December 1994), pp. 61-81; Sanz, Timothy: “NATO's Partnership for Peace Program: Published Literature”, *European Security*, vol. 4, no. 4 (Winter 1995), pp. 676-696.

<sup>35</sup> Haufler, Virginia: “International Diplomacy and the Privatization of Conflict Prevention”, *International Studies Perspectives*, no. 5 (2004), pp. 158-163.

<sup>36</sup> Useful overviews are Aal, Pamela, Daniel Miltenberger & Thomas G. Weiss: *Guide to IGOs, NGOs and the Military in Peace and Relief Operations* (Washington, D.C.: United States Institute of Peace Press, 2000); and Mekenkamp, Monique, Paul van Tongeren & Hams van de Veen (eds.): *Searching for Peace in Africa. An Overview of Conflict Prevention and Management Activities* (Utrecht: European Platform for Conflict Prevention and Transformation, 1999), pp.435-516.

<sup>37</sup> Their websites are [www.hrw.org/index.html](http://www.hrw.org/index.html) (Human Rights Watch), [www.amnesty.org/](http://www.amnesty.org/) (Amnesty International), [www.globalwitness.org/](http://www.globalwitness.org/) (Global Witness), [www.international-alert.org/](http://www.international-alert.org/) (International Alert) and [www.crisisweb.org/](http://www.crisisweb.org/) (International Crisis Group). On the role of NGOs in promoting human rights see Korey, William: *NGOs and the Universal Declaration of Human Rights* (New York: St. Martin's Press, 1998); Cheru. Fantu: “New Social Movements: Democratic Struggles and Human Rights in Africa”, in Mittelman (ed.): *op. cit.* (note 15), pp. 145-164.

<sup>38</sup> See the website of MSF at [www.msf.org/about/index.cfm](http://www.msf.org/about/index.cfm). The website of the ICRC is [www.icrc.org/](http://www.icrc.org/), that of the International Rescue Committee is [www.theirc.org/](http://www.theirc.org/); and that of Oxfam is [www.oneworld.org/oxfam/index.html](http://www.oneworld.org/oxfam/index.html). For a critique of the role of NGOs in the “relief business”, see De Waal, Alex: *Famine Crimes. Politics and the Disaster Relief Industry in Africa* (Oxford: James Currey, 1997), pp. 86-105; Cooley, Alexander & James Ron: “The NGO Scramble: Organizational Insecurity and the Political Economy of Transnational Action”, *International Security*, vol. 27, no. 1 (Summer 2002), pp. 5-39; Shearer, David: “Aiding or Abetting? Humanitarian Aid and Its Economic Role in Civil War”, in Mats Berdal & David M. Malone (eds.): *Greed and Grievance. Economic Agendas in Civil Wars* (Boulder, CO: Lynne Rienner, 2000), pp. 189-204; Duffield, Mark: *Global Governance and the New Wars. The Merging of Development and Security* (London: Zed Books, 2001), pp. 202-256; idem: “Aid and Complicity: the Case of War-Displaced

Southerners in the Northern Sudan”, *Journal of Modern African Studies*, vol. 40, no. 1 (2002), pp. 83-104; Keen, David: *The Benefits of Famine. A Political Economy of Famine and Relief in Southwestern Sudan, 1983-1989* (Princeton, NJ: Princeton University Press, 1994).

<sup>39</sup> This may have been the case of International Alert’s mediation efforts in Sierra Leone. See, for instance, Jonah, James O.C.: “The United Nations”, in Adekeye Adebajo & Ismail Rashid (eds.): *West Africa’s Security Challenges. Building Peace in a Troubled Region* (Boulder, CO: Lynne Rienner, 2004), pp. 319-347, especially p. 333; Adebajo, Adekeye: *Building Peace in West Africa. Liberia, Sierra Leone, and Guinea-Bissau* (Boulder, CO: Lynne Rienner, 2002), p. 86. See also entries for 7, 8 and 11 April 1997 in “News Archives” at [www.sierra-leone.org/slnews0497.html](http://www.sierra-leone.org/slnews0497.html); and Sørbo, Gunnar M., Joanna Macrae & Lennart Wohlgemuth: “NGOs in Conflict. An Evaluation of International Alert”, *CMI Report*, R-1997/6 (Bergen: Christian Michelsen Institute, 1997). Search for Common Ground has, e.g. established a radio station (Radio Jambo) in Burundi intended to defuse ethnic hatreds. The present author visited the station in 1999, but it is also described on the organisation’s website at [www.searchforcommonground.org/](http://www.searchforcommonground.org/). See also Eck, Jan Van: “Multitrack Efforts in Burundi”, in Luc Reuchler & Thania Paffenholz (eds.): *Peacebuilding. A Field Guide* (Boulder, CO: Lynne Rienner, 2001), pp. 81-90; Reuchler, Luc: “Field Diplomacy Initiatives in Cameroon and Burundi”, *ibid.*, pp. 90-97; Hara, Fabienne: “Burundi: A Case of Parallel Diplomacy”, in Chester A. Crocker, Fen Osler Hampson & Pamela Aall (eds.): *Herding Cats. Multiparty Mediation in a Complex World* (Washington, DC: United States Institute of Peace Press, 1999), pp. 135-158; Bartoli, Andrea: “Mediating Peace in Mozambique. The Role of the Community of Sant’Egidio”, *ibid.*, pp. 247-273.

<sup>40</sup> Price, Richard: “Reversing the Gun Sights: Transnational Civil Society Targets Land Mines”, *International Organization*, vol. 52, no. 3 (Summer 1998), pp. 613-644; Arms Project & Physicians for Human Rights: *Land-mines. A Deadly Legacy* (New York: Human Rights Watch, 1993); Roberts, Shawn & Jody Williams: *After the Guns Fall Silent. The Enduring Legacy of Landmines* (Washington, D.C.: Vietnam Veterans of America Foundation, 1995); Cilliers, Jakkie: “South Africa and the International Campaign to Ban Anti-Personnel Land-mines”, *African Security Review*, vol. 6, no. 1 (Halfway House: Institute for Security Studies, 1997), pp. 5-15.

<sup>41</sup> On the campaign see the website of the NGO Global Witness at [www.globalwitness.org/campaigns/diamonds/index.html](http://www.globalwitness.org/campaigns/diamonds/index.html) www. On the role of the UN see [un.org/peace/africa/Diamond.html](http://un.org/peace/africa/Diamond.html). See also Campbell, Greg: *Blood Diamonds. Tracing the Deadly Paths of the World’s Most Precious Stones* (Boulder, CO: Westview, 2004), pp. 114-120, 197-200 & *passim*. For a skeptical view see Global Witness: *Broken Vows* (London: Global Witness, 2004), at [www.globalwitness.org/reports/download.php/00126.pdf](http://www.globalwitness.org/reports/download.php/00126.pdf).

