PMC INTERVENTION

A theory-building study on the ethical position of PMC involvement in contemporary warfare using Just War Theory

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Abstract

Private Military Companies (PMCs) frequently operate in complicated security and political settings. They do so as privatized firms, specialized in providing armed conflict or security strategies. This open market fosters muddy boundaries in terms of whose responsibility it is to adhere to international humanitarian law or engage ethically. For example, PMCs hired by states to change the internal politics of a country or by companies that aim to secure goods. The trends seen in the existing security literature are commonly strongly opposing or on behalf of PMC development.

In this thesis, the respected work of Walzer's Just and Unjust wars is compared to three well-documented interventions: Sierra Leone, Equatorial Guinea and Papua New Guinea. This is done alongside coup theories to create a critical view on interventions from PMCs and enable a more interdisciplinary debate about the role of these companies.

The case of Sierra Leone has been selected to demonstrate a widely viewed 'successful' intervention by one PMC - Executive Outcomes (EO). Whereas, Equatorial Guinea and Papua New Guinea represent cases of disputed interventions by PMCs involving coup plots or threats to internal security. By looking at these cases through a critical lens in light of the existing theories of various domains, we can assess whether 'successful' or 'disputed' are righteous labels.

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List of Abbreviations

BBC – British Broadcasting Corporation

BIG – Bougainville Interim Government

BRA – Bougainville Revolutionary Army

CIA – Central Intelligence Agency

EO – Executive Outcomes

FNLA – Frente Nacional de Libertação de Angola (also known as 'National Liberation Front of Angola')

G4S – Group 4 Securicor

G7 – Group of Seven

MPLA – Movimento Popular de Libertação de Angola (also known as 'People's Movement for the Liberation of Angola')

NATO – North Atlantic Treaty Organization

NGO – Non-Governmental Organization

OEC – Observatory of Economic Complexity

PCC – Private Combat Company

PMC – Private Military Company

PMSC – Private Military and Security Company

PSC – Private Security Company

RUF – Revolutionary United Front

SADF- South African Defence Fighters

UNITA – União Nacional para a Independência Total de Angola (also known as 'National Union for the Total Independence of Angola')

UK – United Kingdom

UN – United Nations

US – United States of America

USD – United States Dollars

Introduction

Mercenary or Private Military Company (PMC) involvement has steadily increased and therefore should be taken more seriously into account. From 1950 till 1989, 15 conflicts involved PMCs or mercenaries (Musah & Fayemi, 2000). The period of 1990-1998 saw an increase to 65 and 1990-2000 documented 80 conflicts with their involvement (Foreign and Commonwealth Office, 2002, Annex A.) The combination of the financial and market growth of the PMC industry, and the number of conflicts involving PMCs, implies an increased involvement and demand for PMCs.

For those familiar with African conflicts, the emergence and expansion of PMCs are not foreign. Nonetheless, the world of private military companies is generally shrouded in secrecy and ambiguity. PMCs, however, became more visible (and disputed) following the trial of the infamous PMC, Blackwater, for their actions in the Iraq war and the more general presence of PMCs in Afghanistan (Commission on Wartime Contracting in Iraq and Afghanistan, 2009).

The resolution of the Cold War saw a progression to privatized usage of security forces. Since then, some of the uses and missions of PMCs have surfaced. Examples of their activities include operating Blackhawk helicopters and 'drug eradication missions' in Colombia (Sherman, 2004). PMCs are also known to have supported missions aiding the Colombian government's campaign against guerrilla warfare, especially on behalf of the US government. The use of fuelled air explosives was a mission of Executive Outcomes (EO) in Angola. Adding on, the Middle East is a well-known area for PMC modus operandi, including the Abu Ghraib prisoner scandals and the civilian bombing in Iraq (Sherman, 2004).

In the specific case of the Iraq war, Blackwater was one of the PMCs hired in the "war on terror" but injured and killed civilians in the process (Kinsey, 2006, p.97). This relation and indirect manner of the US-funded company to operate resulted in the American trial of the war crimes committed by this company. However, this is a rare case in which a company is indicted or persecuted for crimes committed by a national government. In this regard, it seems to be difficult for the international community in holding persons or parties responsible for such actions. Could we, in light of Just War Theory, argue the righteousness of intervention, both of America and the hired PMCs? Who is responsible for the prosecution of PMCs? The company

for the actions it undertook? The nation that hired it? Or, the nation where the operation took place?

Governments are using PMCs as a new way of protecting their borders and fighting fights they might not have the means or capacity to do so themselves (Singer, 2001). This, however, brings the issue of accountability. Who is or should be accountable for repercussions or actions implemented by this company in name of a state? Especially when perhaps non-state actors or non-legitimate actors hire these companies?

This issue is particularly visible when a government uses a PMC to aid in a coup or coup d'état. A coup d'état is "a military faction or individual seizing power for selfish or anti-democratic reasons" (Pathmanad, 2008, p.124). A coup is a "political conflict between the military and the government resulting in a military takeover" (Pathmanad, 2008, p.124). As seen in the case of Papua New Guinea, where the government's employment was likely to result in a coup or coup d'etat (Regan, 1997, p.83). The intertwining of actors such as PMCs, private and state actors, creates difficulty in establishing the responsibility of each party. Particularly when PMCs potentially play a smaller role in missions such as securitizing a mine, but the outcome of their mission has larger implications. This was seen in Sierra Leone where the securing of its diamond mines led to the government gaining an upper hand in the civil war.

Despite the use of PMC's being on the rise, as well as a growing awareness in the academic field, there is a lack of concrete theory on whether or not the interventions in internal security, such as coup d'états and civil wars, carried out by these companies can be viewed as ethically sound in light of the pre-existing literature. An overwhelming majority of the available literature is based on in-depth case studies on violent accounts of PMC's involving internal security cases. Other available literature is based on the legal construction of these companies or an analytical view from the companies or employees themselves on their functioning or reputation. There is a lack of theory building or existing theory-based analysis of these companies' role in contemporary warfare.

Central to the study of PMCs and most conflict studies are some of the following questions; is there an element of morality in the adherence of intervention? Or should we perhaps let some conflicts play out their course? Is there a moment in conflicts in which interventions from external private parties become permissible? Can PMCs act morally just in warfare?

In exploring whether PMCs act morally and establish their role nowadays, we can use Michael Walzer's Just War Theory. Michael Walzer has developed into one of the most significant political thinkers of this period (Galston, 1989, p.119). His focus on the welfare of civilians has set him apart from most of his peers. His manner of conducting historical-based research on political philosophy is unique. His work on Just and Unjust wars to create Just War Theory utilizes this exact approach in order to create a clear overview on moral boundaries of contemporary warfare. By utilizing a renowned theory based of the moral inquiries on warfare, this research will look at the role of PMCs in a similar manner to Walzer's research on just and unjust wars. Using documented cases of disputed PMC interventions, in order to establish their role in the 21st Century. This has resulted in the following research question:

What is the role of PMCs in contemporary warfare using principles of Just War Theory?

This research aims to look at the role of PMCs and what the emergence of these companies means for contemporary warfare, including cases tied to coups or coup d'états in both a hypothetical and case study manner. In the literature review, we will explore existing perspectives on PMC use for outsourcing securitization matters, which will then be compared to theories of just and unjust wars, law and coups. Following this, we will analyse what the use of PMC's challenges in these current theories, and analyse how these theories account for their functioning. Concluding with the findings on the role of PMCs in light of existing literature and the case studies; Sierra Leone, Equatorial Guinea and Papua New Guinea.

Scientific relevance:

This thesis will provide an outlook into the functioning of PMCs and define their role based on the three case studies. Political scientists in general, often neglect to incorporate PMCs into security debates. By failing to acknowledge their existence or involvement, they fail to accredit the potential these companies have. Especially in light of the security shift from Western states to privatized armed forces. It is important to incorporate these actors into contemporary warfare studies by increasing awareness of their involvement.

Although awareness amongst scholars is increasing, it is important to portray PMC significance on an evidence-based account. Existing literature on PMCs tends to rely heavily on interviews, and although this is a very relevant manner of conducting research, it reduces the reliability of these accounts. More specifically, due to the majority of the interviews consisting of a small

sample of PMC employees, the potential loyalty of these employees to their work or boss etc., raises concerns about objectivity and representation. Furthermore, the smaller scale of the interviews makes it questionable whether these samples are representative. By conducting a theory-building approach, this thesis will focus on unveiling knowledge in combination with case-study based evidence.

Societal relevance

To enable the general public to be able to distinguish these security companies from each other, it is important to understand what a PMCs role entails. In the following segment, there will be an analysis of PMC function, history and definition. Based on three examples, the importance and potential of PMCs are shown to be varying from 'dubious' to 'successful'. From these cases, we can question what the relevance or role is of these actors in contemporary warfare. This is compared to existing legal frameworks to establish the role of a state and the PMC. From this, it will become apparent that we need to ensure that policymakers and the international community work together in their approach to PMCs.

Literature Review

This segment focuses on the importance and misconceptions surrounding the definition of PMCs. In order to answer the research question, Just War Theory and coup theories are explored to help define the role of PMCs. From this literature, two predictions are formulated to address the research puzzle.

History of PMC's

Historically, privatization of security has always been present. According to Singer, this goes back as far as the conduct of war itself (2003). Records indicate the presence of private security actors in the ancient empires of China, Persia, Greece and Rome, mainly in the form of for-hire soldiers (Zarate, 1998). Furthermore, the 11th Century saw William the Conqueror use an army comprised of mercenaries, and Italy in the 14th century using private militaries to protect their city-states (Shearer, 2009, p.69).

States becoming accountable and responsible for their own state and border security appeared from the Westphalian Peace in 1648, dominating the security and sovereignty of predominantly European states (Shearer, 2009). Hereafter, the state became the dictator of when and what form of violence is permissible. Singer argues that, in terms of the documented world history, the use of external security forces has been the rule of thumb, in contrast to its portrayal in many PMC analyses, which discusses the use of external security forces as a modern phenomenon (2003, p.19).

The system of internal and international security has shifted recently from a state-driven role to a more shared and subcontracted process (Abrahamsen and Williams, 2011). This emergence rose following the Cold War, which introduced private military companies into the sphere of security actors. This can also be seen in the globality and range of organizations and states that hire these PMCs, which ranges from NGOs to UN peacekeeping missions, to states and private actors hiring them as consultants or extra help in security matters (Singer, 2003).

The majority of registered PMC's are UK or US-based, but it is speculated that there are more PMCs than recorded (Taulbee, 1985). This implies that many companies operate under the public radar, which could further indicate difficulties with identifying PMCs or distinguishing them from security companies without military expertise (Shearer, 2003). When there are no

clear guidelines or indicators for defining PMCs, this leaves room for ambiguity and open interpretations or crossovers with mercenary definitions. Mercenaries are ex-militaries who most "commonly work free-lance for rebel movements, local businesses in weak states or racist regimes or movements" (Salzman, 2008, p.875). Their dubious position can be seen in international humanitarian law, where the Geneva protocol states "mercenaries not to be treated as a combatant or prisoner of war", in contrast to the protocols general rule of thumb to protect all civilians and soldiers (Salzman, 2008, p.875).

The media has fuelled open interpretations and mercenary comparisons based on PMCs operations, with it not being uncommon for PMCs to be considered 'mercenaries, merchants of death or guns for hire' (Joachim & Schneiker, 2012, p.5). Contrary to the image being portrayed by media outlets, PMCs and PSCs do not legally fall into the category of mercenaries (Salzman, 2008). This stereotype stems from the tradition that states have the power and control over the means and manner of amassing and mobilizing resources needed for their security or international missions. PMCs possess capacity and ferocity in combat but do not bear the burden of accountability a country has when involved in a conflict (Kinsey, 2006, p.124). This has caused PMCs to be placed alongside piracy, terrorism and mercenaries by some media outlets and international relations scholars (Maogoto & Sheehy, 2009).

Moreover, the nature of these companies' services also creates their reluctance to share information about their operations and specific service provisions. Many companies operated very discretely, in part due to the sensitivity of privatized security operations for nations or providing the means necessary for their interests or protection (Kinsey, 2006, p.2). This can vary from military strategizing, provisional operational support, advisory roles, logistical support, security services and crime prevention (Kinsey, 2006). The move from national to privatized security provision also in delicate situations, such as internal conflicts or coups/ coup d'états, fuels the debate whether their involvement is beneficial or ethically just to the involved parties (Drews, 2007).

Defining PMCs

For clarity and consistency, this research will use this definition of PMCs provided by Brooks (2000b, p.129), "private military companies offer more active services such as military training or offensive combat operations, generally to individual states or international organizations." According to Brooks, private security companies can be distinguished by "providing more

active services of docile security to private actors or companies" (2000b, p.130). This thesis will distinguish PMCs as companies operating with military services typically linked to state armies. PSCs will be distinguished by a non-combatant advisory role.

In some cases, the distinction will be harder to make, due to the definition or wide array of services being provided by the specific company. The ability of a company to expand to providing various services fitting partially both PSC and PMC definitions creates classifying issues (Shearer, 2003). Hence, some companies may have had clearer boundaries in the past or present, and may have shifted from or towards a more encompassing Private Military and Security Company (PMSC) position.

Confusion is fuelled by the varying definitions applied by authors, and the labelling of PMCs and PSCs as corporate mercenary firms or the umbrella term PMSCs. Peter Singer makes a distinction in terms of military support firms, military consulting and military provider firms (2001). This provides another key issue, even though the definitions may seem similar, some authors categorize PMC companies differently. Keeping this in mind, the date of the analysis provided by the authors must be taken into account when determining the company's services and motivations in that time and light, as previous mergers, dissolutions or rebranding may have occurred since or around the time of analysis.

Distinguished is, that this categorizing is not always deliberate to villainize these companies, but to demonstrate the difficulty of classifying security companies, and the flexibility these companies can have in defining their business models. This makes it increasingly challenging, both in literature and in practice, to identify or define a PMC at any given moment in time. Especially due to the creation of the term emerging from the industry within. Tim Spicer marketed the term PMCs deliberately to try and limit the stereotyping and comparisons to mercenaries (Leander, 2005a, p.607).

A better way to define PMCs is by assessing what their known engagements are. In doing so, it is possible to identify which companies are specialized and capable to fend off other parties. This is needed to be able to see which PMCs have the capacity and knowledge to be able to provide security or strategy to states or private firms in a violent manner (Kinsey, 2006).

This analysis has been carried out by Kinsey, providing a matrix of the twelve most recognised companies or institutions. Kinsey identified a distinction in the means of securing an object from a scale of lethality, and whether the object to be secured is private or part of the public domain (2006, figure 1 p.10). By looking at this scale, we can easily identify which companies are currently being deployed by governments in both lethal and non-lethal manners. A clear distinction cannot be made in terms of the defensive or offensive strategy and the public and private domain, especially due to the difficulty in distinguishing whether a party took on an offensive or defensive strategy (Kinsey, 2006, p.22). As both could be indistinguishable in nature of the operation to outside observers (Kinsey, 2006, p.22). Interesting to note is that traditional Westphalian state armies are identified as the most lethal, implying a notion of a supporting role for PMCs (Kinsey, 2006).
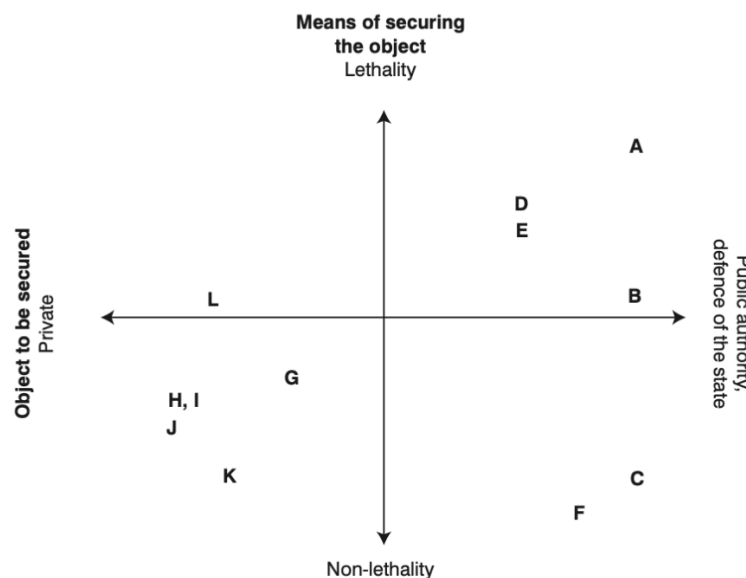
Figure 1 Locating private military and security companies by the object to be secured and the means of securing the object

Figure 1, from "Corporate Soldier and International Security", by C. Kinsey (2006, p.10) (A: traditional Westphalian state military, B: paramilitary police, C: conventional police, D: Executive Outcomes, E: Sandline International, F: MPRI, G: DynCorp, H: ArmorGroup International PLC, I: Control Risks Group, J: Erinys, K: Group 4 Securicor, L: Ad hoc security companies.)

It is important to define what a mercenary does in order to refute the nature of a PMC resembling that of a mercenary. Despite the term mercenary being disputed and recalling a lot of stigmas, McFate argues that the use of PMC and PSC are manners of creating a more friendly

and accessible term for the industry (2019, p.6). McFate elaborates that more or less the same skills are required to be a mercenary or a PMC employee, the largest distinction between the two can be made in motivation, a mercenary commonly is considered a financially driven and trained or untrained individual willing to partake in the battlefield (2019, p.14). Besides, mercenary involvement is unlikely to alter the outcome of the battle being fought, for the reason that mercenary actions are indistinctly monitored by those hiring them (Maogoto & Sheehy, 2009, p.101).

In cases of internal conflicts, a PMC's position becomes vital, as they may provide the provisions the government cannot in resolving an issue. Yet, this creates an issue of accountability of when one of the two parties fail, or even worse, if the PMC works for the party being prosecuted. The lack of regulations is detrimental to all private persons, organizations, governments, nations and the companies themselves. The implementation of some accountability or regulation would ensure a safer cooperation or engagement/deployment of these companies (Brooks, 2000a). Present legislation falls short between national and international regulations due to PMCs position both in internal affairs or being deployed in another nation on behalf of an external country, for example; US and UK PMCs operating in the Iraq war (Drews, 2007).

PSCs are easily mistaken for PMCs; this is due to both industries employing ex-military personnel. PSC employees also have the ability to carry guns and use and plan tactics in their operations. PSCs are usually more involved with the increased security provision in terms of governing support (crime prevention, fraud detection and assessments, protection of persons and buildings and advising multinationals on operations in volatile areas) (Kinsey, 2006, p.16). These tasks could overlap slightly with the military and political dimension represented by PMCs. Especially in cases such as providing armed security for state-owned companies (Kinsey, 2006, p.17). This overlap arguably may also have arisen due to the changes in the economic system from the past decades, changing public and private services to have merged gradually (Maogoto & Sheehy, 2009, p.101). In part due to the restructuring and rebranding of some of these firms to explore more or new opportunities in both the PMC and PSC domain (Kinsey, 2006, p.15).

PSCs operate in unstable political systems; hence, they also tend to cooperate with governments indirectly (Kinsey, 2006, p.17). Besides operations for governments, PSCs tend

to operate with private companies for security purposes, frequently in cooperation with notable business figures, who may have significant political power (Brooks, 2000c). Estimates have gaged the combined PMSC industry to have a 200 billion USD revenue (Brooks, 2005). However, this includes large PSC companies, such as Group 4 Securicor (G4S – the global market leader in security services such as security consultancy, monetary transportation and security of premises) (Leander, 2005b, p.811). Due to the inclusion of such companies, proper calculations and estimates of specific branches of PMCs and PSCs are hard to come by (Brooks, 2000b, p.133).

A shift in the security market

According to Maogoto and Sheehy, the surplus and influx of PMCs can be attributed to three imperative factors: a shift in the market, policy changes and a transformation in conflict types (2009, p.100). Succeeding the Cold War, multiple states reduced their security or military capacities, leading to the unemployment of approximately 6 million highly trained personnel to become unemployed (Bonn International Centre for Conversion, 1998, p.39). Policies moved from governmental services to a more privatized approach of providing national security, and finally, regional conflict increased (Schwartz & Watson, 2003). This is seen in the 1980s in the reduction of military capacities, with the US remaining the sole superpower (Maogoto & Sheehy, 2009, p.100).

PMCs status within the current political climate is disputed, varying from being seen as decorated mercenaries, to the UN's special rapporteur noting they don't remotely come close to mercenaries with their expertise and position (Shearer, 1998 p.69). Shearer argues that in light of PMCs position to challenge other parties, it strengthens their position in conflict resolutions, and enables the possibility to resolve conflicts faster (1998, p.69). Western states have become more hesitant to intervene, mostly in part due to a shift in priorities (1998, p.70). Priorities shifted in the form of interstate relations and world economics to a more conjoined Western-led approach to regional issues and rapid expansion of globalization (Lake & Morgan, 1997, p.106).

This globalized effort of collaboration was relatively short-lived on a global level. This is also highly visible in the Western armies' contribution to UN peacekeeping personnel, falling from 76,000 in 1994 to 15,000 in 1998 (Shearer, 1998, p.70). This number has declined further to

5,298 personnel in 2013 (Nadin, 2014) and an even further decline to the US providing mere 30 soldiers as of 2021 (UN Peacekeeping, 2021). This demonstrates an indisposition to counter violent internal conflicts, and how the resulting gap in the market and a change in demand has created the opportunity for PMCs to emerge and evolve. Especially as the numbers from 2013 represent a mere 5 percent of the total amount of UN personnel involved in peacekeeping (Nadin, 2014).

Current legal frameworks

As mentioned in the previous section, the legality and accountability of these companies or those hiring these companies are often unclear. In essence, there are a few legal constructions concerning the operations of both the PMC and the state appointing a PMC to a mission. The most notable and influential entailing the Geneva conventions stemming from 1949 in which rules are set applicable to times of armed conflict (Drews, 2007). Most importantly is the segment pertained to the treatment of prisoners (both military and civilian prisoners of war), protectors for the civilians surrounding an area of conflict and the sick or wounded (International Committee of the Red Cross, 2021). This in combination with the The Hague conventions and the Convention Against Torture, forms the international and legal basis on accountability for states in warfare conduct (Drews, 2007, p.331).

Despite these all forming the basis for international humanitarian law, the treaties have seen different interpretations of the protection or prosecution of some parties in comparison to other presidents or countries at the time. This allows for various actors to dispute the applicability of some of the unratified protocols, such as the US not ratifying Protocol I and Protocol II (Meron, 1994). Protocol I highlights what should be considered as international wars to include; armed conflict against colonial domination, alien occupation and racist regimes (Meron, 1994, p.679). Protocol II focuses on the protection of victims of internal armed conflicts (within a single country). The US has refrained from ratifying, due to their belief that these Protocols are able to legitimize terrorists to receive prisoner-of-war privileges (Meron, 1994, p.678).