<sup>42</sup> See, for instance, Waard, Jaap de: “The Private Security Industry in International Perspective”, *European Journal of Criminal Policy and Research*, vol. 7, no. 2 (1999), pp. 143-174; Johnston, Les: “Private Policing in Context”, *ibid.*, pp. 175-196.

<sup>43</sup> Quote from Hobbes, Thomas: *Leviathan* (Harmondsworth: Penguin Books, 1968), p. 186.

<sup>44</sup> *ibid.*, pp. 183-188, 223-228 & *passim*; idem: “De Corpore Politica”, excerpted in idem: *Body, Man and Citizen*. Selections from Thomas Hobbes (New York: Collier Books, 1962), pp. 277-281.

<sup>45</sup> Mills, Greg & John Stremlau (eds.): *The Privatisation of Security in Africa* (Braamfontein: South African Institute of International Affairs, 1999); Cilliers, Jakkie & Peggy Mason (eds.): *Peace, Profit or Plunder? The Privatisation of Security in War-Torn Societies* (Halfway House: Institute for Security Studies, 1999); Duffield, Mark: “Post-Modern Conflict: Warlords, Post-Adjustment States and Private Protection”, *Civil Wars*, vol. 1, no. 1 (Spring 1998) pp 65-102.

<sup>46</sup> Cock, Jacklyn: “The Cultural and Social Challenge of Demilitarization”, in Gavin Cawthra & Bjørn Møller (eds.): *Defensive Restructuring of the Armed Forces in Southern Africa* (Aldershot: Ashgate, 1997), pp. 117-144; Chetty, Robert (ed.): *Firearm Use and Distribution in South Africa* (Pretoria: National Crime Prevention Centre, 2000); Ellis, Stehen: “The New Frontiers of Crime in South Africa”, in Jean-François Bayart, idem & Béatrice Hibou: *The Criminalization of the State in Africa* (Oxford: James Currey, 1999), pp. 49-68. On the unsatisfactory performance of the police in South Africa see Cawthra, Gavin: *Policing South Africa. The SAP and the Transition from Apartheid* (London: Zed Books, 1993); Shaw, Mark: *Crime and Policing in Post-Apartheid South Africa. Transforming under Fire* (Cape Town: David Philip Publishers, 2002).

<sup>47</sup> Weber, Max: “Politics as Vocation”, in H.H. Gerth & C. Wright Mills (eds.): *From Max Weber: Essays in Sociology* (New York: Galaxy Books, 1958), pp. 77-128, quote from p. 78.

<sup>48</sup> Skaperdas, Stergios: “The Political Economy of Organized Crime: Providing Protection When the State Does Not”, *Economics of Governance*, no. 2 (2001), pp. 173-202.

<sup>49</sup> O’Meara, Dan: *Forty Lost Years. The Apartheid State and the Politics of the National Party, 1948-1994* (Randsburg, SA: Ravan Press, 1996); Cock, Jacklyn & Laurie Nathan (eds.): *War and Society. The Militarisation of South Africa* (Cape Town: David Philip, 1989); Cawthra, Gavin: *Brutal Force. The Apartheid War Machine* (London: International Defence & Aid Fund for Southern Africa, 1986).