The open interpretations and ambiguous legal status of these protocols and conventions allows states and involved parties of particular warfare to play their own judge and jury. Brooks (2000c) and Leander (2005b) argue that PMCs are a vital instrument in conflict resolutions and ratify governments choosing to utilize PMCs. This aspect of efficiency of PMCs in conflicts is

often ignored (Leander, 2005b), especially in cases comprising of states with fragile political and security structures (Drews, 2007). Legal scholars have argued that Article 47 of the 1977 Additional Protocols of the Geneva Conventions, defining mercenaries, are so riddled that it would not withstand in a courtroom (Meron, 1994). Both France and the United States have refrained from ratifying these Additional Protocols, making it harder to hold these states accountable.

Moreover, the 1989 UN convention against the recruitment, use, financing and training of mercenaries was initially only signed by sixteen states, of which three (Angola, Congo & Zaire – former Democratic Republic of Congo), have already broken this signatory by employing mercenaries (Brooks, 2000b, p. 135).

PMCs are currently filling a gap in the market in terms of security demand. This demand is high. Therefore, implementing a ban or restrictions on PMCs are less attractive (Mandel, 2002). Moreover, making PMCs illegitimate bodies of security will arguably create an opportunity for mercenaries to fill in the gap (Brooks, 2000b, p.138). The international community is also reluctant to restrict or ban the use of these companies in order to help strengthen foreign policies and operations (Isenberg, 2004, p.11). An example of this is the UK's 'Sponsored Reserve Act' in which enables the incorporation of private militaries into UK operations (Leander, 2005a, p.611).

A country can choose to incorporate the above-mentioned protocols into regulating the employment of mercenaries or PMCs in their domestic policies. By implementing manners of regulating these markets, a country is able to ratify the legitimacy of these protocols. Therefore, it is not uncommon in most domestic politics to have laws against the employment of mercenaries, but there are very few repercussions to states breaking these laws (Shearer, 1989, p.77). More commonly, the governments PMCs headquarters are based in, are interested in regulating PMCs, not governments who employed them. This seems very logical as the PMCs usually aid in creating a more favourable situation for those employing them. Home governments are more concerned about the image or portrayal these companies' headquarters based on their territories imply. This demonstrated in the case of the US pursuing the Abu Ghraib trials in order to clear US military personnel (Maogoto & Sheehy, 2009, p.124). In Iraq, the US military personnel were accused of torturing numerous prisoners. Upon further inquiry from the US trial, it became evident that this abuse occurred at the hands of hired personnel

from PMCs (Titan Corporation and California Analysis Center) (Maogoto & Sheehy, 2009, p.124).

Coup d'état theories

Taking the prior knowledge into account, current literature lacks the alleged or proven involvement of external parties. This is particularly challenging due to the aforementioned increase in states privatizing both foreign and interior security provisions. Despite there being a clearer focus on the strategy enacted by political leaders and their implications and the more visible involvement of states such as the US in Iraq. We can rightfully question whether the use of PMCs reduces the initial risk of a coup? What does the use of companies by either a state or rebel forces mean legally and morally? Why is there a disregard in coup literature for the outcome differentials with or without the use of these companies? In order to understand the position of current coup theories, an overview of the dominant discourses is provided.

Common practice and knowledge amongst the literature is the use of 'coup-proofing' by states. Coup-proofing is the application of limitations by a state, with the intent to make it harder for a group to seize power. In diminishing this risk, coup-proofing involves the limitation of military and elites from attempting to undertake a coup by implementing various strategies (Sudduth, 2016). Leaders decide to limit these parties, in order to reduce the risk of implications such as exile, imprisonment or death, if defeated (Goemans, 2008). Common coup-proofing strategies include: establishing paramilitary organizations with varying hierarchy from state forces, or driving a wedge between the state army by segregating the army into multiple factions, sometimes with rivalrous ideologies or goals and changing commanders regularly (Quinlivan, 1999).

These structural methods implicate a level of indoctrination on those with the capacity to undertake actions against a head of state. By repeating such methods, the head of state or political leader, depending on the political system, can implement a weakened army and political opposition to either have diminished motivation or means to undertake actions (Quinlivan, 1999). This is done with consistent budget cuts, and repercussions to officers and commanders with varying ideologies to the common practice implemented (Biddle & Zirkle, 1996). Leaders who face a high risk of coups tend to undertake these coup-proofing methods (Sudduth, 2016). This is claimed to be a gradual progression, as the risk of a coup increases,

so does the level of coup-proofing applied by the leader (Belkin & Schofer, 2003; Quinlivan, 1999).

African coups occur the most frequently, seeing most of the successful, unsuccessful and plotted coup attempts occurring in African states. Over 80 efficacious coups transpired between 1956 and 2001, and approximately 12 effective coups taking place between 2001 and 2019 (McGowan, 2003. p. 341). Coups in Africa are seen as the most inconsistent and hardest to differentiate, with various counter-coups, self-coups and soft coups being most prevalent than in any other region (Lane, p.205, 1970). It is commonly assumed in the literature that the most effective way to reduce coup attempts is to reduce financial stability and grievances among high-ranking officials. Those leaders facing an immediate threat of a plotted coup can best increase financial support and a political voice in order to stabilize the threat (Huntington, 1991). This is also referred to as the 'spoiling' strategy, despite it being potentially efficient at the moment, it may also increase the risk of a coup by providing the missing financial incentives to carry out the plotted coup instantly or on a later stage in the future (Svolik, 2013).

Coup literature highlights the common three dimensions of a coup; what a coup looks like and how it is justified by its perpetrators, the motivation or stimulus of the coup and the dynamics of the coup itself (Luttwak, 2016). Commonly the literature from this domain is focused on elements of the internal actors that play a role in instigating or increasing the chance of a coup. An example of this is mentioned by Collier and Hoeffler, that the mere presence of any group of rebels experiencing 'greed or grievance' can increase the chance of a coup (2005, p.3). Greed or grievance in this case implies the motivation to capture resources or correct a feeling of injustice (Collier & Hoeffler, 2005, p.3).

Coups and civil wars tend to occur more frequently in states with large supplies of oil (Cotet & Tsui, 2013, p.66). Some of the countries that adhere to these trends consist of Southern Sudan or Russia, but states in Africa show no significance in increasing their chance of a coup with oil wealth (Collier & Hoeffler, 2005, p. 17). Related to theories on a country's natural wealth, are the theories on a country's 'resource curse'. As Davis and Tilton explain, the natural assets of a country are more likely to generate a generous capital, because of a lower production cost (2005, p.234). The common conclusion of this field is that the presence of natural resources diminishes a developing countries' ability to democratise and remain in politically unstable situations (Haggard & Kaufman, 2016, p. 131). Ross debates that there is a disconnect in this

theory between the knowledge acquired by economists and political scientists (1999, p.321). This creates a gap in understanding the lack of government ownership or protection of primary commodity-exporting states (1999, p.322). Increasing the likelihood of a country experiencing economic instability (Ross, 1999).

Subsequently, coups in Africa take place more commonly due to economic imbalances rather than social and political instabilities (Collier & Hoeffler, 2005, p.16). Theorists accredit this to the higher volatility and unevenly distributed shares of welfare, and higher potential for coup-proofing to be implemented by states with higher revenues. These states as described by Cotet and Tsui also demonstrate a higher amount of leadership transitions on a whole (2013, p.50)

Bell and Sudduth conducted research to the relationship between civil war and coups and found a strong indication that the two have a symbiotic relationship (2015). The presence of war increases the risk of a coup attempt, despite wartime attempts being more likely to fail. A war-time coup is far more likely to occur when the state involved is battling a strong rebel force opposing the political system or government in place (Bell & Sudduth, 2015). They theorize that the occurrence of coups during conflict is tied to the decreased welfare of the state, this instability usually becomes the motivator for those strategizing to perform a coup. In particular, when officials have a disadvantaged position in comparison to rebels, the likelihood of a riskier or more violent coup attempt increases (Bell & Sudduth, 2015).

In examining these theories on coups and various elements of transgressional domestic politics, coup theories lack to account for the international involvement and role of external actors. The main focus in coup theories relies on measuring or identifying the role of actors. This was logical for previous coups. However, as demonstrated in the section defining PMCs, the expansion of PMCs increases the chance of PMC involvement in conflicts surrounding or leading to coups. The focus in coup theories lies primarily on the occurrence of coups domestically, whereas some of the coups that have taken place in the 20 and 21st century have proven to have had external party involvement. This varies from the more noticeable missions of states, such as the joint US and UK coup attempts during Operation Ajax, aimed at implementing a new prime minister in Iran, to more speculative and harder to verify external involvement (de Moraes Ruehsen, 1993). This also comprises cases such as Equatorial Guinea's multiple coups, some with the use of PMCs, or the attempted coup of 2020 by private

military soldiers backed by PMC Silvercorp in Venezuela (Graduate Institute of International and Development Studies, 2020).

Thyne and Hayden (2015) have researched the international community's responses to coups and the changes visible before and after the Cold War conflict. Their findings demonstrate that the international responses are far from consistent. With some instances even seeing near-total oblivion to the unconstitutional shift in leadership. This variance in reactions is surprising due to the implications that regime changes may have for international relations. Elections occur faster after a coup than prior to the Cold war, even though the common anti-coup sentiment and international dismissal of coups also emerged around this period (Goemans and Marinov, 2012). Coups do appear to increase the likelihood of democratization. However, this can also be accredited to the high occurrence of coups in dictatorships and autocratic regimes (Thyne & Powell, 2013). Coups occurring nowadays are more likely to receive more attention than those that occurred immediately post-Cold war. Thyne and Haden attribute this to the institutionalization of the anti-coup norm by large influential bodies such as the African Union (p.374, 2015). The international community responds most commonly to coups in Africa, and in general, the wealthier or more democratic a country is, the more likely there will be international statements (Thyne & Hayden, p375, 2015).

Just and Unjust wars

The theory of Michael Walzer on the application and boundaries in warfare in his book, just and unjust wars is one of the most renowned and accredited works in the field of political philosophy (Galston, 1989, p.119). The basis of his work consists of the ancient just theory of wars and existing ethical perceptions from various religions. The theory builds on the common ethical fundaments put down by these literary works and applies them to the setting and elements of warfare in a more modern Westphalian perception. A distinction is made between various stages of wars and the ethical practices in these. This consists of three stages; *Jus ad Bellum*, *Jus in Bello* and *Jus post Bellum* (Walzer, 2006, p.21).

Jus ad Bellum consists of the portion of ethical war practices before a conflict. This is the segment of his work regarding the various parties and their interests in aggressing a conflict or intervention, and when or whether this can be regarded as righteous or moral. *Jus in Bello* largely focuses on the ethical conduct of war tactics and treatment of various parties such as

terrorists, civilians or prisoners of war. The final segment, *Jus post Bellum*, regards how to apply responsibility and accountability to those involved in the conflict and enable or facilitate reconciliation.

Fundamental to Walzer's theory is the morality of actions and the position of the civilians, this distinguishes his work from other principally ethically oriented works. In his work, he tries to set as clear boundaries as possible, regarding who may be killed and when, and when killing becomes a murder. Central to distinction is the notion of territorial integrity, as in most legalist works. However, Walzer distinguishes himself by acknowledging that there are uncertainties in defining ownership in disputed territories (2006, p.61). According to Walzer, aggression as a whole can be seen as the crime instilled by war, and a war is fought to achieve a better state of peace.

The right to go to war is built upon the six propositions of Walzer's legalist paradigm. These consists of principles needed in order to distinguish war from criminal aggression or whether the cause of the war are just. The principles entail; the existence of an international society of international states, the members of this community have territorial integrity and political sovereignty, the use of force or an imminent threat of one state to another is criminal aggression by default, violence is justified in defence or as law enforcement by the aggressed state, nothing but aggression can justify war and the aggressor state may not be militarily repulsed but also punished (Walzer, 2006, p.60). Despite these being the fundaments of determining whether the moral justifications for a state going to war, Walzer has instilled some revisions in light of developments of international relations scholars and received feedback. These necessitate four revisions on when interventions are just, including anticipatory attacks, counter intervention, humanitarian intervention and helping a community secede (Walzer, 2006, p.107).