- <sup>50</sup> Longman, Timothy: "State, Civil Society, and Genocide in Rwanda", in Richard Joseph (ed.): *State, Conflict and Democracy in Africa* (Boulder, CO: Lynne Rienner, 1999), pp. 339-358. See also Gourevitch, Philip: *We Wish to Inform You that Tomorrow We Will Be Killed with Our Families. Stories from Rwanda* (London: Picador, 2000); Prunier, Gérard: *The Rwanda Crisis. History of a Genocide*. 2<sup>nd</sup> Ed. (Kampala: Fountain Publishers, 1999); Mamdani, Mahmood: *When Victims Become Killers. Colonialism, Nativism, and the Genocide in Rwanda* (Oxford: James Currey, 2001); Khan, Shaharyar M.: *The Shallow Graves of Rwanda* (London: I.B. Tauris, 2000).
- <sup>51</sup> For a critique of African states see Ayittey, George B.N.: *Africa in Chaos* (New York: St. Martin's Press, 1998); or Bayart, Ellis & Hibou: *op. cit.* (note 46); J. P. Olivier de Sardan: "A Moral Economy of Corruption in Africa?", *Journal of Modern African Studies*, vol. 37, no. 1 (1999), pp. 25-52. On the economic and distributional consequences see Gyimah-Brempong, Kwabena: "Corruption, Economic Growth, and Income Inequality in Africa", *Economics of Governance*, no. 3 (2002), pp. 183-209.
- <sup>52</sup> Lin, Chong-Pin: "Limits to Professionalism: The Extramilitary Role of the People's Liberation Army in Modernization", *Security Studies*, vol. 1, no. 4 (Summer 1992), pp. 659-689; Kondapalli, Srikanth: "Civilian Production of the PLA", *Strategic Analysis* (New Delhi: Institute for Defence Studies and Analyses), vol. 19, no. 5 (August 1996), pp. 707-724; Joffe, Ellis: "The PLA and the Chinese Economy: The Effect of Involvement", *Survival*, vol. 37, no. 2 (Summer 1995), pp. 24-43; Karmel, Solomon M.: "The Chinese Military's Hunt for Profits", *Foreign Policy*, no. 107 (Summer 1997), pp. 102-113.
- <sup>53</sup> Skaperdas, Stergios: "The Political Economy of Organized Crime: Providing Protection when the State Does Not", *Economics of Governance*, vol. 2, no. 3 (November 2001), pp. 173-202.
- <sup>54</sup> [www.un.org/Depts/dpko/dpko/contributors/SummaryApril2004.pdf](http://www.un.org/Depts/dpko/dpko/contributors/SummaryApril2004.pdf).
- <sup>55</sup> Klare, Michael: *Resource Wars. The New Landscape of Global Conflict*. 2<sup>nd</sup> ed. (New York: Henry Holt & Co, 2001), Homer-Dixon, Thomas F.: *Environment, Scarcity, and Violence* (Princeton, NJ: Princeton University Press, 1999), *passim*.
- <sup>56</sup> Jean, Francois & Jean-Christophe Rufin (eds.): *Économie des guerres civiles* (Paris: Hachette, 1996); Berdal & Malone (eds.): *op. cit.* (note 38); Jung, Dietrich (ed.): *Shadow Globalization, Ethnic Conflicts and New Wars: A Political Economy of Intra-State War* (London: Routledge, 2003).
- <sup>57</sup> On diamonds see Malaquis, Assis: "Diamonds Are a Guerilla's Best Friend: The Impact of Illicit Wealth on Insurgency Strategy", *Third World Quarterly*, vol. 22, no. 3 (2001), pp. 311-325; On Sierra Leone see Zark-Williams, Alfred B.: "Sierra Leone: The Political Economy of Civil War, 1991-98", *Third World Quarterly*, vol. 20, no. 1 (February 1999), pp. 143-162. On Liberia see Motclos, Marx-Antoine: "Libéria: des prédateurs aux ramasseurs de miettes", in Jean & Rufin (eds.): *op. cit.* (note 56), pp. 269-298; Global Witness: *The Logs of War. The Timber Trade and Armed Conflict* (2002); idem: *Logging Off. How the Liberian Timber Industry Fuels Liberia's Humanitarian Disaster and Threatens Sierra Leone* (2002); idem: *Taylor Made: The Pivotal Role of Liberia's Forests in Regional Conflict* (2001), all from [www.globalwitness.org/](http://www.globalwitness.org/). On Angola see Hodges: *op. cit.* (note 4), *passim*; Cilliers, Jakkie & Christian Dietrich (ed.): *Angola's War Economy. The Role of Oil and Diamonds* (Pretoria: Institute for Security Studies, 2000); Boeck, Filip de: "Gampiero Worlds: Digging, Dying and 'Hunting' for Diamonds in Angola", *Review of African Political Economy*, vol. 28, no. 90 (December 2001), pp. 549-562.
- <sup>58</sup> Hodges: *op. cit.* (note 4); Frynas, Jędrzej George & Geoffrey Wood: "Oil and War in Angola", *Review of African Political Economy*, vol. 28, no. 90 (December 2001), pp. 587-606; Global Witness: *All the President's Men* (London: Global Witness, 2002). On the role of the Dos Santos Foundation see Messiant, Christine: "The Eduardo Dos Santos Foundation, Or: How Angola's Regime Is Taking Over Civil Society", *African Affairs*, no. 100 (2001), pp. 287-309.
- <sup>59</sup> On predators in the DRC see the UN report: *Report of the Panel of Experts on Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo* (S/2001/357). See also Longman, Timothy: "The Complex Reasons for Rwanda's Engagement in Congo", in John F. Clark (ed.): *The African Stakes of the Congo War* (Houndmills: Palgrave Macmillan, 2002), pp. 129-144; John F. Clark: "Museveni's Adventure in the Congo War: Uganda's Vietnam?", *ibid.*, pp. 145-165; Koyane, Mungbalemwe & idem: "The Economic Impact of the Congo War", *ibid.*, pp. 201-224; Rupiya, Martin R.: "A Political and Military Review of Zimbabwe's Involvement in the Second Congo War", *ibid.*, pp. 93-105. See also Moyroud, Celine & John Katunga: "Coltan Exploitation in the Eastern Democratic Republic of Congo", in Jeremy Lind & Kathryn Sturman (eds.): *Scarcity and Surfeit. The Ecology of Africa's Conflicts* (Pretoria: Institute for Security Studies, 2002), pp. 159-186.
- <sup>60</sup> Keen, David: "The Economic Functions of Violence in Civil Wars", *Adelphi Papers*, no. 320 (1998), pp. 11-12; Duffield, Mark: "Globalisation, Transborder Trade, and War Economics", in Berdal & Malone (eds.): *op. cit.* (note 38), pp. 69-89; Collier, Paul: "Doing Well out of War: An Economic Perspective", *ibid.*, pp. 91-111; Reno, William: "Shadow States and the Political Economy of Civil Wars", *ibid.*, pp. 43-68; idem: *Warlord Politics and African States* (Boulder, CO: Lynne Rienner, 1998), *passim*; idem: "The Real (War) Economy of Angola", in Cilliers & Dietrich (eds.):

*op. cit.* (note 57), pp. 219-236; Malaquias, Assis: "Making War and Lots of Money: The Political Economy of Protracted Conflict in Angola", *Review of African Political Economy*, vol. 28, no. 90 (December 2001), pp. 521-536; Cilliers, Jakkie: "Business and War in Angola", *ibid.*, pp. 636-641; Billon, Phillippe Le: "Thriving on War: The Angolan Conflict and Private Business", *ibid.*, pp. 629-635; idem: "Angola's Political Economy of War: The Role of Oil and Diamonds, 1975-2000", *African Affairs*, no. 100 (2001), pp. 55-80.

<sup>61</sup> See Keen, David "Incentives and Disincentives for Violence", in Berdal & Malone (eds.): *op. cit.* (note 38), pp. 19-41.

<sup>62</sup> Ball, Nicole: "Demobilizing and Reintegrating Soldiers: Lessons from Africa", in Krishna Kumar (ed.): *Rebuilding Societies after Civil War. Critical Roles for International Assistance* (Boulder, CO: Lynne Rienner, 1997), pp. 85-106; Kingma, Kees (ed.): *Demobilization in Sub-Saharan Africa. The Development and Security Impacts* (Basingstoke: Macmillan, 2000); Mashike, Lephophoto: "Standing Down or Standing Out? Demobilising or Reintegrating Former Soldiers", *African Security Review*, vol. 9, no.5/6 (Pretoria: Institute for Security Studies, 2000), pp. 64-71; Motumi, Tsepe & Penny Mckenzie: "After the War: Demobilisation in South Africa", in Jacklyn Cock & Penny Mckenzie (eds.): *From Defence to Development. Redirecting Military Resources in South Africa* (Cape Town: David Philip, 1998), pp. 181-207; Williams, Rocky: "Demobilisation and Reintegration in Society: Human Resources Conversion", *ibid.*, pp. 208-221; Porto, João Gomes & Imogen Parsons: "Sustaining the Peace in Angola. An Overview of Current Demobilisation, Disarmament and Reintegration", *IIS Monograph Series*, no. 83 (Pretoria: Institute for Security Studies, 2003). On the special problem of child soldiers see Malan, Mark: "Disarming and Demobilizing Child Soldiers: The Underlying Challenges", *African Security Review*, vol. 9, no.5/6 (2000), pp. 35-49.

<sup>63</sup> Clapham, Christopher (ed.): *African Guerrillas* (Oxford: James Currey, 1998). On the SPLA/SPLM see Johnson, Douglas H.: "The Sudan People's Liberation Army and the Problem of Factionalism", *ibid.*, pp. 53-72; idem: *The Root Causes of Sudan's Civil War* (Oxford: James Currey, 2003). On the RPF/RPA see Prunier, Gérard: "The Rwandan Patriotic Front", in Clapham (ed.): *op. cit.*, pp. 119-133. On the EPLF/EPLA see Pool, David: *From Guerrillas to Government. The Eritrean People's Liberation Front* (Oxford: James Currey, 2001); and Iyob, Ruth: *The Eritrean Struggle for Independence. Domination, Resistance, Nationalism, 1941-1993* (Cambridge: Cambridge University Press, 1995). On the ANC and MK see Landgren-Bäckström, Signe: *Southern Africa. The Escalation of a Conflict. A Politico-Military Study* (New York: Praeger Publishers, 1976), pp. 16-18; Motumi, Tsepe: "Umkhonto We Sizwe—Structure, Training and Force Levels (1984 to 1994)", *African Defence Review. A Working Paper Series*, no. 18 (Halfway House, RSA: Institute for Defence Policy, 1994), pp. 1-11.

<sup>64</sup> On Biafra see Mockler, Anthony: *The New Mercenaries* (London: Corgi Books, 1985), pp. 162-199. On Congo see *ibid.*, pp. 59-161; and the memoirs of one of the most notorious mercs: Hoare, Mike: *Congo Mercenary* (London: Robert Hale, 1967).

<sup>65</sup> Cleary, Sean: "Angola—A Case Study of Private Military Involvement", in Cilliers & Mason (eds.): *op. cit.* (note 45), pp. 141-174, especially pp.149-50, where the author quotes Human Rights Watch as his source. Most other analyses, however, discount these allegations (*vide infra*).

<sup>66</sup> Henze, Paul: "Ethiopia and Eritrea: The Defeat of the Derg and the Establishment of New Governments", in David R. Smock (ed.): *Making War and Waging Peace. Foreign Intervention in Africa* (Washington, DC: United States Institute of Peace Press, 1993), pp. 53-78. On its main component, the TPLF see Young, John: "The Tigray People's Liberation Front", in Clapham (ed.): *op. cit.* (note 63), pp. 36-52; idem: *Peasant Revolution in Ethiopia. The Tigray People's Liberation Front, 1975-1991* (Cambridge: Cambridge University Press, 1997).

<sup>67</sup> See notes 63 and 65 above.

<sup>68</sup> On Liberia see Reno: *op. cit.* (note 60), pp. 80-91; Ellis, Stephen: *The Mask of Anarchy. The Destruction of Liberia and the Religious Dimension of an African Civil War* (London: Hurst & Co., 1999), *passim*; Huband, Mark: *The Liberian Civil War* (London: Frank Cass, 1998), *passim*; International Crisis Group: "Liberia: The Security Challenges", *Africa Reports*, no. 71 (Brussels: ICG, 2003). On Sierra Leone see Hirsch, John L.: *Sierra Leone. Diamonds and the Struggle for Democracy* (Boulder, CO: Lynne Rienner, 2001); Abdullah, Ibrahim: "Bush Path to Destruction: The Origin and Character of the Revolutionary United Front/Sierra Leone", *Journal of Modern African Studies*, vol. 36, no. 2 (1998), pp. 203-235. On the LRA in Uganda see Behrend, Heike: "War in Northern Uganda: The Holy Spirit Movement of Alice Lakwena, Severino Lukoyo and Joseph Kony (1986-1997)", in Clapham (ed.): *op. cit.* (note 63), pp. 107-118; International Crisis Group: "Northern Uganda: Understanding and Solving the Conflict", *Africa Reports*, no. 77 (Brussels: ICG, 2004). On Somalia see Compagnon, Daniel: "Somali Armed Movements", in Clapham (ed.): *op. cit.* (note 63), pp. 73-90; Brons, Maria H.: *Society, Security, Sovereignty and the State in Somalia. From Statelessness to Statelessness?* (Utrecht: International Books, 2001); Adam, Hussein M.: "Somalia: A Terrible Buty Being Born?", in I. William Zartman (ed.): *Collapsed States. The Disintegration and Restoration of Legitimate Authority* (Boulder, CO: Lynne Rienner, 1995), pp. 69-90. On Angola see Hooper, Jom: *Bloodsong! First Hand Accounts of a Modern Private Army in Action. Angola 1993-1995* (London: HarperCollins, 2002); Maier, Karl: *Angola: Promises and Lies* (Rivonia: William Waterman

Publications, 1996); Brittain, Victoria: *Death of Dignity. Angola's Civil War* (London: Pluto Press, 1998). On the DRC see Reed, William Cyrus: "Guerillas in the Midst. The Former Government of Rwanda and the Alliance of Democratic Forces for the Liberation of Congo-Zaire in Eastern Zaire", in Clapham (ed.): *op. cit.*, pp. 134-154; International Crisis Group: *Scramble for the Congo: Anatomy of an Ugly War*, Africa Report, no. 26 (Brussels: ICG, 2000).

<sup>69</sup> Davies, Rob: "The SADF's Covert War against Mozambique", in Cock & Nathan (eds.): *op. cit.* (note 49), pp. 103-115; Minter, William: *Apartheid's Contras. An Inquiry into the Roots of War in Angola and Mozambique* (London: Zed Books, 1994).

<sup>70</sup> In 1999 an agreement was reached between the two countries on termination of this support, making allowance of hot pursuits of rebels across the border. See "Agreement between the Governments of Sudan and Uganda, 8 December, 1999", at [www.usip.org/library/pa/sudan\\_uganda\\_12081999.html](http://www.usip.org/library/pa/sudan_uganda_12081999.html).

<sup>71</sup> On Central America see Kornbluh, Peter: "Nicaragua", in Peter J. Schraeder (ed.): *Intervention into the 1990s. U.S. Foreign Policy in the Third World*. 2<sup>nd</sup> ed. (Boulder, CO: Lynne Rienner, 1992), pp. 285-301. On Afghanistan see Cooley, John K.: *Unholy Wars. Afghanistan, America and International terrorism* (London: Pluto Press, 1999); Kaplan, Robert D.: *Soldiers of Good. With Islamic Warriors in Afghanistan and Pakistan*. 2<sup>nd</sup> ed. (New York: Vintage Departures, 2001).

<sup>72</sup> Johnson: *loc. cit.* (note 63), pp. 64-65; idem: *op. cit.* (note 63), pp. 111-126; Petterson, Donald: *Inside Sudan. Political Islam, Conflict, and Catastrophe* (Boulder, CO: Westview, 1999), p. 99, 126.

<sup>73</sup> On the Interahamwe see the works in note 50 above. On the Kamajohs see Hirsch: *op. cit.* (note 68), pp. 51-54, 117.