Simplified, *Jus ad Bellum* focuses on the right to go to war relying on the proper authority of a state's right to go to war or to intervene. Central to his argument is that the involved actors or instigators possess legitimate authority. Proper motives must be central to an offence being the last resort and motivated by defence mechanisms in reaction to forms of aggressions of the other involved party. Interventions on a whole must always be justified according to Walzer, and the portrayal of external involvement needs to have a basis on grounds of at least one of the mentioned revisions.

In regards to reviewing PMCs concerning interventions and their ethical basis, all three segments of Walzer's theory are relevant to shed new light on the previous interventions. By being able to attain the multidimensional insights provided by the three categories there is a possibility to pertain new information and insights into the motivation and morality involved in the explored case studies. The next segment will focus on Walzers' perspective on non-state actors. This will be compared to the definition of PMCs to establish Walzer's potential perspective on PMCs.

Non-state actor's legitimacy

Walzer includes the possibility for guerrilla, insurgent and terrorist groups to also be able to possess legitimate authority. Guerrilla warfare is compared by Walzer to the 'people's war' amassed from below, giving it conditional legitimacy through the approval of civilians (Walzer, 2006, p.180). According to Walzer, terrorists are subject to a different form of legitimacy. This lies central to their moral distinction in attacking random citizens (Walzer, 2006, p.199). It represents an 'indirect approach' to engaging with the enemy instead, indefinitely threatening large groups of the population (Walzer, 2006, p.199). Crucial is the distinction when terrorists target specific "Hitler-like" characters, in which we are far more likely to praise their work (Walzer, 2006, p.199). Insurgents, gain belligerent rights as soon as they have accumulated a considerable portion of territory or population and should receive equal footing as states (Walzer, 2006, p.96).

Walzer describes the usage of mercenaries recruited amongst the poorest are the least likely to be practising their job sound of mind. He argues that this is due to their dire situation of probable starvation or primary living requirements not being met (Walzer, 2006, p.27). This increases the likelihood of individuals in dire situations being forced into mercenary labour (Walzer, 2006, p.26). Mercenaries can also be viewed to be used by states as 'political instruments' to acquire the intended goal(s) of a state (Walzer, 2006, p.29). However, this is argued by Roggeveen to be only applicable to the mercenaries and war operatives we saw in the '60s, due to the large establishment of mercenaries at that time, and especially the introduction of modern warfare being technology-driven rather than acquiring large numbers of soldiers (1997, p.51).

Walzer incorporates that the position of these mercenaries can be muddy by acknowledging that former Russian mercenaries also made case-by-case distinctions in where their loyalties laid (2006, p.27). He states that there are also intermediary positions, but these are disregarded due to the expectations of state-loyalty and professionality we relate to soldiers (Walzer, 2006, p.27). We regard soldiers to be committed to their countries' protection and view fighting for another cause more commonly as a crime (Walzer, 2006, p.27). This comparison could apply to PMCs in their non-state bound loyalties, causing their position to resemble what Walzer would define as an intermediate position.

Walzer's belief of soldiers deciding to become a soldier sound of their own judgement can also be applied to employees working for PMCs. Employment could be considered as a constraint or motivator of sorts, for both soldiers and PMC employees. Yet, we can safely presume the employees of PMCs to have chosen for this line of work. To that extent, Walzer's argument of mercenaries functioning as 'political instruments' can be disregarded (2006, p.29).

Theoretical Predictions:

PMC theories focus on distinguishing the function of PMCs from mercenaries. This is also apparent in the legal frameworks. This would implicate that there are difficulties with distinguishing these from each other. On grounds of this, we can assume *that there will be uncertainty surrounding a PMC's position in the case studies.* However, due to the PMCs being aware of this and restructuring their business models often; *it is reasonable to suspect PMCs do not follow Just War Theory's perception of mercenaries.*

Research Design

In this thesis, I will apply theory-building to three case studies, in order to expand on existing literature. This thesis intends to raise awareness and provide an insight into the role these companies play in current warfare. By doing so, general awareness of their involvement, advantages and risks can become more integral to security debates. By particularly focusing on the role of previous PMC, political, coup and legal research, a demonstration of the role of the PMC industry can be established in light of today's warfare.

Theory building as a methodology uses cases as separate experiments standing in their own logic and conditions (Eisenhardt & Graebner, 2007, p.25). By applying experimental logic, each case can demonstrate extensions and replications of existing literature. Building deductive theory from real-world cases enables for more practical theory than quantitative research (Eisenhardt & Graebner, 2007, p.26).

In order to build sound theory-building research, a strong literature review is required as a starting point. From thereon, you must set a research question and hypotheses first, followed by data collection (Gerring, 2007). Theory-building research can be based on phenomenon-driven approaches, in which existing data can be used to justify or expand on the pre-existing theories (Eisenhardt & Graebner, 2007, p.27). This thesis has chosen to use a phenomenon-driven approach in the manner of exploring three case studies. Data for case studies can be acquired through documents, literature or empirical data. A lack of empirical data has ensured this thesis to derive the majority of the case study material from documents and literature.

This research aims to conduct an in-depth analysis and unfold gaps left by the literature and fill these in with information from the case studies. The choice to use Walzer's Just War Theory is based on the wide application and recognition it has in the sphere of political science (Galston, 1989, p.119). The theory is well known by academics and will provide a subset to the actions of PMCs.

The cases will be compared to Walzer's Just War Theory, specifically Jus ad Bellum as this portion of his theory exemplifies the justness of war intervention, and the notion of non-state actors, to the extent that his revisions and theory can encompass PMCs. A critical comparison of shortcomings of Walzer in light of these cases will be provided. From this stage onwards,

we can create new suggestions for amendments to existing theories, or enable us to build a new theory encompassing how to place ethics and accountability onto these companies or actors who hire them.

The choice for this type of research was made in order to connect existing theories and domains to each other. PMCs typically are not analysed in light of coup theories, nor of the political morality of their functions. By bringing these together in theory-building analysis, new insights can be attained that cannot be done with case studies alone. By choosing to incorporate more cases, the thesis allows for cross-case comparisons and draw global conclusions on PMCs. This has been applied in this thesis both in order to highlight most different cases of PMC involvement (Gerring, 2007). Most different cases look to set apart cases in which there are varying outcomes. This can be used to set apart different scenarios and define the role of PMCs in light of their actions in these cases.

Case selection

Whilst the literature alone provides enough ground for an interesting debate and theorizing on the role of PMCs. This thesis also addresses three real-world cases of notable PMC involvement. By applying case studies to the literature review, real-world comparisons can be made. These cases are selected on the grounds of availability of information, in combination with an occurrence in the last 30 years. In order to be incorporated as a case study, at least four academic articles need to exist on the case alone.

On the basis of this, I made a selection on the degree of established PMC involvement. From this, the selection of the case of Sierra Leone involving Executive Outcomes and the cases of Equatorial Guinea and former PMC employees, and Papua New Guinea and Sandline were established. All three of the cases have also received media attention or attention from international actors or the UN to a certain degree. This is relevant to the theoretical basis established previously.

The requirement of at least four academic papers to exist per case reduces the likelihood of hearsay being expanded as a case. Due to the reputation PMCs have in the general media, the likelihood of there being alleged relations without probable evidence is too high. Therefore,

this boundary was set, to enable that a minimum of 4 authors can construct a detailed account of the events based on primary data.

Concerning the academic and societal relevance of this thesis, the cases have been selected to depict three different situations: an intervention with positive immediate effects, a failed coup plot and a ceased intervention mission. Relatively these are Sierra Leone, Equatorial Guinea and Papua New Guinea.

Sierra Leone

Sierra Leone was selected as the first case to illustrate the role of PMCs based on the role Executive Outcomes (EO) played in momentarily stabilizing the civil war in 1995 (Salzman, 2008, p.858). Sierra Leone's war commenced in 1991 with the Revolutionary United Front (RUF), launching an attack on President Joseph Momoh (Kinsey, 2006, p.73). Due to a lack of Sierra Leonean military personnel to reciprocate an attack, many young and inexperienced recruits were hired (Kinsey, 2006). The introduction of a Multiparty Constitution in 1991 did little to halt the RUFs offensive strategy, seeing them gradually gain territory in the diamond mining areas. This increase in territory and power, saw some of the young military recruits switch sides and attempt a bloodless coup (Kinsey, 2006, p.73).

In 1995, the Sierra Leonean government decided to hire EO to resecure the diamond fields, destroy RUF headquarters, secure the capital, Freetown, and clear remaining occupied areas (Kinsey, 2006, p.63). Executive Outcomes obtained almost all of these objectives within eight months, causing the RUF to enter negotiations for the first time in five years (Kinsey, 2006, p.63). Eventually enabling the government to re-establish itself and organize the first elections in the past 23 years (Singer, 2003).

Executive Outcomes itself is a South African PMC founded by Eeben Barlow, during the dissolving of the South African apartheid regime (Kinsey, 2006). Many of the South African Defence Force (SADF) fighters were being laid off, and in turn, were looking for new work in a similar domain. Many of these ex-SADF fighters became one of the 500 consultants or 3000 employees of Executive Outcomes (Barlow, 2007). Executive Outcomes is known for its operations with military offensive capacities similar to a developing state at the time of its existence (Kinsey, 2006, p.23). The involvement of EO in the Angolan civil war resolution

enabled the company to set its reputation by successfully reducing guerrilla forces. This is also when the company gained international notoriety in aiding states with resecuring assets (Kinsey, 2006, p.24).

The company dissolved in 1999, due to a South African and British restriction preventing direct participation of combatants in armed conflict for private gain, including training or recruitment of mercenaries, and requiring approval of the National Conventional Arms Control Committee in order to provide military assistance outside of South Africa (Select Committee on Foreign Affairs, 2002). After the dissolution of Executive Outcomes, personnel continued their functions at other PMCs or created their own network (Bunker & Marin, 1999).

The case of Sierra Leone is an interesting case demonstrating the efficiency of PMCs. Nonetheless, this case raises questions on whether EO was so remarkable due to the weak Sierra Leonean government and army. Or, whether this case can demonstrate the potential risks of a PMC harming civilians when operating within a state. Hence, this case was selected to demonstrate what the role of EO was in its civil war, especially due to the overwhelmingly positive reception of this case.

Equatorial Guinea

Equatorial Guinea is selected as a case due to the direct and indirect ties it has to PMCs. This case represents the dissolution of Executive Outcomes, creating the opportunity for its former employees to embark on a coup plot in Equatorial Guinea. By incorporating this case, this thesis can look into the potential implications of PMC expansion and what occurs after a company disbands.

The selected case is based on the coup of 2004, this involved 85 mainly South African former Executive Outcome and Sandline employees and was Dubbed the '*Wonga coup'* (Scafidi, 2015, p.38). The term '*Wonga coup'* arose from the notable financers ranging from Mark Thatcher (son of Margaret Thatcher), Jeffrey Archer (British author) and numerous British, Lebanese and South African businessmen (McSherry, 2006). The operation was led by Simon Mann in cooperation with Nick du Toit (Scafidi, 2015, p.38). Simon Mann is a former British soldier and PMC employee, who had fought for Executive Outcomes in Angola and Sierra

Leone, whereafter he co-founded Sandline International (Scafidi, 2015, p.38). Nick du Toit is the former founder of Executive Outcomes (McSherry, 2006, p.).