<sup>74</sup> Jok, Jok Madut: *War and Slavery in Sudan* (Philadelphia, PA: University of Pennsylvania Press, 2001); Human Rights Watch: "Slavery and Slave Redemption in the Sudan", *Human Rights Watch Backgrounder*, March 2002, at [www.hrw.org/backgrounder/africa/sudanupdate.htm](http://www.hrw.org/backgrounder/africa/sudanupdate.htm); International Crisis Group: *Good, Oil and Country. Changing the Logic of War in Sudan* (ICG African Report, no. 39 (Brussels: ICG, 2002), p. 126; ICG: "Sudan's Other Wars", *Africa Briefing* (Brussels: ICG, June 2003); "Sudan: Darfur Rebellion", *Africa Research Bulletin. Political, Social and Cultural Series*, vol. 40, no. 3 (March 2003), pp. 15243-15244; "Sudan: Darfur War Spreads", *ibid.*, no. 4 (April 2003), pp. 15280-15281; "Sudan: Resolutions and Rebellions", *ibid.*, vol. 41, no. 1 (January 2004), pp. 15615-15617; Human Rights Watch: "Sudan: Massive Atrocities in Darfur", *Human Rights News*, 2 April 2004, at <http://hrw.org/english/docs/2004/04/02/sudan8389.htm>; idem: "Sudan: Darfur in Flames: Atro-cities in Western Sudan", *Human Rights Watch*, vol. 16, no. 5A (April 2004), at <http://hrw.org/reports/2004/sudan0404/sudan0404.pdf>; International Crisis Group: "Darfur Rising: Sudan's New Crisis", *ICG Africa Reports*, no. 76 (Brussels: ICG, March 2004).

<sup>75</sup> This and the following two sections are partly based on the author's "Private militære virksomheder og fredsoperationer i Afrika", *Militært Tidsskrift*, vol. 130, no. 3 (June 2001) (Special issue on Africa II), pp. 175-199

<sup>76</sup> Hale, J.R.: *War and Society in Renaissance Europe 1450-1620* (Phoenix Mill: Sutton Publishing, 1998), pp. 75-99, 127-152; Anderson, M.S.: *War and Society in Europe of the Old Regime 1618-1789* (Phoenix Mill: Sutton Publishing, 1998), pp. 45-63, 111-130; Thomson, Janice E.: *Mercenaries, Pirates and Sovereigns. State-Building and Extraterritorial Violence in Early Modern Europe* (Princeton, NJ: Princeton University Press, 1994).

<sup>77</sup> The first quote from Niccolò Machiavelli: *The Prince* (Harmondsworth: Penguin Classics, 1999), pp. 39-40; the second from idem: *The Art of War* (New York: Da Capo Press, 1965), pp. 14-16.

<sup>78</sup> Vandervort, Bruce: *Wars of Imperial Conquest in Africa, 1830-1914* (London: UCL Press, 1998), pp. 42-45 & *passim*; Davis, Shelby Cullom: *Reservoirs of Men: A History of the Black Troops of French West Africa*. Doktoral thesis, Université de Geneve, 1934 (Chambéry: Imprimeries Réunies, 1934), pp. 16-19.

<sup>79</sup> On the mandate period see Callahan, Michael D.: *Mandates and Empire. The League of Nations and Africa* (Brighton: Sussex Academic Press, 1999), especially pp. 92-98 on the British and pp. 113-117 on the French use of African troops beyond the borders of their respective mandate areas.,

<sup>80</sup> Moorcraft, Paul L.: *African Nemesis. War and Revolution in Southern Africa 1945-2010* (London: Brassey's, 1994), pp. 89. See also Ranelagh, John: *The Agency. The Rise and Decline of the CIA* (New York: Touchstone, 1986), pp. 608-609; Woodward, Bob: *Veil: The Secret Wars of the CIA 1981-1987* (New York: Simon & Schuster, 1987), pp. 426; Schraeder, Peter J.: "Paramilitary Intervention", in idem (ed.) *op. cit.* (note 71), pp. 131-151.

<sup>81</sup> See note 64 above. See also Logan, David: *The Bloody Congo* (Downsview, Canada: Unit Nine Publishing, 1978); Isenberg, David: "Soldiers of Fortune Ltd.: A Profile of Today's Private Sector Corporate Mercenary Firms", *Center for Defense Information Monograph*, November 1997 at [www.cdi.org/issues/mercenaries/report.html](http://www.cdi.org/issues/mercenaries/report.html); Reno: *op.cit.* (note 60), pp. 147-181; Pech, Khareen: "The Hand of War: Mercenaries in the Former Zaire 1996-1997", in Abdel-Fatau Musah & J. 'Kayode Fayemi (eds.): *Mercenaries. An African Security Dilemma* (London: Pluto Press, 2000), pp.117-154.

<sup>82</sup> See note 64 above.

<sup>83</sup> Cawthra: *op. cit.* (note 49), pp. 76-80.

<sup>84</sup> See the overview in Appendix I: “Mercenaries: Africa’s Experience 1950-1990”, in Musah & Fayemi (eds.): *op. cit.* (note 81), pp.265-274; and O’Brien, Kevin A.: “Private Military Companies and African Security 1990-1998”, *ibid.*, pp. 43-75.