The plan was to host a coup d'état and reinstall the exiled and former politician, Severo Moto. This would be carried by a small group pretending to be businessmen entering Equatorial Guinea, and the main assault group collecting arms via South Africa and Zimbabwe under the guise of a mine security mission in the Democratic Republic of Congo (Scafidi, 2015, p.38). If successful, the parties involved were to be rewarded with multi-million-dollar contracts hosted by the new government. The coup plot failed, with the detaining of 69 employees in Zimbabwe and eight in Equatorial Guinea. The plan failed due to the lack of secrecy but also due to a lack of funding (McSherry, 2006, p.26). Allegedly, South African, Zimbabwean, American, French, Spanish and British intelligence agencies knew prior to the attempt about the plans (Scafidi, 2015, p.38).

This case is used to demonstrate the role of both the international community and states in regulating or being aware of the relations and skills PMCs possess. This also suggests what might happen in this rapidly changing and expanding market of the security sector if left unattended (Singer, 2003).

Papua New Guinea

Similar in nature to the Equatorial Guinean case is the case of Papua New Guinea. However, the key difference here is that in this case the PMC employees were directly hired by a state to partake in the civil war. This is also dubbed the '*Sandline Affair'* in PMC literature (Kinsey, 2006).

Following a secessionist movement from the industrially rich area of Bougainville. Prime minister Chan repeatedly attempted diplomatic means to resolve issues. The lack of cooperation from the Bougainvillean leaders, and the termination of military aid from New Zealand and Australia led the Papua New Guinean government to contract Sandline International (Dinnen, 1997, p.112). This was not well received, and the pressure resulted in a breach of contract and the Papua New Guinean army to take over the government (May, 1997, p.99).

Sandline International was commonly perceived as the sister company of Executive Outcomes, due to its co-founders' ties to Executive Outcomes as a former employee. However, Sandline distinguished itself by only working for internationally recognized states initially (Kinsey, 2006, p.23). Since 2004, the company has rebranded, renamed and divided itself into Strategic Consulting International, Trident Maritime and Aegis Defence Services (Kinsey, 2006, p.95).

This case helps illustrate the role of PMCs and what should be permitted. Was this a case in which their involvement was as unnecessary as it is being presented? Would their mission have continued; would they have intensified this conflict or would they have been able to prevent the coup that occurred due to their involvement?

Limitations

The information on PMC's and their funding is extremely limited and shrouded in secrecy. Furthermore, there is a notable lack of literature from academics, due to both the recent expansion and rise of these companies in the last 30 years and the lack of market openness. Also notable, is the reluctance of many scholars to have acknowledged PMCs as significant players in security studies (Leander, 2009). This limits the manner and extent we can look at their movements from an unbiased perspective, especially as the majority of documents that are made publicly available are usually resulting from criminally infringing actions, judicial notices, or interviews with former or current employees.

One of the largest limitations of this research is all of the data collected is secondary data. Hence, it is hard to distinguish whether all of the source material is fully reliable and reproducible. This also implies that there will be an element of personal bias at play in the analysis of the provided material.

Although these cases have grounded cause for the suspected involvement of PMCs, there is not enough documented evidence or a primary method to investigate this timely with the timeframe for this thesis. Moreover, collecting primary data on these actors is incredibly difficult and not possible within the confines of a master's thesis. These cases may also involve embezzled information or non-disclosed documentations.

Some of the authors referenced in the construction of the case studies have conducted their own extensive primary research into the opinions of former and current employees of PMCs. At the time of writing this piece, the researcher lacked access to this primary data. Despite not having the data or interviews first-hand, the inclusion of their analysis and findings will provide a sufficient basis to build upon the theory. Important to note is that in conducting interviews there will always be a level of bias present. This due to interviewees being aware of their answers being recorded, and possibly adjusting their answers accordingly. The lack of primary data is a drawback to the extent that the research will be severely limited to the subjectivity and the quality of the sources acquired.

Last of all, due to Walzer's theory being based on interstate wars, not intrastate or proxy wars, nor adjusted accordingly to the third parties or non-state actors. This may also present that the theory is subjective to the knowledge available to Walzer at the time. This research aims to use Just War Theory as a basis in combination with coup theories, to analyse whether this is applies to the role of PMCs. Specifically based on the cases of Sierra Leone, Equatorial Guinea and Papua New Guinea.

Case studies of PMC involvement

Sierra Leone Case: the build-up to hiring Executive outcomes

In order to understand the decision of the Sierra Leonean government to hire privatized violence, a brief overview of the reputational gain Executive Outcomes received for their involvement in the Angolan civil war is a rational starting point. For context, the Angolan civil war was a conflict of opposing ideologies, involving three main actors: Movement for the Liberation of Angola (MPLA), Front for the National Liberation of Angola (FNLA) and Uniao Nacional para a Independencia Total do Angola (UNITA). The MPLA is the largest of the three, fashioning a Marxist-Leninist movement threatening to dominate the transitional government (Kinsey, 2006, p.49). The majority of the MPLA supporters were located in the Eastern and central areas of Angola (Kinsey, 2006, p.49).

UNITA operated parts of the South and received support from both the South African and American government (Kinsey, 2006, p.49). The FNLA controlled parts of the North and received the majority of its financial support from the CIA. This CIA also supported the FNLA with military assistance, this was done at the time by conducting covert operations with the use of British mercenaries (Kinsey, 2006, p.49). The UK government had granted permission to the CIA to hire British mercenaries but chose to uphold a politically distant position of 'concerned neutrality'. The mercenaries recruited lacked the necessary military skills in order to fight the MPLA. This can in retrospection be seen as a combination of their lack of military expertise, and their economically driven incentive to become involved in this combat, often seen in operating mercenaries (Kinsey, 2006, p.49). This also compliments the stereotype of those opposing mercenary or external involvement in conflicts (Chesterman & Lehnardt, 2007).

Simultaneously as the British mercenaries were operating for the CIA in Angola, PMCs were starting to emerge. The political climate of the '70s allowed for a shift in social standards and combat. The Cold War attributed to a lot of this shift, but the increase in terrorist groups and deadly attacks in this period created room for the flourishing of this new market and needs (Singer, 2003).

One of the PMCs operating in Angola at the time was Executive Outcomes (EO), initially hired to protect oil reserves in tanks at Kefekwena followed by a similar mission in Soyo. Soyo at the time was run by the UNITA troops. EO managed to make serious progress in fighting

UNITA in these missions. Once they had finalized these missions and retreated in 1993, the government lost control over Soyo to the UNITA rebels once again.

Reflecting on their combative success, the Angolan government decided to hire EO in a one-year contract to aid in driving away the remaining opposition forces, mainly through training and supplying arms to the Angolan army. They received two renewals of the contract in 1994 and significantly assisted in speeding up negotiations, leading to the November 1994 peace accord (Kinsey, 2006, p.51).

At the time, international actors were reluctant about the involvement of EO in internal affairs. This mainly due to the Angolan state still being a sovereign state allowed to do what it wishes within its borders. Furthermore, the position of EO was vital as it secured important international commodities such as diamond mines and oil fields direct and indirectly. The fact that this had positive economic benefits for primarily Western countries, further intensified the passive stance of the United Nations (Kinsey, 2006, p.51). Even more so, EO was able to set the stage for benefits in having PMCs conducting home state affairs, or securitizing certain assets and training and mobilizing troops.

Sierra Leone

The deployment of EO in Sierra Leone turned out to have a different nature, this led to the reputation EO has nowadays. In Angola, Executive Outcomes was initially employed to provide security for the mining industry, but eventually took on a more exclusive training and consulting military role in the Angolan conflict. In Sierra Leona, Executive Outcomes were asked to reproduce the military capabilities they had demonstrated in their mission in regaining the UNITA occupied areas in Angola.

As mentioned before, the Sierra Leonean conflict emerged in 1991 when the Revolutionary United Front (RUF) attempted to overthrow president Joseph Momoh (Hirsch, 2001, p.145). The RUF was a rebel army led by Foday Sankoh and became popular by its anti-elite movement in trying to combat the corruption in Freetown (Hirsch, 2001, p.146). The majority of RUF recruits were rural, unemployed and young men. Sierra Leone's inability to pay government-funded schools or teachers caused the collapse of its educational system (Hirsch, 2001, p.147).

The RUF received aid from Liberia and managed to secure large territories, including diamond mines.

The RUF demanded education, medical care and protection of the countries' resources from foreign countries or companies (Hirsch, 2001, p.147). However, they also harboured violent rituals, such as cutting off hands, looting from the poor and scorching villages and land (Hirsch, 2001, p.147). Their motivation to invade Sierra Leone was not driven by the diamond fields, but rather by the imprisonment of Sankoh for a failed coup attempt in the 70s. Sankoh's followers felt a mix of grievances and sought to seek revenge. The possession of the diamond mines and support from Liberia's Charles Taylor enabled the RUF to have such a stronghold in the country (Hirsch, 2001, p.150).

Due to a lack of military power in resisting the RUF's attacks, Sierra Leone recruited young, untrained and new soldiers. In trying to meet the RUF's demands, the government implemented a new constitution and a multi-party system. This did nothing in reducing the violence and aggravated military personnel in their fight against the RUF. This military frustration became grounds for two successful military coups, and the eventual decision in 1995 to recruit EO in fighting the RUF (Hirsch, 2001, p.150).

In 1995, the RUF was only mere kilometres from the capital, Freetown. EO's initial mission was to secure Freetown and its surrounding territory, regain control over the countries' diamond mines and fields, destroy RUF headquarters and clear any other areas the RUF occupied (Kinsey, 2006, p.63). In essence, the required task was to put down a rebellion, starting at one of the primary income sources for the national government. Ironically the majority of EO contractors were ex-South African Defence Fighters (SADF) personnel, and a large group of ex-SADF not employed by EO were employed by the RUF rebels (Barlow, 2007).

Typical of EO is the relatively low cost they needed in order to stabilize the situation and regain the government's power of the required mining areas. This security measure enabled the government to stabilize both the civil conflict and the finances required to reinvest in the social stability of the country. EO received an estimate of 515 million USD to carry out its tasks in Angola, whereas the mission in Sierra Leone cost approximately 41 million USD (Howe, 1998).

Brooks presents an interesting view on the international response to African conflicts as a whole. He argues that Africa needs more robust peace missions that are quicker and more responsive in nature than the reluctance of UN members to engage (2000c, p.1). In combination with the more complex issues at hand with most African states consisting of a multitude of regional and cultural clashes, combined with a sheer mass of land. If undertaken by UN peace missions such as the UN mission in Angola prior to the EO involvement, it becomes very costly due to the time and personnel heavy approaches (Brooks, 2000a, p.9). Amounting to a cost of 1.5 billion USD being required to create a peaceful situation, whereas EO attained the same end goal in a mere ten months (Howe, 1998, p.312).

Equatorial Guinea and a case of a PMC supported coup

Equatorial Guinea is a small African state with a history of recurrent coups over the past century. The current president took hold of power through a violent coup d'état led against his uncle in August 1979 (Baynham, 1980). The latest coup attempt took place by a group of alleged mercenaries in 2017 (BBC, 2018). One of the more notable coup attempts was led by Simon Mann in 2004, a former British soldier linked to both Sandline International and EO as their founder. In this thesis, we will focus on the 2004 coup attempt, due to its relations with PMCs.

Equatorial Guinea has a strong colonial past, to the extent that up until 1963, it fell under the rule of Spain and was known as Spanish Guinea or the Spanish Equatorial Region (Baynham, 1980). In 1970, the political system saw a substantial shift towards a one-party state and the self-installation of President Macia, who elected himself as president for life (Baynham, 1980, p.67). This paved the way for the oppression of constitutional rights, even reducing the citizens' ability to vote and persecution of non-national religions such as Christians in corrupted courts. This oppression continued after the coup of 1979, under the rule of President Obiang Nguema, with the authoritarian regime continuing to pressure long-existing religious, cultural and regional tensions (McSherry, 2006).

As a starting point, and in reference to previous literature, Equatorial Guinea has rich oil, cocoa, timber and agricultural economies. The country is one of the largest oil exporters to Asian and Western markets (OEC, 2019). The chance of a coup occurring or a decline in its development

is statistically more likely to occur in this area in comparison to its neighbours. Besides its wealth distribution being among one of the most unevenly distributed of the world, seeing a distribution of 76 percent of its inhabitants to live in severe poverty (Williams, 2011, p.629). Academics theorize that the instability of Equatorial Guinea can be attributed to the resource curse and poor economic management (McSherry, 2006). This instability in combination with the aforementioned Collier and Hoeffler research can explain its tendency to have more frequent coup attempts and plots occurring (2005, p.16).

The Sandline affiliated coup caught so much wind due to the involvement of some high-ranking officials such as Sir Mark Thatcher (son of Margaret Thatcher), Mark du Toit (founder of Executive Outcomes) and Simon Mann (McSherry, 2006). They plotted to replace President Obiang Nguema with the banished opposition leader Severo Moto.

Though PMCs usually operate to help stabilize an area, in this case, the involvement of Sandline and the other mercenaries and persons of interest, was due to a potential cut in the oil revenues and the possibility to discover or claim new oil fields (McSherry, 2006, p.36). Despite EO officially having been closed as a result of a governmental restriction, a lot of its structure remained and over 80 former EO employees were arrested in the plot to overthrow the Equatorial Guinean government (Leander, 2005a, p.614). In this case, we can speak of a shadow structure of a former renowned PMC providing the incentives and reputation to undertake new ventures (Leander, 2005a, p.615).

In terms of Just War Theory, this intervention is unjust as the involved parties had personal agendas. Potentially their actions could have been acceptable if viewed in light of protecting the civilians from the oppression of human and civilian rights instilled by President Obiang Nguema. If their operation had been the same foreign power but with the intent of protecting the civilians from being limited further in their civil liberties, they could have handled righteously in their attempted coup. However, it doesn't take an in-depth analysis to understand that this event was not meant to be justified, in retrospect of Just War Theory, coup theories or any legal commitments. Despite the malintent, this event did manage to bring more international recognition to the malpractices taking place in the country, and fall in the same domain as the aforementioned wealth and interest of Western countries peaking UN responses (McCormack, 1998, p.298).

In comparison, the 1979 coup saw far fewer international statements than the attempted coups since the discovery of the oil fields off the coast of Equatorial Guinea in 2003 (OEC, 2019). As mentioned by Fegley, the country received little to no concern or interest in the moments leading up to the coup of 1979. This also embodied twelve years in which several gross human rights were violated and execution of numerous refugees were permitted by neighbouring countries Cameroon and Gabon (Fegley, 1981, p.40-41). Spain also played into this by not permitting any publications on Equatorial Guinea until 1976 concerning its political or social-economic status.

In the case of Equatorial Guinea, the civilian position was dire and should have received more attention than it was receiving. However, in the manner that foreign meddling seems to only be incentivized by fiscal motives, is not helping the economy or state in any other way. Also seen in the increased foreign interventions and involvement, both in the arrival of foreign companies to increase trading in the area by predominantly China (Esteban, 2010).

The use of PMCs can then also be viewed as a comprehensive solution for a collective or planned foreign intervention. Walzer would, first of all, view this as unjust due to the lack of conflict for the coup plot of 2004. But would regard it as righteous if it were approached with the intent of helping improve the poverty and civilian rights being violated. The involved parties are those Walzer would not view as the best holder of the balance, i.e., Spain could have a crucial role in facilitating this or perhaps, some of its primary economic trading states such as China, the UK or the US.

Papua New Guinean case

Papua New Guinea is historically a part of the Commonwealth and was governed by Australia for over 60 years. From this, an Australian expectation arose for this Pacific Island state to adhere to similar Western norms and policies (Regan, 1997, p.82). The Bougainville crisis is mainly based on the economic and cultural strain resulting from an economic boom through the discovery of multiple natural materials (Standish, 1997, p.76). The gold mining in combination with the discovery of copper caused migrations of thousands of Papuan New Guinean workers to the area of Bougainville. This in turn caused tensions and a secessionist movement to emerge; the Bougainville Revolutionary Army (BRA).

After a period of fighting and periods of peace, the conflict remerged in 1996 due to a firebombing on the Bougainville Interim Government (BIG) representative in the Solomon Islands. This caused the BRA to retaliate (Regan & Dinnen, 1997, p.10-12). At this time, the Australian government declined to help the Papua New Guinean government, despite having provided steady military and financial support in the eight years prior (Regan & Dinnen, 1997, p.9).

The desperation of fighting the BRA for nine years drove the cabinet at the time to facilitate favourable adjustments to policies to be able to hire a PMC or mercenaries (McCormack, 1998, p.296). Ultimately this led to the Papuan New Guiuan prime minister of 1997 claiming that he was forced to use the private sector in order to counter the BRA threats (Shearer, 1998, p.72). In this agreement, he signed a 36-million-dollar contract with Sandline International to train and help with the offensive against the BRA. The cooperation with Sandline and their intent in hiring EO to recapture the Panguna mine were leaked to the Australian press.

The common perception reflected by the Australian media was that they had hired a crew of 'Rambo like assassins.' Furthering that, 'The Australian' referred to the use of Sandline as a "*repugnant action by a democratic government"* (Roggeveen, 1997, p.50). Papua New Guinea has a rich history of exporting primary raw materials. Especially in terms of petroleum trade, equating to about 4 billion of its GDP, of which half was traded with Australia (OEC, 2019). This in combination with the close ties it had both historically and regionally with Australia, explains the public uproar and dismissal of their actions. This also resulted in the Australian government pressuring Papua New Guinea to resign the contract, and halted the employees on their arrival. Due to the uproar, Papua New Guinea eventually resigned and removed the PMC employees. This de-escalation facilitated room for New Zeeland, Australia, Fiji and Vanuatu to de-militarize the area and instil a truce leading to the eventual independence of Bougainville (Regan, 1997, p.69).

Regan reflects that in hindsight if the employees hired had continued their mission, there was a large possibility the conflict would only have intensified in Bougainville creating an opportunity for a coup (1997, p.83). Similarly, to the Equatorial Guinean plot, there were also rumours about a financial motive for Sandline to get involved in the matter, for a cut of the share of oil export (Standish, 1997, p.73). The display of the Sandline employees and EO

employees being deployed by Sandline were all narrated as mercenaries. Whereas a similar mission in Sierra Leone, saw no such stigma being applied to their operation.

In terms of applying Walzer to this case, we can see that Walzer would support the use of mercenaries in order to help the secessionist Bougainville movement. According to his legalist paradigm, there would be a right to challenge the Papuan New Guinean control on grounds of this. However, the hiring of mercenaries could also be seen as partially legitimate. This is due to the mercenaries practising sound of mind and intervening on behalf of a legitimate state.

Analysis

On a whole, Walzer permits intervention when this would be beneficial to the general civilian population on the account of Jus ad Bellum (Walzer, 2006, p.90). Despite PMCs being for-profit companies, it may be safe to state that in some cases the non-intervention is direr than using a PMC. In light of Walzer's views on mercenaries, questioning the ethics of their functioning especially when they have no better alternatives for their work. His argument would entirely fall short were we to incorporate PMCs into his argument. PMCs functioning on the basis of highly trained ex-military personnel would ensure that the employment (on a whole) would be just and fair based on the autonomous choice the employees made to work for such a company.

The role of reputation versus reimbursement

Important to note is that PMCs are profitable companies, not armies. They won't reintegrate or re-educate after finishing a mission; hence, it is questionable whether it is entirely good to rely on these companies for security. Especially if they make large profits on the back of war conduct. Is their role primarily to provide peace, or is there an element of Western or personal economic gain? This has been seen in the successful intervention of Sierra Leone, but can also be linked to the Western diamond trade companies contracting EO for extended terms. Likewise, the overwhelming majority of PMCs arise from Western dominant states such as South Africa, UK, Israel, France, and the US (Shearer, 1998, p.71).

We cannot pertain to the element of doubt that there might be situations in which there is a regard for forced labour. As seen in all of the cases, there are similar money-grubbing situations in which PMC employees might feel persuaded to work for the party offering the best price. Likewise seen in the case of Equatorial Guinea's coup plot and the share of ex-SADF employment for both the RUF rebels and EO. This is an important element to consider with the role of these companies, these professional soldiers have the opportunity to switch from their former military roles to any lucrative job, as there are no guidelines or loyalties tied to their employment at PMCs.

Keeping that in mind, the majority of PMC employees and PMCs themselves gain the most from adhering to legalities at all costs to preserve their name and gain more missions. As has been highlighted by multiple academics that interviewed former and present employees of

PMCs, such as Joachim & Schneiker have (2012). Important to consider with this finding is the possibility that these answers may have been given in light of upholding the company's or their professional reputation.

PMCs highlight that their role in being righteous and just in the eyes of the international community is fundamental to their existence, as seen in the case of EO and its associates. Notwithstanding that we have also seen in the case of Equatorial Guinea that ex-members or affiliates of these companies can assume a new role, and operate on a whole other playing field. These are also notably the cases in which it is harder to pertain or ascertain what exactly happened. This feat makes it trickier to have clear and objective insights into whether these interventions would hold in an international court tribunal or the public perception. The fact that they keep their operations secluded from the public eye also contributes to this. Especially with the definitional issues, comparisons to mercenaries, and the media pertaining to a predominantly skewed outlook on the operation of PMCs as a whole.

Possibilities to improve stability

On a whole, Brooks (2000c) and Leander (2005b) argue that the PMCs promote public security on the basis that PMCs provide four convincing pillars in their case of improving African security. They rest on the implications that: PMC involvement restores public security to African states suffering from perpetual violence, PMCs present themselves as respectable, restore capacities of African forces, and improve practice and regulation (Leander, 2005a, p.607-609).

When considering whether a PMC intervention is just in African conflicts, we should look at the alternatives. In most cases, this would embody the state military forces. Nevertheless, as is the case in most African conflicts, these armies are one of the main instigators of the violence or lack capacity or expertise to make a significant difference (de Waal, 1998). Especially in light of Walzers' Just War Theory focusing on the position of civilians, the cases of Equatorial Guinea and Sierra Leone demonstrated that PMCs have the intent of being protectors of civilian populations. Respecting what we have seen before, PMCs can be considered to be objective parties, especially in cases of weak or exploitative military forces, such as in Sierra Leone's capacity problem creating coups and rebellions.

Brooks (2000c) and Leander (2005b) also argue the strength of PMCs lies in situations such as the Rwandan genocide, where interveners didn't want to bear the shared costs of claiming responsibility by intervening. Let alone the human cost of sending troops, or the anticipation of a long mission. PMCs could have been used as force multipliers in this case, they argue, putting one side potentially in a more advantageous position. However, we can question whether this reasoning should or could be limited to one party, and what potential limits we can implement. Without limitations, situations in which both parties hire PMCs in order to improve their chances can occur. The use of Sandline in Papua New Guinea demonstrates this, calling into question what happens when PMCs behave non-linearly.

This disputable position has been seen in the ties of Anthony Buckingham, a director of Heritage Oil and Gas and Branch Energy, and introducing Executive Outcomes to Angola and Sierra Leone (Searer, 1998, p.72). Despite his statement denying involvement on grounds of personal gain, his interest was in "creating a more stable situation" (Shearer, 1998, p.72). Especially in some of the more conflict-prone countries, feasibly due to their resource curse, there lies a potential political and economic gain both domestically and internationally to stabilize key economies such as diamond or mineral mining. These raw material industries rely on investors and investments but require stability to gain these.