<sup>85</sup> Recent works include the following: Cilliers & Mason (eds.): *op. cit.* (note 45); Mills & Stremlau (eds.): *op. cit.* (note 45); Reno: *op. cit.* (note 60); Musah & Fayemi (eds.): *op. cit.* (note 81); Ripley, Tim: *Mercenaries. Soldiers of Fortune* (Avonmouth: Paragon, 1997); Isenberg: *op. cit.* (note 81); Shearer, David: “Private Armies and Military Intervention”, *Adelphi Papers*, no. 316 (1998); Mandel, Robert: *Armies without States. The Privatization of Security* (Boulder, CO: Lynne Rienner, 2002); Singer, Peter W.: “Corporate Warriors. The Rise of the Privatized Military Industry and Its Ramifications for International Security”, *International Security*, vol. 26, no. 3 (Winter 2001/02), pp. 186-220; idem: *Corporate Warriors. The Rise of the Privatized Military Industry* (Ithaca, NY: Cornell University Press, 2003); Silverstein, Ken: *Private Warriors* (London: Verso, 2000); Arnold, Guy: *Mercenaries. The Scourge of the Third World* (London: Macmillan, 1999); Adams, Thomas K. “The New Mercenaries and the Privatization of Conflict”, *Parameters, US Army War College Quarterly*, vol. 24, no. 2 (Summer 1999), pp. 103-16; Smith, Eugene B.: “The New Condottieri and US Policy: The Privatization of Conflict and Its Implications”, *ibid.*, vol. 32, no. 4 (Winter 2002-03), pp. 104-119; Sheppard, Simon: “Foot Soldiers and the New World Order: The Rise of the Corporate Military”, *New Left Review*, no. 228 (March-April 1998), pp. 128-138; Brooks, Doug: “Messiahs or Mercenaries? The Future of International Private Military Services”, *International Peacekeeping*, vol. 7, no. 1 (Winter 2000), pp. 129-144; Sperin, Christopher: “Private Security Companies: A Corporate Solution to Securing Humanitarian Spaces”, *ibid.*, vol. 8, no. 1 (Spring 2001), pp. 20-43; Shearer, David: “Private Military Force and Challenges for the Future”, *Cambridge Review of International Affairs*, vol. 13, no. 1 (Winter 1999), pp. 80-94; Coker, Christopher: “Outsourcing War”, *ibid.*, pp. 95-113; Edmonds, Martin: “Defence Privatisation. From State Enterprise to Commercialism”, *ibid.*, pp. 114-129; Brauer, Jürgen: “An Economic Perspective on Mercenaries, Military Companies, and the Privatisation of Force”, pp. 130-146; Friedland, Eric & Adrian Kendry: “The Privatisation of Military Force: Economic Virtues, Vice and Government Responsibility”, *ibid.*, pp. 147-164; Lilly, Damian: *The Privatization of Security and Peacebuilding. A Framework for Action* (London: International Alert, 2000); Bayani, Chaloka & Damian Lilly: *Regulating Private Military Companies. Options for the UK Government* (London: International Alert, 2001); Gaultier, Leonard, Garine Hovsepian, Ayesha Ramachandran, Ian Ewadley & Badr Zerhdoud: *The Mercenary Issue at the UN Commission on Human Rights* (London: International Alert, 2001).

<sup>86</sup> Dertouzos, James N. & Joseph E. Nation: “Manpower Policies in the U.S. and NATO”, in Trevor N. Dupuy (ed.): *International Military and Defense Encyclopedia* (Washington, DC: Brasseys (US), 1993), vol. 4, pp. 1630-1640; Haltiner, Karl W.: “The Definite End of the Mass Army in Western Europe”, *Armed Forces and Society*, vol. 25, no. 1 (Fall 1998), pp. 7-36.

<sup>87</sup> Pech, Khareen: “Executive Outcomes—A Corporate Conquest”, in Cilliers & Mason (eds.): *op.cit.* (note 45), pp. 81-110; Howe, Herbert M.: “Private Security Forces and African Stability the Case of Executive Outcomes”, *Journal of Modern African Studies*, vol. 36, no. 2 (1998), pp. 307-331; Shearer: *op. cit.* (note 85), pp. 39-55; Harding, Jeremy: “The Mercenary Business: Executive Outcomes”, *Review of African Political Economy*, vol. 24, no. 71 (1997), pp. 87-97; Peleman, Johan: “Mining for Serious Trouble: Jean-Raymond Boule and His Corporate Empire Project”, in Musah & Fayemi (ed.): *op.cit.* (note 81), pp. 155-168; Pech, Khareen: “The Hands of War: Mercenaries in the Former Zaïre”, *ibid.*, pp. 117-154; Vines, Alex: “Mercenaries and the Privatisation of Security in Africa in the 1990s”, in Mills & Stremlau (eds.): *op.cit.* (note 45), pp. 47-80..

<sup>88</sup> Isenberg: *op.cit.* (note 81); Rogers: *op. cit.* (note #), pp. 67-93; Shearer: *op.cit.* (note 85), pp. 46-48, Cleary, Sean: “Angola—A Case Study of Private Military Involvement”, in Cilliers & Mason (ed.): *op. cit* (note 45), pp. 141-174.; Reno: *op.cit.* (note 60), pp. 61-67.

<sup>89</sup> Isenberg: *op.cit.* (note 81); Shearer: *op.cit.* (note 85), pp. 49-53; Reno: *op.cit.* (note 60), pp. 113-146; Campbell: *op. cit.* (note 41), pp. 75-78, 82-84, 207; Hirsch: *op. cit.* (note 68), pp. 37-50, Berger, Daniel: *Soldiers of Light* (London: Allen Lane, 2004), 117-131; Douglas, Ian: “Fighting for Diamonds—Private Military Companies in Sierra Leone”, in Cilliers & Mason (eds.): *op. cit.* (note 45), pp. 175-200; Spicer, Tim: *An Unorthodox Soldier. Peace and War and the Sandline Affair* (Edinburg: Mainstream Publishing, 1999), pp. 189-202; Malan, Mark, Phenyo Rakate & Angela McIntyre: “Peacekeeping in Sierra Leone. UNAMSIL Hits the Home Straight”, *ISS Monograph Series*, no. 68 (Pretoria: ISS, 2002), pp. 17-19; Ero, Comfort: “Sierra Leone’s Security Complex”, *Working Papers*, no. 3 (London: Centre for Defence Studies, Conflict, Security and Development Group, 2000), pp. 21-24; Richards, Paul: *Fighting for the Rain Forest. War, Youth and Resources in Sierra Leone*. 2<sup>nd</sup> ed. (Oxford: James Currey, 1998), pp. 17, 50, 155. See also Abdullah, Ibrahim & Patrick Muana: “The Revolutionary United Front of Sierra Leone. A Revolt of the Lumpenproletariat”, in Clapham (ed.): *op. cit.* (note 63), pp. 172-193. On the conflict see Zark-Williams: *loc. cit.* (note 57).



- <sup>90</sup> Isenberg: *op.cit.*. (note 81). See also Sandline's own website: [www.sandline.com](http://www.sandline.com); and the memoirs of former Sandline director, Tim Spicer: *An Unorthodox Soldier. Peace and War and the Sandline Affair* (Edinburg: Mainstream Publishing, 1999), pp. 189-202.
- <sup>91</sup> See their company websites at [www.airscan.com](http://www.airscan.com), [www.dyncorp.com](http://www.dyncorp.com), [www.genric.co.uk](http://www.genric.co.uk), [www.globalrsl.com](http://www.globalrsl.com), [www.icioregon.com](http://www.icioregon.com), [www.isds.co.il](http://www.isds.co.il), [www.privatemilitarycompany.com](http://www.privatemilitarycompany.com), [www.olive-security.com](http://www.olive-security.com), [www.pae-react.com](http://www.pae-react.com), [www.paechl.com](http://www.paechl.com), [www.meyerglobalforce.com](http://www.meyerglobalforce.com), [www.northbridgeservices.com](http://www.northbridgeservices.com) and [www.vinnell.com](http://www.vinnell.com).
- <sup>92</sup> Cohen, Lenard J.: *Broken Bonds. Yugoslavia's Disintegration and Balkan Politics in Transition*. 2<sup>nd</sup> ed. (Boulder, CO: Westview Press, 1995), pp. 320-321; Burg, Steven L. & Paul S. Shoup: *The War in Bosnia-Herzegovina. Ethnic Conflict and International Intervention* (Armonk, NY: M.E. Sharpe, 1999), pp. 338-340, 378-38; Johnstone, Diana: *Fool's Crusade. Yugoslavia, NATO and Western Delusions* (London: Pluto Press, 2000) p. 273.
- <sup>93</sup> Isenberg: *op.cit.*. (note 81); Shearer: *op.cit.*. (note 85), pp. 56-63. For the MPRI's own version, see their homepage: [www.mpri.com](http://www.mpri.com). On ACRI see <http://usinfo.state.gov/regional/af/acri/> and [www.eucom.mil/programs/acri](http://www.eucom.mil/programs/acri). See also Howe, Herbert M.: *Ambiguous Order. Military Forces in African States* (Boulder, CO: Lynne Rienner, 2001), pp. 243-268.
- <sup>94</sup> On US "casualty-scaredness", see Luttwak, Edward N.: "A Post-Heroic Military Policy", *Foreign Affairs*, vol. 75, no. 4 (July-August 1996), pp. 33-44; Gentry, John A.: "Military Force in an Age of National Cowardice", *The Washington Quarterly*, vol. 21, no. 4 (Autumn 1998), pp. 179-191.
- <sup>95</sup> Posen, Barry R.: "Nationalism, the Mass Army, and Military Power", *International Security*, vol. 18, no. 2 (Autumn 1993), pp. 80-124; Janowitz, Morris: "Military Institutions and Citizenship in Western Societies", *Armed Forces and Society*, vol. 2, no. 2 (February 1976), pp. 185-204; Grazia, Sebastian de: "Political Equality and Military Participation", *ibid.*, vol. 7, no. 2 (Winter 1981), pp. 181-186; Giller, Joachim: *Demokratie und Wehrpflicht* (Wien: Landesverteidigungsakademie, 1992).
- <sup>96</sup> Thomas, Scott: "Africa and the End of the Cold War: an Overview of Impacts", in Sola Akinrinade & Amadu Sesay (eds.): *Africa in the Post-Cold War International System* (London: Pinter, 1998), pp. 5-27; Wright, Stephen: "Africa and Global Society: Marginality, Conditionality and Conjuncture", *ibid.*, pp. 133-146.
- <sup>97</sup> On the historical background see Aldrich, Robert: *Greater France. A History of French Overseas Expansion* (New York: St. Martin's Press, 1996), pp. 133-134. On the use of the Legion in modern times see Chuter, David: *Humanity's Soldier. France and International Security, 1919-2001* (Providence: Berghahn Books, 1996), pp. 276, 301; Porch, Douglas: *The French Foreign Legion: A Complete History of the Legendary Fighting Force* (London: Harper, 1992), *passim*.
- <sup>98</sup> See *Report of the Panel on UN Peace Operations* ("Brahimi Report") (UN Documents A/55/305, S/2000/809), at [www.un.org/peace/reports/peace\\_operations/](http://www.un.org/peace/reports/peace_operations/).
- <sup>99</sup> Speaking of the United States, Alexander Hamilton thus argued that "extensive military establishments cannot, in this position, be necessary to our security" ("The Consequences of Hostilities Between the States", *Federalist*, no. 8, 20 November 1787). See also the critique of standing armies in Kant, Immanuel: *Zum ewigen Frieden. Ein philosophischer Entwurf* (Stuttgart: Reclam, 1963), pp. 17-18.
- <sup>100</sup> Figures from CIA: *World factbook 2001* and IISS: *The Military Balance 2001-2002* [to be updated].
- <sup>101</sup> Howe: *op. cit.* (note 93), pp. 27-71; Peled, Alon: *A Question of Loyalty. Military Manpower Policy in Multiethnic States* (Ithaca, NJ: Cornell University Press, 1998).
- <sup>102</sup> On the relationship between military spending and development see Ball, Nicole: *Security and Economy in the Third World* (Princeton, NJ: Princeton University Press, 1988); Dumas, Lloyd J.: "The Role of Demilitarization in Promoting Democracy and Prosperity in Africa", in Jurgen Brauer & J. Paul Dunne (eds.): *Arming the South. The Economics of Military Expenditure, Arms Production and Arms Trade in Developing Countries* (Houndmills: Palgrave, 2002), pp. 15-34; Olaniyi, Oyinlola: "Military Spending and Economic Development in Sub-Saharan Africa: A Supply-Side Analysis", *ibid.*, pp. 275-290; Manas Chatterji & Linda Rennie Forcey (eds.): *Disarmament, Economic Conversion, and the Management of Peace* (Westport, CT: Praeger, 1992); Büttner, V. & J. Krause (eds.): *Rüstung statt Entwicklung? Sicherheitspolitik, Militärausgaben und Rüstungs-kontrolle in der Dritten Welt* (Baden-Baden: Nomos Verlagsgesellschaft, 1995); Norman A. Graham (ed.): *Seeking Security and Development. The Impact of Military Spending and Arms Transfers* (Boulder, CO: Lynne Rienner, 1994), especially Cheatham, Marcus: "War, Military Spending, and Food Security in Africa", *ibid.*, pp. 229-253; Väyrynen, Raimo: *Military Industrialization and Economic Development. Theory and Historical Case Studies* (Aldershot: Dartmouth, 1992); Deger, Saadet & Somnath Sen: "Military Expenditure and Developing Countries", in Keith Hartley & Todd Sandler (eds.): *Handbook of Defence Economics*, vol. 1 (Amsterdam: Elsevier, 1995), pp. 275-308; Kusi, Newman Kwadwo: "Economic Growth and Defense Spending in Developing Countries. A Causal Analysis", *The Journal of Conflict Resolution*, vol. 38, no. 1 (March 1994), pp. 152-159; Adeola, Francis O.: "Military Expenditure, Health, and Education: Bedfellows or Antagonists in Third World Development", *Armed Forces and Society*, vol. 22, no. 3 (Spring 1996), pp. 441-467; Looney, Robert E. & David Winterford: *Economic Causes and Consequences of Defense Expenditures in the Middle East*

and South Asia (Boulder, CO: Westview, 1995); Mohammed, Nadir A.L. & Jean K. Rhisen: "The Economics of Disarmament in Africa", in Nils Petter Gleditsch, Olav Bjerkholt, Ådne Cappelen, Ron P. Smith & J. Paul Dunne (eds.): *The Peace Dividend* (Amsterdam: Elsevier, 1996), pp. 359-380; Sandler, Todd & Keith Hartley: *The Economics of Defense* (Cambridge University Press, Cambridge, 1995), pp. 200-220; Mohammed, Nadir Abdel Latif: "The Development Trap: Militarism, Environmental Degradation and Poverty in the South", in Geoff Tansey, Kath Tansey & Paul Rogers (eds.): *A World Divided. Militarism and Development after the Cold War* (London: Eartscan Publications, 1994), pp. 44-66.