The use of UN interventions is in a manner more invasive to the domestic chain of power (Chandler, 2006), due to these missions being funded by external donors, these countries possibly have leverage over the government and its development of affairs. The mix of economies and violence are seen in these 'resource' wars, where firms and states are more likely to employ PMCs in order to secure their natural resources and tend to be at the centre of conflicts for their exploitation rights.

Some countries feel comfortable with the possibility of exploitation by PMCs in the short or long term. This is also seen in the case of Equatorial Guinea consisting of an element of beneficial contracts to be won from a regime change. Governments, however, should make this cost-benefit analysis independently on the use of private militaries to regain autonomy in the domestic affairs of the country itself. Notwithstanding that in cases such as Sierra Leone, we have seen the PMCs operate as an indirect proxy for Western interests by protecting the diamond industry.

The reduction of political risk plays a key role in both the position of the company and its future jobs and the stability of the domestic country. PMC impartiality is the main selling point for their involvement. If a conflict resolution can be reached fast, the use of PMCs permits for potential regime changes and the development of a nation. The twentieth century shows a trend of outright victories being far more favoured and stable than negotiated peace deals (Duffy Tofft, 2010, p.2). These victories tend to bring more stable peace but, are heavily circumstantial and implicate a far greater human cost (Duffy Tofft, 2010, p.3.)

Limiting the human cost by including external parties could limit the extensive periods of current warfare. Additionally, portraying more durable manners of demobilization, rehabilitation and implementation of peace accords. The international community continually pushed for negotiated peace settlements, likewise seen in the case of Sierra Leone and Angola, despite the continual resistance from the separatist groups (Kinsey, 2006, p.60). Despite this, the international community persisted to pursue this type of agreement (Shearer, 1998, p.75). Despite the portrayal of PMCs potentially eroding the state's independence, their ability to resolve low-grade violent conflicts, reclaims the territory and authority of a state. They are unable to resolve long-term issues without political involvement or post-conflict programs being implemented (Leander, 2005b).

The case studies display grounded reason that PMCs analyze the conflict situation, refraining from being employed by rebel movements. Though, this can also be an indication that perhaps this might be a trend to come in the future, nor that there is a chance that these transactions have already taken place outside the public knowledge. Especially when taking note of some PMCs profiling themselves to be more risk-taking such as PMC, Sakina Security, offering Jihad programs to radical groups in Afghanistan and Chechnya (Leander, 2005a, p.614). A case such as the attempted coup in Equatorial Guinea in 2004 demonstrates the willingness of some disbanded firms, personnel and foreign countries to wade outside the common paths to prevent scrutiny (Bigo in Leander, 2005a). This can also be seen in the continued support from countries for PMCs that have worked 'illegally' previously (Leander, 2005b). Visible especially with the FZ-LLC and US cooperation despite the claims that it worked for Colombian right-wing paramilitaries (Singer, 2003, p.335-336).

Just or unjust in the eyes of Walzer?

The hardest part both in terms of Walzer's applicability to PMCs and the companies to decide themselves is when and whether working for a government is legitimate. This can be a very subjective and volatile perspective of a situation. Adding on, the lack of a regulation or accountability measures, create a situation in which there is little to nothing stopping a PMC from potentially working for the highest bidder. The damages to both a domestic political situation nor the reputation of a company hang in the balance of the initial judgement and assessment whilst carrying out the contracted tasks. Insiders also stress the importance of reputation and responsible behaviour due to the connotations and connections existing between mercenaries and PMCs. As demonstrated by the EO statement 'The fastest thing that would get us out of business are human-rights violations' (Nic van Den Bergh of EO, in Spearin, 2001, p.30).

Walzer also agrees with the human rights weighing the heaviest and therefore needing to be adhered to receive legitimacy in their acts of service (2006, p.29). Noted that wars tend to exhume and exceed most ordinary political and righteous boundaries in comparison to peaceful situations. We can apply this to interventions likewise, interventions or cooperating parties in achieving a new goal, the humanitarian position should be the first priority. This does however need to consider the legitimacy of the movement or group if there were or to be employment of PMCs by a rebel movement.

Consequentially, some governments are seen as unjust or illegitimate before claiming power, such as South Africa's National Congress (Shearer, 1998, p.76). Adding to this we could also view rebellion as perhaps not always an illegitimate act, the line between rebellion and a revolution is a thin one and sometimes viewed in light of the strongest party (Roggeveen, 1997, p.51). Crucial to this, is PMCs adhering to human rights articles and being observed to do so.

Some of these companies argue that due to their construction and contracting they can always withdraw and decide to refrain from working for a certain party. Although, this cannot always be the case, especially as something might be legitimate in the course of action, upon reflection be viewed as incorrect. Due to the profitable nature of these companies, they will answer primarily to the stake and shareholders. This will also be driven by elements, such as how profitable a mission is, portraying a strong inclination to not complete a mission unless it is

profitable for the company. Regardless, these companies fall under the Common Article 3 of the Geneva Conventions, due to this, they are bound to the same human rights rules as all combatants. Yet, they are not bound to national governments permanently, and there is little to no independent observation of their functioning or activities (Shearer, 1998, p.77).

Vital for the future of conflict resolution and intervention, would be transitions and clearer communication from the beginning. This can be seen in the handover of the conflict in Sierra Leone, with the removal of EO and the deployment of UN peacekeepers, there was a lack of communication. Effective communication between the UN and EO regarding post-conflict reconciliation or programs and transition could have prevented the military coup from succeeding after the departure of EO. Perhaps in the future, if the UN were to recognize PMCs as legitimate tools and implementing bodies, they could set up new cooperation or lighten peacekeeping missions.

Ethical issues for involved parties

A selection of potential ethical issues tied to the role of PMCs in modern warfare is provided in the table below. Both for those hiring the PMC and for PMCs themselves, there is a level of uncertainty regarding their missions. Substantial research can be done into the potential risks in ethical practices. However, for both parties there lies a responsibility in communicating the manner and means in which goals for missions are attained. In reflecting on a mission, difficulties can arise in determining who approved risky or potentially violating manners of attaining security. We can assume that these parties are not aware of the potential ethical issues that may arise from a mission, before its completion.

Table 1: *An overview of potential ethical issues for various parties*

Parties involved	Issue(s)	Implication
Contractor – i.e., private company or state	Uncertainty surrounding mission	Difficulty in determining the costs (human, financial, legally etc.)
Supplier - PMC	Uncertainty surrounding mission	Difficulty in guarantee to attain the missions' goals
International Community	Scrutiny, i.e., Kofi Annan's public critique	Legally abiding PMCs to constantly adapt and reiterate their intentions
Media	Scrutiny, i.e., comparison and labelling of PMCs as mercenaries	Legally abiding PMCs to constantly adapt and reiterate their intentions

Arguably, this makes both parties more hesitant and critical of each other. Removing this level of uncertainty for one or both parties could tip the scales to a more favourable position in which one of the parties may get more slack. Added onto this is the scrutiny from both the international community and media, ensuring that PMCs need to evolve and reshape themselves to become 'lobbyists, security advisors and public-opinion shapers' (Leander, 2005a, p.613). The threat in this lies in the perception of a threat or that instilled by trained security personnel looking for a job.

As especially seen in the cases with relation to Walzer, many of the theories lack to encompass the possibility of external help besides the old-fashioned mercenary stereotype, based on the dominant frame from the '60s. Coup theories are especially biased in this, keeping their focus structurally on an old war template, similar to Walzer. The dimensions being ignored are not just the financial, involved actors and the legalities but also the ethical responsibilities of the parties. Commercialization and privatization of Westphalian based state responsibilities are eminent and most likely will only further continue. This, therefore, calls for more inclusive, newer and critical manners of assessing and looking at the operation of these companies.

The lack of studies surrounding their operations besides the more openly documented cases and their role in the developing world dismisses the speculative reach these companies have. Or what they can implement or do in the other countries they are or have been employed in (Leander, 2009, p.7). Furthering the debate of public versus private security might lose the scope of the current security climate, especially in terms of security dilemma development and the role of external parties in intervening.

Role of the international community

The role of the international community and therefore that of the UN states and their interests lie at the heart of the functioning of these PMCs. If using a PMC in a targeted manner can resolve issues such as domestic conflict, rebellions or support warfare, PMCs could be used to become a helpful tool to many international peacekeeping missions or interventions of the present and future. The limits should be set and maintained on the international level of warfare and law, making these companies just as accountable as those financing or recruiting them.

This does, however, raise the issue concerning which body should be independent and unobjective in assessing the missions carried out for the UN or in name of influential UN states. Will the use of for-profit companies perhaps create more issues as they thrive on the commodity of civil or national disturbances? Does the asset of a PMC end once there is no more fighting, or once there is a level of positive peace attained? Personally, I would argue for a hybrid of PMC and UN peacekeeping cooperation to either accommodate a transition from one party to the next. Based on the case of Sierra Leone portraying a backslide in security as soon as EO left the area.

The international community's disdain to accredit the potential position and efficient new manner of intervening they could play is being overshadowed by the image portrayed by those of mercenaries and similar companies in the '60s (Percy, 2007, p.368). This can be understood in Kofi Annan's statement considering PMCs as the very last resort in cases of mass murder (Shearer, 2001). Correspondingly, seen in the UN's Secretary-General dismissal of their reputation by stating there is no "distinction between respectable mercenaries and non-respectable mercenaries" (Shearer, 1998, p.68).
Basing this on the old base level of states directly intervening in issues, it may require PMCs to become more open and non-disclosing towards an independent party.

Shearer (1998) suggests the use of codes of conduct being implemented by the international community and adhered to by all UN signatories. Similar to any other sector and companies, the use of codes of conduct can limit the activities of a company, and ensure that human rights are protected and ensured. If there is no manner of separating these companies in their conduct and those they are working for, the lines may potentially get muddy.

Historian Anthony Mockler also noted this on the PMCs protecting Italian cities; "condottieri lines had become entangled with rulers: mercenaries had become rulers and rulers had become mercenaries" (Mockler in Shearer, 1998, p.80). An international register and code of conduct is a good starting place for monitoring what, which and when PMCs are involved. This is beneficial to both helping the countries intervened in having a more sustainable future, and for the companies by having approval and a sign of legitimacy on their side. Especially due to their nature of functioning on profits and reputation, this can solidify or help those with good intentions set themselves apart from the other PMCs. This will only succeed if military economic and political sanctions are laid on those reluctant to adhere (Roggeveen, 1997, p.53).

Scholars such as the domains of political science, security studies, international relations, ethics of war and legal academics should encompass and acknowledge the private military actors as legitimate bodies partaking in interventions in the current warfare. By integrating their existence more as a legitimate and present occurrence, the analysis will change from its current form to a more nuanced version in which these actors can be seen as a legitimate force in order to attain a viable solution for sustainable and positive peace. An intervention or involvement in aiding a specific party can play a crucial role in this process, especially if the international community is willing to implement a system of sorts to facilitate and regulate this market to a certain extent. This should be implemented to prevent absolute monopolies or foul play in their operation as a company. Filling the gaps of publications on PMCs in light of them as mercenary operators take away from their development and definition.

PMCs can prove themselves as worthy interveners in mid to small scale conflicts, and can be used advantageously if applied correctly (Leander, 2005a, p.606).
However, due to their high amount of involvement in African conflicts and states, it might be more advantageous to look at potential implications or relations of their involvement in light of African coup theories. How much more or less likely is a state to fall back into an illegitimate reform post-conflict when there has or hasn't been the involvement of a PMC. Furthermore, the conception of a threat is a personal and varying judgement, what might be considered a smaller scale conflict may subsist a larger domestic issue elsewhere.

My suggestion relinquishes total clarity, as similar to national armies, the cost of total transparency is a luxury that still cannot be pertained to in today's climate and sentiments. Outsourcing war, acting on intel and using diplomacy to gain a glimpse of the other parties' intentions are still fundamental to current warfare. The most important shift now is seen in the fact that these conflicts are taking place within borders or about disputed regions/borders. This further complicates lines of communication and being able to stay neutral or objective as an outside party. With the knowledge we have from current security studies, we can see that conflicts tend to last longer than previously. With the lack of state forces or capabilities in some countries, the use of external and highly trained personnel tied to a PMC can be an ideal solution. Ensured that there is a manner of enabling transparency of moral quality. This can be done by the international community approving their use or the creation of a trademark administered externally. If both of these options are too hard to attain, PMCs willing to operate legitimately should become more transparent to ensure good faith from the public eye.

Summing up, the use of a PMC can be useful as seen in some cases and theories, however, this requires some form of legitimacy or transparency from either states' approval or from within the industry.

Conclusion

In this thesis, I conducted theory-building on three case studies in order to establish the role of PMCs in current warfare. Central to this study was answering the following research question: **What is the role of PMCs in contemporary warfare using principles of Just War Theory?** The expectations arising from the literary review consisted of the assumption *that there will be uncertainty surrounding a PMC's position in the case studies*, and PMCs *do not follow Just War Theory's perception of mercenaries.*

On a whole, the portrayal of PMCs is inaccurate in the common literature and varies too much when it crosses with different academic studies. The main focus of PMC literature conveying the commonalities with mercenaries and forming a rigorous debate between either pro-PMC and those opposing them. The clear lack of theories encompassing the functionalities in terms of their role in contemporary warfare is apparent. This is also ever-present in theories on coup d'états, a lack of acknowledging the security risk or addition of PMCs.

The main focus of this study laid in defining the function and position of PMCs. This sets a boundary for the limits of this research in terms of defining the subject. With the initial look into the nature of these companies and their functioning, an array of definitional boundaries and issues arose, due to the interdisciplinarity of the companies and umbrella terms encompassing PMCs and PSCs. Keeping this in mind, the focus shifted to the existing theories on coups and intervention as a whole. Coup theories keep the primary and limited focus of their scope on national actors and interventions. Normally this would be a fairly logical assumption to make, especially regarding that coup d'état's most commonly are hosted by a national party or army. However, as seen in the case of Papua New Guinea, we can see that the existing coup literature fails at acknowledging the role a PMC can play in defining a coup or determining its outcome.

The primary limitation of Walzer's theory lies in the realism-based approach to analysing the spheres of war on a whole. Crucial to the analysis and building upon this theory to encompass PMCs, is looking at the approach he mentioned about mercenaries and interventions as a whole. War is never just and can be seen as aggression, the act of war is usually in the perspective of gaining new or better peace than prior to any aggression. This is quite doused in national interests, yet can be taken as a lens to view some real-world cases of interventions and coups

overseen by PMCs. Even though there are some cases in which PMCs have been rumoured to have taken part in aiding a party to overthrow a government successfully, the lack of physical evidence has led to their exclusion. This has limited the scope of the research to interventions in conflict as a whole, in light of existing theories and debating the morality of such.

Walzer lays the groundwork for this, and with the use of his theory, we can see that his perspective is still built upon some key findings from political theorists of the '60s. On the other hand, PMCs are aware of the public perception of their actions. Therefore, we see that, of the cases studied, the companies were open in working only for legitimate states, conducting analysis of the situation prior to engaging, and keeping clauses in order to discontinue their work. The only exception is seen in the case of Equatorial Guinea, highlighting a disbanded PMC. Therefore, to the extent of these cases studied we can affirm that PMCs do not follow the portrayal of mercenaries by Walzer.

By looking at Sierra Leone we can see a conflict arisen from multiple coups, based on the coup theories and its natural riches this can demonstrate a proneness to another coup. EO carries out a successful and significantly cheaper and moral intervention in driving out the RUF forces, especially in comparison to the UN attempts and failure following their withdrawal. This raises one of the major findings of this theory-building thesis, PMCs can play a fundamental role in stabilizing specific areas, industries and facilitating an efficient manner to reach rehabilitation. This needs cooperation from both sides, but could potentially aid countries and UN missions in becoming more time and cost-effective. Especially with the apprehensions of many states in providing the required funds and soldiers.

The case of Equatorial Guinea, however, demonstrates a different role and some of the potential pitfalls of using privatized security forces can bring. With the multitude of coups and coup attempts seen in the past years, Equatorial Guinea proves the uncertainty its oil wealth brings. The role of PMCs and economic gain from private parties highlights the predominant 'for-gain' aspect of the PMC market. With the majority of PMCs still working for primarily private actors or Western industry leaders trying to secure the natural riches of these African countries (Equatorial Guinea and Sierra Leone). From this we can derive that it is important to monitor what happens with PMCs after dissolution, keeping this aspect of employee movement unregulated enables these individuals to choose their own moral justness.

The case of Papua New Guinea demonstrates a case of international scrutiny and demand for support. The critique from New Zealand and Australia ended up being beneficial to the stability of the state. But this does show that the reluctance of aid from Western countries motivates a country facing immediate crisis to gain help from any willing party. In combination with the analysis and aforementioned literature, this can make a strong case for regulating the market and ensuring that these companies assess the potential implications of their missions also in light of other parties. By enabling that the international community or PMCs take this responsibility in laying a code of conduct or repercussion on companies not adhering to international humanitarian law or serving in the interest of the civilians, ensures that there is a lasting effect on the peace and stability of a state.

Parenthetically the three cases also demonstrate a certain extent of the greed versus grievances debate of conflict studies. A potential exploration on whether PMCs would be willing to enact more reputable and morally rewarding missions in comparison to those more financially attractive. This could be a suggestion for exploring the extent reputation weighs for PMCs and strengthen the possible position PMCs can take in global peacekeeping and intervention. Further strengthening the potential for manners of regulating and measuring the risk of some of these companies in their operation, and being able to judge whether a company and its employees might be willing to switch to supporting rebellions or coup plots.

In light and combination of the 4 pillars presented by Brooks (2000b). We can assume that in the presented Sierra Leone case, the PMCs were able to restore public security and autonomy of a state in an effective and cheaper manner. However, to a certain extent, we also saw that the involved cases had unstable economic and welfare divisions, this increased their chances for civil conflict ranging from coups to civil war. Keeping this in mind, a strong and clear operation or cooperation between the UN and PMCs in areas demonstrating these indicators to harbour a civil conflict can drastically help enable a state to grow or stabilize with the use of PMC intervention.

As mentioned by many before me, PMCs are an attractive and for the most part reliable manner of solving civil conflicts. The potential pitfall lies in the areas and information that is harder to ascertain about their operation and existence. Opening up the market entirely would remove the efficacy of these companies to be hired. However, in an ideal world a regulation, trademark or code of conduct of the sorts that could be pertained by an objective third party, will enable

the legal, moral and regulation of these companies to exist in a healthy manner. If we were to implement this in cooperation with the G7, NATO or UN member states, we might be able to mitigate the reluctance of countries to dedicate themselves to interventions. Besides this could reduce the human and economic cost of interventions and enable to resolve elements of new wars more swiftly. In order to achieve this, there is a certain degree of research and cooperation required to facilitate this movement from an unregulated market into a controlled sphere.

In conclusion, this thesis demonstrates the various roles of PMCs from the perspective of the presented case studies. The usage of PMCs might not be as bad as they are represented in the media, especially in light of the efficiency they have demonstrated. But this is only applicable to the companies operating to a certain degree in the public perception. The real danger of PMCs lies in the missions and companies unknown to the general public. Regulation of the market from either within the industry, the international community or an objective third party can reduce PMCs from failing to adhere to domestic and international laws.

Reflection

In hindsight, were there not have been a global pandemic, I would have wanted to incorporate interviews with government officials from the cases of those that have stepped forward in the media for working with PMCs. This would have added the primary data layer that this research lacks. I did account for this in the thought progress leading to the piece I made and came to the conclusion that it is too troublesome to bridge the gap on potentially controversial or confidential information that might not be disclosed in an online setting. Furthermore, there is always a human element to keep in mind with interviews, as the interviewees might be aware of the recording and potential implications of their words. This counts for all of the involved actors, and the potential bias that many of those involved might have due to their proximity to the conflicts.

Despite not being able to conduct my primary research, numerous of the authors used in this theory-building research were able to conduct PMC interviews at various periods (1990-2019), this enabled the incorporation of PMC employee perspectives, and to a certain degree those of the governments they cooperated with.

Sadly, the area of expertise I initially was most drawn to, is the most inaccessible. The involvement of PMCs in coup plotting and conducting would be an amazing research project in and of itself. Something to look forward to and potentially open doors into more revolutionary manners of cooperating or limiting this industry. Also, merely doing market research into the exact number of companies and their attitudes to becoming a regulated market would enable more depth into this underexplored field. This might be something for the near future, as compared to other areas of conflict studies, this is a relatively young industry.

My pitfall consisted of me believing a theory-based approach would not be as valid as quantitative research. This also reflected in my initial writing style and uncertainty about whether I was explaining enough. A big thank you should go out to my primary supervisor, Dhr. H. Swedlund. Thanks to her critical but always consistent and righteous comments, I was able to complete this thesis within the set timeframe. I am wholeheartedly blessed to have had such a committed supervisor willing to help me through this project.

Appendix

Figure 1, from "Corporate Soldier and International Security", by C. Kinsey (2006, p.10)
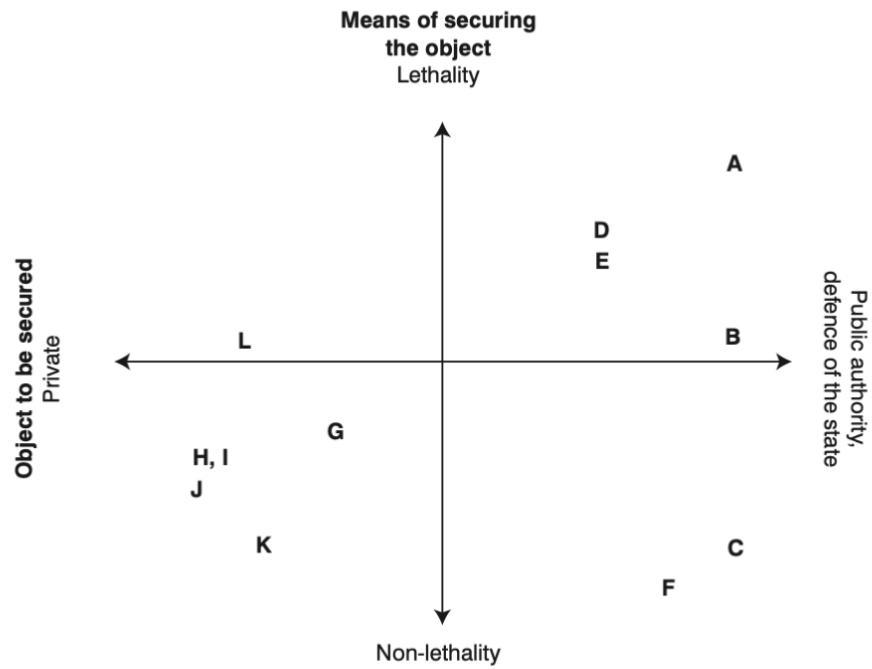
Figure 1   Locating private military and security companies by the object to be secured and the means of securing the object

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