<sup>103</sup> On the concept see Huntington, Samuel: *The Political Order in Changing Societies* (New Haven, NJ: Yale University Press, 1968) p. 196; idem: *The Third Wave. Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991), pp. 231-251. See also Finer, Samuel E.: *The Man on Horseback. The Role of the Military in Politics*, 2nd ed. (Harmondsworth: Penguin Books, 1976); Pearlmuter, Amos: *The Military and Politics and Modern Times: On Professionals, Praetorians, and Revolutionary Soldiers* (New Haven: Yale University Press, 1977).

<sup>104</sup> Data from *Africa at a Glance. Facts and Figures 2001/2* (Pretoria: Africa Institute of South Africa, 2002), pp. 72-85. Alex Thomson provides a slightly different categorisation in *op. cit.* (note 6), pp. 124-125, in most cases counting intra-military struggles as military coups. His listing is indicated in italics.

<sup>105</sup> The figure 5,000 stems from Feil, Scott R. (Colonel, US Army): *Preventing Genocide. How the Early Use of Force Might Have Succeeded in Rwanda* (Washington, DC: Carnegie Commission on Preventing Deadly Conflict, 1998). For a more pessimistic assessment, primarily intended for application to a hypothetical intervention in Burundi, see Geenhill, Kelly M.: "Mission Impossible? Prevention Deadly Conflict in the African Great Lakes Region", *Security Studies*, vol. 11, no. 1 (Autumn 2001), pp. 77-124. The most recent casualty figure for the genocide, published by the Rwandan government, was 937,000. See "Rwanda: Census Finds 937,000 Died in Genocide", *IRIN News*, 2 April 2004.

<sup>106</sup> On the distinction see Boyle, Joseph: "Natural Law and International Ethics", in Terry Nardin & David R. Mapel (ed.): *Traditions of International Ethics* (Cambridge: Cambridge University Press, 1992), pp. 112-135 (especially pp. 116-121); Smith, Michael Joseph: "Liberalism and International Reform", *ibid.* pp. 201-224 (especially pp. 207-209); Mapel, David R. & Terry Nardin: "Convergence and Divergence in International Ethics", *ibid.* pp. 297-322.

<sup>107</sup> De Lupis, Ingrid Detter: *The Law of War* (Cambridge: Cambridge University Press, 1987), pp. 118; Green, L.C.: *The Contemporary Law of Armed Conflict* (Manchester: Manchester University Press, 1993), pp. 111-114; McCoubrey, H. & N.D. White: *International Law and Armed Conflict* (Aldershot: Dartmouth, 1992), pp. 269-270; Rubin, Elizabeth: "Mercenaries", in Roy Gutman & David Rieff (eds.): *Crimes of War. What the Public Should Know* (New York: W.W. Norton, 1999), pp. 248-250.

<sup>108</sup> Abraham, Graham: "The Contemporary Legal Environment", in Mills & Stemplau (eds.): *op.cit.* (note 7), pp. 81-106; Kufuour, Kofi Oteng: "The OAU Convention for the Elimination of Mercenarism and Civil Conflicts", in Musah & Fayemi (ed.): *op.cit.* (note 81), pp. 198-209; Olonisakin, Fummi: "Arresting the Tide of Mercenaries: Prospects for Regional Control", *ibid.*, pp. 233-256. The central conventions are reprinted *ibid.*, pp. 275-288. An assessment of their effects is available in "The Report by the UN Special Rapporteur on the Use of Mercenaries" (1998), *ibid.*, pp. 289-320.

<sup>109</sup> The law is available at [www.parliament.gov.za/acts/1998/act-15.pdf](http://www.parliament.gov.za/acts/1998/act-15.pdf).

<sup>110</sup> Cilliers, Jakkie & Richard Cornwell: "Africa—From the Privatisation of Security to the Privatisation of War", in Cilliers & Mason (ed.): *op.cit.* (note 45), pp. 227-245, especially pp. 236-240.

<sup>111</sup> House of Commons, Foreign Affairs Committee: *Private Military Companies*, Ninth Report of Session 2001-02, no. HC 922., at [www.parliament.uk/commons/secom/fachome.htm](http://www.parliament.uk/commons/secom/fachome.htm). *Private Military Companies: Options for Regulation*, Report HC 577 (London: The Stationary Office, 2000).

<sup>112</sup> See *Rome Statute of the International Criminal Court*, at [www.un.org/law/icc/statute/romefra.htm](http://www.un.org/law/icc/statute/romefra.htm).

<sup>113</sup> "IPOA Code of Conduct," last revisions approved: 22/03/2004, at [www.ipoaonline.org/code.htm](http://www.ipoaonline.org/code.htm).

<sup>114</sup> Crevel, Martin Van: *The Transformation of War* (New York: The Free Press, 1991).

<sup>115</sup> Clausewitz, Carl Von: *Vom Kriege*, Ungekürzter Text nach der Erstauflage (1832-1834) (Frankfurt a.M.: Ullstein Verlag, 1980), p. 34 (Book I, chapter 1.24).

<sup>116</sup> For an elaboration see Møller, Bjørn: "Post-Trinitarian War and the Regulation of Violence", in Stefano Guzzini & Dietrich Jung (eds.): *Contemporary Security Analysis and Copenhagen Peace Research* (London: Routledge, 2004), pp. 81-93.

<sup>117</sup> For documentation see Møller, Bjørn: "Raising Armies in a Rough Neighbourhood. The Military and Militarism in Southern Africa", *DIR Working Papers*, no. 118 (Aalborg: DIR, AAU, 2003). See also Edgerton, Robert B.: *Africa's Armies from Honor to Infamy. A History from 1791 to the Present* (Boulder, CO: Westview, 2002).

<sup>118</sup> Van Creveld, Martin: *The Rise and Decline of the State* (Cambridge: Cambridge University Press, 1999), pp. 415-421 & *passim*.

<sup>119</sup> Giddens, Anthony: *The Nation-State and Violence* (Oxford: Polity Press, 1995). Tilly, Charles: *Coercion, Capital and European States, AD 990-1990* (Cambridge: Basil Blackwell, 1990).